



MINUTES OF MEETING
Approved
Wednesday, April 4, 2007
 Board of Supervisors Meeting Room
 575 Administration Drive
 Santa Rosa, CA 95403

COMMISSIONERS

Present Paul Kelley, Chair
 Present Tim Smith
 Executive Officer
 Present Jean Kapolchok
 Present Steve Allen
 Present Lisa Schaffner
 Present Mark Bramfitt
 Present Ray Brunton

ALTERNATE COMMISSIONERS

Absent Mike Kerns
 Present Mark Ihde
 Absent Pamela Torliatt
 Absent Albert Giordano

STAFF

Present Steven Sharpe, Executive Officer
 Present Carole Cooper, Assistant
 Present David Hurst, Legal Counsel
 Present Cynthia Olson, Clerk

1. **CALLED TO ORDER BY THE CHAIR** at 2:00 p.m.
2. **APPROVAL OF MINUTES OF MEETING:** The minutes of the February 7, 2007, meeting were unanimously approved, as distributed.
3. **GENERAL ANNOUNCEMENTS:** Chair Kelley stated that Item 8.2 would be heard after the Consent Calendar. Carole Cooper stated that the newest edition of the Cortese Knox Hertzberg Act had been placed before each of the Commissioners.
4. **GENERAL PUBLIC COMMENT:** Dawna Gallagher, 5025 Country Club Drive, Rohnert Park, commented on the Commission's responsibility regarding water conservation and open space.

5. CONSENT CALENDAR

5.1 File No. 07-05: Sebastopol Reorganization No. 2007-01 (Cypress Heights Development) Involving Annexation to the City of Sebastopol and Detachment from Gold Ridge Fire Protection District and County Service Area No. 41 (Multi-Services)
Applicant: Cypress Heights Development
Environmental Document: Negative Declaration
Proposal: Reorganization request for one parcel, totaling 1.5+/- acres, involving annexation to the City of Sebastopol and detachment from Gold Ridge Fire Protection District and County Service Area No. 41 (Multi-Services)
Location: Generally located on the west side of Pleasant Hill Road, south of Bodega Avenue and north of Swartz Road in west Sebastopol
Pre-zoning: Single Family Residential

Action: Approved as recommended by staff
 Schaffner: aye Allen: aye Smith: aye Brunton: aye Bramfitt: aye Kapolchok: aye Kelley: aye
 Ayes: 7 Noes: 0 Absent/Abstain: 0

8.1 Update on Southwest Santa Rosa/Roseland: Jim Andersen, Assistant County Administrator, summarized discussions to date between the County and City of Santa Rosa regarding the annexation areas in southwest Santa Rosa. Mr. Andersen acknowledged the attendance of Wayne Goldberg, Director of Advance Planning, City of Santa Rosa. Chair Kelley urged the parties to move the process forward as quickly as possible to meet the needs of the residents in the affected territory.

6. REGULAR CALENDAR

6.1 File No. 06-11: Final Action: Rohnert Park Reorganization No. 06-1 (University District) Involving Annexation to the City of Rohnert Park and detachment from Rancho Adobe Fire Protection District and County Service Area No. 41 (Multi-Services)
Applicant: City of Rohnert Park

Environmental Document: Final Environmental Impact Report for the University District Specific Plan and Addendum to Final Environmental Impact Report for the University District Specific Plan

Proposal: Reorganization request for 17 parcels, totaling 354.0 +/- acres, involving annexation to the City

of Rohnert Park and detachment from Rancho Adobe Fire Protection District and County Service Area No. 41 (Multi-Services)

Location: Generally located east of Snyder Lane, west of Petaluma Hill Road, south of Keiser Avenue and north of Sonoma State University, in northeast Rohnert Park

Pre-zoning: Specific Plan District; Public/Institutional

Commissioner Schaffner excused herself from hearing this item and left the chambers. Commissioner Smith stated he had listened to a recording of the previous meeting proceeding and would be voting on this item.

Carole Cooper summarized the staff report. Chair Kelley asked and received from Counsel clarification that the public hearing for this proposal was closed and that any public comment received at this meeting is to be considered comment on a regular agenda item.

Dawna Gallagher, 5025 Country Club Drive, Rohnert Park, asked the Commission how it could vote on an invalid EIR.

Chief Frank Treanor, Rancho Adobe Fire Protection District, asked and received clarification on the impact of the district's protest on the proceedings.

Ed Gee, Director, Rancho Adobe Fire Protection District, asked for and received clarification that future actions, if any, by LAFCO with regards to the Commission's decision on the annexation would depend upon appellate court rulings on the Water Supply Assessment and Final EIR and the City's subsequent actions.

Commissioner Smith moved to approve the proposal, as recommended by staff; Commissioner Allen seconded the motion.

Action: Approved as recommended by staff

Schaffner: abstain Allen: aye Smith: aye Brunton: aye Bramfitt: aye Kapolchok: aye Kelley: aye

Ayes: 6 Noes: 0 Absent/Abstain: 1

Commissioner Schaffner returned to the meeting.

7. REGULAR CALENDAR PUBLIC HEARINGS

- 7.1. **File No. 07-03:** Northeast Santa Rosa Reorganization No. 1-06 (Quayle) Involving Annexation to the City of Santa Rosa and Detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Donald Quayle

Environmental Document: Negative Declaration

Proposal: Reorganization request for 8 parcels, totaling 10.33+/- acres, involving annexation to the City of Santa Rosa and detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Location: Generally located west of Los Alamos Road, south of Fawn Drive, and north of Scotland Drive, in northeast Santa Rosa

Pre-zoning: Rural Residential and Rural Residential, Scenic Road Combining

Carole Cooper summarized the staff report and staff's recommendation to amend the annexation boundary to include five additional parcels and remaining segments of Fawn Drive, to create a more logical and orderly boundary. She noted two of the owners had contacted LAFCO staff to request inclusion in the annexation boundaries.

Chair Kelley opened the public hearing.

Michael Tremont, representing the applicant Don Quayle, read a statement from Mr. Quayle in favor of the annexation.

Farid Asefnia, property owner on Fawn Drive, asked that his property (APN 030-330-008) be included in the annexation boundaries.

Mark Potter, property owner at 5750 Fawn Drive, asked that his property be included in the annexation boundaries.

The Commission agreed to consider an amended boundary for the subject proposal. Since owners of the five parcels recommended by staff for inclusion had not received notice of such possible action, Chair Kelley, with the concurrence of the Commission, directed staff to provide appropriate notice, determine whether subsequent environmental review, in the form of an addendum to the negative declaration, would be required, and return an amended proposal to the Commission for consideration at its next meeting. Chair Kelley also announced that the public hearing would remain open.

7.2 File No. 07-04: Amendment No. 5 to the City of Santa Rosa Sphere of Influence and Northeast Santa Rosa Reorganization No. 05-03 (Suard) Involving Annexation to the City of Santa Rosa and Detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Victor Suard

Environmental Document: Negative Declaration

Proposal: Request for amendment to sphere of influence of the City of Santa Rosa and reorganization of one parcel, involving annexation to the City of Santa Rosa and detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Location: Generally located east of Calistoga Road, at the terminus of Stow Circle, and south of Badger Road, in northeast Santa Rosa

Pre-Zoning: Rural Residential and Open Space Conservation

Carole Cooper summarized the staff report. Counsel David Hurst pointed out that a portion of the affected territory is located within a community separator, and LAFCO has a policy not to approve annexation such territory. He further noted that the applicant/owner of the property agreed to dedicate an open space easement, thereby allowing the Commission to act on the proposal. The easement will allow the existing dwelling to remain but would preclude future development.

Commissioner Kapolchok stated that inclusion of the easement, to protect this territory permanently, would be consistent with the actions of the City and would not involve the Commission in a land-use decision.

Chair Kelley opened the public hearing.

Bruce Aspinall, Aspinall and Associates, representing the applicant, confirmed the applicant has agreed to the easement, noted that the property has been within the City's Urban Growth Boundary for almost 11 years, and pointed out that two of the three potential lots in the lower area of the territory are designated for family members.

Commissioner Smith, upon hearing from Mr. Aspinall that the City did not discuss with the applicant the possibility of an easement, suggested that, in the future, these matters should be handled by the cities/districts before an application comes before the Commission. Ms. Cooper agreed to provide that information to cities and districts.

Chair Kelley closed the public hearing.

Commissioner Kapolchok thanked the applicant for his agreement to the easement.

Commissioner Schaffner asked that cities' Urban Growth Boundary be included on future maps, if possible.

Commissioner Kelley agreed with Commissioner Smith that the jurisdiction to which an application is originally submitted should establish requirements relating to land use matters so that the Commission would not need to address it in its decisions.

Commissioner Allen abstained from the vote.

Action: Approved as recommended by staff, with the addition of a requirement for dedication of an open space easement for an approximately 12.7-acre portion of the affected territory.

Schaffner: aye Allen: abstain Smith: aye Brunton: aye Bramfitt: aye Kapolchok: aye Kelley: aye

Ayes: 6 Noes: 0 Absent/Abstain: 1

7.3 Fiscal Year 2007-08 Preliminary Budget and Fee Schedule: Carole Cooper summarized the staff report, which projected substantial increases in salaries and benefits, primarily due to changes in the Executive Officer position; legal services, due to projected work on major proposals and several district formations; a bi-annual audit; and an increase in CALAFCO fees. She noted that some legal services costs would be passed on to applicants and reimbursement to a revenue account was anticipated. Apportionments for the county, cities, and special districts should be available by the time of the Commission's final budget hearing in June. Steve Sharpe noted that some adjustment to projected revenue figures might be possible by that time as well.

Action: Approved as recommended by staff

Schaffner: aye Allen: aye Smith: aye Brunton: aye Bramfitt: aye Kapolchok: aye Kelley: aye

Ayes: 7 Noes: 0 Absent/Abstain: 0

8. INFORMATION/DISCUSSION/REPORT

8.1 Executive Officer Extra Help Agreement: Steve Sharpe summarized the Personnel Committee directives with regard to the Executive Officer Extra Help position. He expressed his belief that the transition would take less than the 16 months originally anticipated, and the process would be transparent. Chair Kelley stated that the Personnel Committee had directed Mr. Sharpe to develop an Executive Officer job description and provide it to the full Commission for review.

9. CONFIRM MEETINGS:

Commission Meeting Wednesday, May 2, 2007, at 2:00 P.M.;

Budget Committee Meeting, May 2, 2007, 1:30 P.M.

Personnel Committee Meeting May 2, 2007 at 1:00 P.M.

10. ADJOURNMENT at 2:55 p.m.