

TUESDAY, OCTOBER 7, 2008

**BOARD OF SUPERVISORS
SONOMA COUNTY
REGULAR MEETING**

SPECIAL DISTRICTS	VALERIE BROWN	1ST DISTRICT
SUPERVISORS' CHAMBERS	MIKE KERNS	2ND DISTRICT
SONOMA COUNTY	TIM SMITH	3RD DISTRICT
ADMINISTRATION BLDG.	PAUL L. KELLEY	4TH DISTRICT
575 ADMINISTRATION DR., ROOM 102A	MIKE REILLY	5TH DISTRICT
SANTA ROSA, CALIFORNIA 95403-2887	BOB DEIS	COUNTY ADMINISTRATOR
PHONE 707-565-2241	STEVEN WOODSIDE	COUNTY COUNSEL
FAX 707-565-3778		
WEB SITE http://www.sonoma-county.org/board/		

The Board of Supervisors welcomes you to its meetings which are regularly scheduled each Tuesday, and your interest is encouraged and appreciated.

Public Transit Access to the County Administration Center

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62, 64
Santa Rosa CityBus: Rt. 14
Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE.

The agenda is divided into two sections:

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the blue section and are usually approved by a single majority vote. Any Board Member may remove an item from the consent calendar.

REGULAR CALENDAR: These items include significant and administrative actions of special interest, appear in the white section and are classified by program area.

The regular calendar also includes "Set Matters," which are noticed hearings, work sessions and public hearings.

ADDENDUM: If there is an addendum to the agenda, it will be posted at the above referenced web site by Friday at 5:00 p.m. the week before the meeting.

SUPPLEMENTAL MATERIALS: Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, during normal business hours.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: PLEASE WALK TO THE ROSTRUM AND AFTER RECEIVING RECOGNITION FROM THE CHAIR, GIVE YOUR NAME AND ADDRESS, AND YOUR COMMENTS OR QUESTIONS. IN ORDER THAT ALL INTERESTED PARTIES HAVE AN OPPORTUNITY TO SPEAK, PLEASE BE BRIEF AND LIMIT YOUR COMMENTS TO THE SUBJECT UNDER DISCUSSION. TIME LIMITATIONS SHALL BE AT THE DISCRETION OF THE CHAIR OR BOARD.

Tuesday, October 7, 2008
8:30 A.M.

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities

SPECIAL DISTRICTS

Consent Calendar

Agricultural Preservation and Open Space District
Community Development Commission
Russian River County Sanitation District
Sonoma County Water Agency
Sonoma Valley County Sanitation District

GENERAL COUNTY GOVERNMENT

Approval of Agenda

Consent items pulled
Items to be held
Off Agenda Items
Commendatory/memorial resolutions

BOARD OF SUPERVISORS

Consent Calendar

SPECIAL DISTRICTS

Regular Calendar

Agricultural Preservation and Open Space District

BOARD OF SUPERVISORS

Regular Calendar

Development Services
Fiscal Services
General Administration Services
Health and Human Services

Closed Session:

1. The Board of Supervisors will consider the following in closed session
Initiation of litigation pursuant to subdivision (c) of Section 54956.9
(Govt. Code Section 54956.9(c))

Closed Session (Cont.):

2. The Board of Supervisors will consider the following in closed session
Initiation of litigation pursuant to subdivision (c) of Section 54956.9
(Govt. Code Section 54956.9(c))
3. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Anticipated litigation or Significant exposure to
litigation pursuant to subdivision (b) of Section 54956.9
4. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Existing Litigation
Name of Case: Emilce Castro Deller v. County of Sonoma, et al.
Court Case No.: SCV 242113
(Govt. Code Section 54956.9(a))
5. The Board of Supervisors, the Board of Directors of the Sonoma County Water
Agency and the Board of Commissioners of the Community Development
Commission will consider the following in closed session:
Conference with Labor Negotiator
Agency negotiator: Ann Goodrich
Employee organization: All
Unrepresented employee: All, including retired employees
(Govt. Code Section 54957.6(b))

2:00 Report on Closed Session

- 2:00 Public Comment on Issues Not on the Agenda
Note: Please limit comments to 3 minutes each. The Board will hear public
comments on non-agenda issues for up to 30 minutes. At that time, they
will hear scheduled agenda items. Any additional public comments will
be heard at the conclusion of the agenda items.

- 2:00 Permit and Resource Management Department
Review and possible action on the following:
1. Acts and Determinations of Planning
Commission/Board of Zoning Adjustments
 2. Acts and Determinations of Project Review
and Advisory Committee
 3. Administrative Determinations of the Director of Permit and Resource
Management

Uncontested Public Hearings:

2:05 File No.: N/A
Description: To consider a Resolution to Vacate all those certain portions of the public rights-of-way shown as Spring Street, Plaza Drive, Park Avenue, Tunnel Road, and an unnamed alley on "Plat No. 1, Waldruhe Heights" a subdivision map filed in Book 33, Pages 4 and 5, Sonoma County Records
Env. Doc.: N/A
Location: as described above
Sup. Dist.: Dist. #1

Regular Calendar Public Hearings:

2:10 Description: The Board will conduct a hearing, make findings and issue determination resolving property tax refund claim filed by Pepperwood Foundation
2:30 File No.: ZPE06-0356
Description: To consider an appeal by Ron Malone of a Board of Zoning Adjustments decision to deny the request for a Zoning Permit for an agricultural employee dwelling unit on a 33-acre property.
Env. Doc.: Categorically Exempt
Location: 909 Mustang Court, Petaluma
Sup. Dist.: Dist. #2

Closed Session (continued):

6. Conference with Real Property Negotiator
Property: Central Landfill, 500 Mecham Road, Petaluma, CA
Negotiating parties: For Seller: Jim Andersen, Assistant County Administrator
For Buyer: To be determined
Under negotiation: Central Landfill and Transfer Stations
(Govt. Code Section 54956.8)

Upcoming Hearings (All dates tentative until each agenda is finalized)

October 14

- Sonoma Mountain Road Slide
- Pelton House Winery
- Abatement of Outdoor Advertising Structure

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October 21

- Grading, Drainage and Vineyard and Orchard Site Development Ordinance

November 4

- Foothill Regional Park Phase 4 - Hearing of Necessity
- General Plan Amendments

November 18

- Hearing of Necessity for SVCSD

December 9

- General Plan Amendment, Dutra Asphalt

December 16

- PLP07-0078 GPA, 5340 Old Redwood Highway, SR
- Prop 218 Jenner Water District
- ZCE08-0025 Amend the Zoning Code
- Kunde Rezone/Subdivision

SPECIAL DISTRICTS

CONSENT CALENDAR

OCTOBER 7, 2008

III. DEVELOPMENT SERVICES

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

1. Matching Grant with City of Sebastopol - Sebastopol Skate Park and Community Garden
Concurrent Resolution of the Board of Supervisors and the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District authorizing Budgetary Adjustments to the FY 2008-2009 Final Budget related to the Sebastopol Skate Park and Community Garden Improvement Project in the amount of \$529,575; utilizing 2007 Series A Measure F Sales Tax Bond Proceeds (4/5ths vote required)

2. Contract between Sonoma County Agricultural Preservation and Open Space District and LandPaths
Authorize the District General Manager to execute a contract for FY 2008-09 between the Sonoma County Agricultural Preservation and Open Space District and LandPaths in an amount not to exceed \$84,500 for public educational outings on District-protected properties

COMMUNITY DEVELOPMENT COMMISSION

3. Sonoma County Continuum of Care Submission 2008
Endorse the continuation of the Community Development Commission's (CDC) lead agency role in the year-round Sonoma County Continuum of Care planning process and the Continuum's annual funding application to the U.S. Department of Housing and Urban Development (HUD)

Authorize the CDC Executive Director to:
 - 1) apply to HUD for Supportive Housing Program funds for the Homeless Management Information System and for Shelter Plus Care grant funds in partnership with Face to Face, Disability Services and Legal Center and Community Support Network;
 - 2) sign the Supportive Housing Program and Shelter Plus Care grant agreements and any related auxiliary documents at such time as the CDC Supportive Housing Program and Shelter Plus Care applications are approved;
 - 3) submit renewal funding applications in subsequent annual funding cycles for existing CDC Continuum of Care projects; and
 - 4) execute funding agreements and auxiliary documents in subsequent years

CONSENT CALENDAR (Cont.)

SONOMA COUNTY WATER AGENCY

4. Capacity Analysis of Radial Collector Wells
Authorize Chair to execute the Agreement between the Sonoma County Water Agency and ERM-West, Inc. for completion of a Capacity Analysis of Sonoma County Water Agency Radial Collector Wells (\$320,000)

Authorize the Agency's General Manager/Chief Engineer to amend the Agreement provided amendments do not cumulatively increase the total cost to the Agency more than \$25,000 and do not substantially change the scope of work

5. Dry Creek Habitat Restoration Feasibility Study
Authorize Chair to execute the Agreement for Dry Creek Habitat Restoration Feasibility Study - Phase 1 between the Sonoma County Water Agency and Inter-Fluve, Inc. (\$360,200)

Authorize the Agency's General Manager/Chief Engineer to amend the Agreement provided amendments do not cumulatively increase the total cost to the Agency by more than \$25,000 (taking into account all prior amendments) and do not substantially change the scope of work

6. Modeling and Interpretation of Hydrological Processes - Wohler Area
Authorize Chair to execute Amendment No. 3 to Agreement between the Regents of the University of California as Management and Operating Contractor for the Ernest Orlando Lawrence Berkeley National Laboratory Operating Under Prime Contract No. DE-AC02-05CH11231 for the US Department of Energy and Sonoma County Water Agency (\$110,383)

Authorize the Agency's General Manager/Chief Engineer to amend the Agreement provided amendments do not cumulatively increase the total cost to the Agency by more than \$25,000 (taking into account all prior amendments) and do not substantially change the scope of work

Authorize the Agency's General Manager/Chief Engineer to terminate the Agreement, if appropriate

7. Out-of-State Travel
Authorize Randy Poole, General Manager/Chief Engineer, along with Cordel Stillman, Capital Projects Manager, and Ann Dubay, Public Information Officer, to travel out of state to conduct meetings in support of federal lobbying efforts

CONSENT CALENDAR (Cont.)

SONOMA COUNTY WATER AGENCY (Cont.)

8. Climate All Stars Conference

Authorize Chair to execute the Cooperative Agreement for Sponsorship of Bay Area Climate All Stars Conference (November 6, 2008) between the Sonoma County Water Agency and Telos Project dba Climate Protection Campaign (\$25,000)

Authorize the Agency's General Manager/Chief Engineer to terminate the Agreement, if appropriate

9. Sonoma Valley Groundwater Management Plan Implementation

Authorize Chair to execute the Fourth Amended Agreement for Implementation of Work Plan for the Development of a Sonoma Valley Groundwater Management Plan between the Sonoma County Water Agency and Schlumberger Water Services USA Inc. (\$130,000)

Authorize an additional \$25,000 for Agency's General Manager/Chief Engineer to further amend the Agreement provided amendments do not substantially change the scope of work

SONOMA COUNTY WATER AGENCY/RUSSIAN RIVER COUNTY SANITATION DISTRICT/SONOMA VALLEY COUNTY SANITATION DISTRICT

10. No Drugs Down the Drain Week

Concurrent Resolution 1) Recognizing the week of October 4 through October 11, 2008, inclusive, as No Drugs Down the Drain Week in the State of California to raise awareness among the public about the environmental problems caused by flushing unwanted drugs down the drain and to encourage the use of proper disposal methods; 2) Agreeing to participate as partners and to direct staff to participate in and provide support to the coalition that is organizing No Drugs Down the Drain Week for the following:

Sonoma County Water Agency
Russian River County Sanitation District
Sonoma Valley County Sanitation District
Board of Supervisors

SPECIAL DISTRICTS (Cont.)

October 7, 2008

CONSENT CALENDAR (Cont.)

SONOMA VALLEY COUNTY SANITATION DISTRICT (3-Member Board)

11. Sonoma Valley County Sanitation District Tertiary Treatment Plant Upgrade - Notice of Completion

Resolution accepting completed work and authorizing the General Manager/Chief Engineer of the Sonoma County Water Agency, on behalf of the Sonoma Valley County Sanitation District, to file Notice of Completion for the Sonoma Valley County Sanitation District Tertiary Treatment Plant Upgrade Project (Contractor - C. Overaa & Co.)

CONSENT CALENDAR

BOARD OF SUPERVISORS

OCTOBER 7, 2008

IV. CRIMINAL JUSTICE SYSTEM SERVICES

PROBATION

12. Volunteer Center - Court Referral Program Contract Amendment
Authorize the Chief Probation Officer, on behalf of the County, to sign a contract amendment with the Volunteer Center, to increase the total FY 2008-2009 contract compensation amount from \$138,200 to \$153,200 for a total increase of \$15,000

SHERIFF-CORONER

13. Termination of Deep-Sea Boat Agreement
Authorize the Sheriff, on behalf of the County of Sonoma, to 1) terminate the Agreement for Joint Acquisition and Maintenance of a Deep-Sea Boat, pursuant to its terms, with The Regents of the University of California (Bodega Marine Lab), and 2) return to the Board with options and a recommended approach to fulfill the State Boating and Waterway's Obligation for Ocean Patrol Services

I. GENERAL ADMINISTRATIVE SERVICES

HUMAN RESOURCES

14. Miscellaneous Classification and Compensations Changes
Concurrent Resolution adopting the proposed job classification of Senior Park Planner, and authorizing the Letter of Understanding between the County and SEIU, Local 1021, effective October 7, 2008 for the following:

Sonoma County Water Agency
Community Development Commission
Northern Sonoma County Air Pollution Control District
Board of Supervisors

Resolution amending the department allocation lists for Department of Health Services deleting 1.0 FTE Program Planning Analyst and adding 1.0 FTE Health Program Manager, Regional Parks Department deleting 1.0 FTE Park Planner II and adding 1.0 FTE Senior Park Planner, and Agricultural Commissioner/Sealer's Office deleting 1.0 FTE Office Assistant II and adding 1.0 FTE Accounting Clerk II, effective October 7, 2008

HUMAN RESOURCES (Cont.)

15. Safety Consulting Agreement Amendment
Authorize the Human Resources Director to execute an amendment to the agreement with Savvy Safety Solutions extending the term of the agreement for one year from April 30, 2009 to April 30, 2010 and increasing the maximum agreement amount from \$25,000 to \$50,000

V. HEALTH AND HUMAN SERVICES

HEALTH SERVICES

- 16 Binational Health Week
Resolution in recognition of Binational Health Week, October 6-15, 2008

HUMAN SERVICES

17. Appointment and Reappointments
Resolution appointing Craig Schmidt and reappointing Linda Freudenberg, Peter Harsch, Scott Kincaid, and Saeid Rahimi to the Workforce Investment Board
18. Child Care Planning Council Membership
Resolution appointing the following new members to the Sonoma County Child Care Planning Council: Melanie Dodson, Community Child Care Council; Carli Ortiz, Parent; Meg Frye, North Bay Children's Center; and Barbara Francis, Santa Rosa Junior College. These appointments will fill required memberships
19. Easter Seals, Inc. Contract
Authorize the Director of Human Services or designee to accept, sign and execute Contract 462-6211-01-210 with Easter Seals, Inc. for August 15, 2008 - December 31, 2008 in the amount of \$10,000.00

Resolution authorizing budgetary adjustments to the 2008-2009 budget in the amount of \$10,000.00 (4/5ths vote required)

II. FISCAL SERVICES/CONSUMER PROTECTION SERVICES

AGRICULTURAL COMMISSIONER

INFORMATIONAL

20. Fish and Wildlife Commission Guidelines
Guidelines for Fish and Wildlife Commission for approving grants and maintaining a reserve in the Fish and Wildlife Fund

AGRICULTURAL COMMISSIONER (Cont.)

21. High Risk Pest Exclusion Agreement
Resolution authorizing the Chair to sign an agreement with the State of California, Department of Food and Agriculture for High Risk Pest Exclusion activities for FY 2008-09

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

22. Audit Report
Review and accept the Report of the Sonoma County Agriculture Preservation and Open Space District for the Fiscal Year ended June 30, 2007

III. DEVELOPMENT SERVICES

ECONOMIC DEVELOPMENT BOARD

23. Agreement for Services with the Sonoma County Tourism Bureau (SCTB)
Approve and authorize the Chair to execute a four (4) year Agreement for Services between the County of Sonoma and the Sonoma County Tourism Bureau for 2008

EMERGENCY SERVICES

24. Memorandum of Understanding with the City and County of San Francisco
Authorizing the Chair to sign the Memorandum of Understanding with the City and County of San Francisco for distribution of UASI Regional funds.

Resolution authorizing Budgetary Adjustments to the 2008-2009 Final Budget for the Emergency Services Department in the amount of \$669,413 (4/5ths vote required)

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

25. Continued Decision: PLP05-0108, James Syar
Resolution certifying a final subsequent environmental impact report, making and adopting a statement of overriding considerations, adopting a mitigation monitoring program, and approving a project consisting of amendments to the Aggregate Resources Management Plan, Surface Mining and Reclamation Ordinance, Use Permit, and Reclamation Plan to extend the mining period for the previously approved Syar Phase VI terrace mining pit on property located at 3400 Westside Road, Healdsburg, APN 110-090-029; zoned LIA (land intensive agriculture), B6-40 acre density, MR (mineral resource), F2 (floodplain combining district), BR (biotic resource), VOH (valley oak habitat); Supervisorial District No. 4 (PLP05-0108)
- Ordinance amending Chapter 26A of the Sonoma County Code to allow a time extension to complete mining of the Syar Phase VI Terrace Pit (PLP05-0108)
(Continued from September 16, 2008)
26. SEIR Contract Amendment No. 2, Syar Phase VI Terrace Mining Extension of Time Project
Authorize the Chair to sign a contract amendment that would increase the Environmental Science Associates SEIR Services contract by \$47,226.17 to \$346,436.17

REGIONAL PARKS

27. Joe Rodota/West County Trail Utility Easement
Resolution granting a public utility easement and a temporary construction easement over County property to the City of Sebastopol for replacing the sanitary sewer line, authorizing the Chair to execute the Easement Agreement, and authorizing the Director of Regional Parks to execute related documents and file a Notice of Categorical Exemption pursuant to the California Environmental Quality Act (CEQA)

TRANSPORTATION AND PUBLIC WORKS

28. Valley of the Moon Lighting District
Resolution authorizing installation of sidewalk and crosswalk lighting in conjunction with the Highway 12 Corridor Improvement Project Phase 2, Stage 1, and accept the lights into the District for maintenance
- Resolution authorizing budgetary adjustments increasing appropriations \$450,000 within the Valley of the Moon Lighting District index 670752-8510 to be drawn from the District's available Fund Balance (4/5ths vote required)

TRANSPORTATION AND PUBLIC WORKS (Cont.)

29. State Route 12 Corridor Improvement Project Phase 2, Stage 1
Approve and authorize the Chair to sign Construction Cooperative Agreement with the State of California to construct road improvements to State Route 12 from Boyes Boulevard to Donald Street (C03401)

I. GENERAL ADMINISTRATIVE SERVICES

BOARD OF SUPERVISORS

30. Commendation
Resolution commending and honoring the Nelson Family of Companies as Sonoma Valley Business of the Year 2008
31. Appointment
Resolution appointing Steven Kemmerle to the Veterans Memorial Buildings Advisory Committee representing the Second District
32. Reappointment
Resolution reappointing Jack Frost to the Timber Cove Fire Protection District

MISCELLANEOUS

33. Minutes
Concurrent resolution approving the minutes for the meeting of September 9, 2008 for the following:
- Sonoma County Agricultural Preservation and Open Space District
Community Development Commission
Sonoma County Water Agency
Northern Sonoma County Air Pollution Control District
Board of Supervisors
-

SPECIAL DISTRICTS

REGULAR CALENDAR

OCTOBER 7, 2008

III. DEVELOPMENT SERVICES

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

34. Acquisition of a Conservation Easement over the Pacheco Property
Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District authorizing and directing the President to execute an agreement for the acquisition of a conservation easement over the 230.17-acre Pacheco property for a total price of \$1,500,000; authorizing and directing the execution of a certificate of acceptance; and directing the preparation of escrow instructions
-

BOARD OF SUPERVISORS

REGULAR CALENDAR

OCTOBER 7, 2008

V. HEALTH AND HUMAN SERVICES

HEALTH SERVICES

35. Sonoma County Children and Families Commission
Resolution introducing, reading title of and waiving further reading of an ordinance amending Ordinance No. 5142 (establishing the Sonoma County Children and Families First Commission), as amended by Ordinance No. 5326, to increase the number of Commissioners, provide for three-year terms of office, and establish term limits

CAO Recommends: Approval

II. FISCAL SERVICES

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

36. Sonoma County 2008-2009 Tax and Revenue Anticipation Notes
Resolution authorizing the issuance and sale of 2008-2009 Tax and Revenue Anticipation Notes in an amount not to exceed \$130,000,000 and authorizing preparation of an official statement and execution of agreements for financial advisor and bond counsel in connection therewith

CAO Recommends: Approval

III. DEVELOPMENT SERVICES

REGIONAL PARKS

37. Community Partnerships for Youth (CPY II)
Accept a CPY Phase II End of Project Report detailing completion of CPY II funded projects

CAO Recommends: Approval

I. GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

38. State Ballot Measures

Resolution declaring opposition to the enactment of Proposition 5 - Nonviolent Offenders, Sentencing, Parole and Rehabilitation

Resolution declaring opposition to the enactment of Proposition 6 - Criminal Penalties and Laws. Public Safety Funding

Resolution declaring opposition to the enactment of Proposition 7 - Renewable Energy

Resolution declaring opposition to the enactment of Proposition 9 - Criminal Justice System, Victims' Rights, Parole

Resolution declaring opposition to the enactment of Proposition 10 - Alternative Fuel Vehicles and Renewable Energy Bond

CAO Recommends: Approval

BOARD OF SUPERVISORS

39. Fee Waiver

Waive fees of \$5,591 for rental of the Sebastopol Veterans Memorial Building on June 3, 4 and 5, 2009 for Analy High School Project Graduation

CAO Recommends: For policy determination of the Board

40. Fee Waiver

Waive fees of \$630 for use of the Guerneville Veterans Building for their annual Community Thanksgiving Dinner to be held November 27, 2008

CAO Recommends: For policy determination of the Board

REGULAR CALENDAR (Cont.)

October 7, 2008

BOARD OF SUPERVISORS (Cont.)

41. Fee Waiver

Waive fees for the Community Church in Guerneville for use of the Guerneville Veterans Building in the amount of \$2,599 for the annual free Christmas dinner

CAO Recommends: For policy determination of the Board

42. Fee Waiver

Waive fees of \$270 by Sonoma County Water Coalition for use of Sebastopol Veterans Memorial Building for a water panel discussion for the public to be held October 22, 2008

CAO Recommends: For policy determination of the Board
