

TUESDAY, APRIL 17, 2007

**BOARD OF SUPERVISORS
SONOMA COUNTY
REGULAR MEETING**

SPECIAL DISTRICTS	VALERIE BROWN	1ST DISTRICT
SUPERVISOR'S 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.

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, April 17, 2007
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

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

BOARD OF SUPERVISORS

Regular Calendar

General Administrative 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))

2. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Existing Litigation
Name of case: Christina Gavi, Esparanza Roney, Charles Verdin; individually,
and as Guardian Ad Litem for David Verdin v. County of Sonoma,
et al., Superior Court Case No. 235037
Agency claimed against: Sonoma County Health Services Department
(Govt. Code Section 54956.9(a))

3. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Existing Litigation
Name of Case: Brian J. Patenaude v. County of Sonoma, et al., United
States District Court Northern District of California, Case
No.: C06 7783 MHP
Agency claimed against: Sonoma County Sheriff's Department
(Govt. Code Section 54956.9(a))

Closed Session (Cont.):

4. The Board of Directors of the Sonoma County Water Agency will consider the following in closed session:
Conference with Legal Counsel-Existing Litigation
Name of case: Sonoma County Water Coalition, et al. V. Sonoma County Water Agency et al., Superior Court Case No. SCV 240367
(Govt. Code Section 54956.9(a))
5. The Board of Supervisors and the Board of Directors of the Sonoma County Water Agency will consider the following in closed session:
Initiation of litigation - Intervention before Federal Energy Regulatory Commission re: March 21, 2007 "Order Granting License Amendment, and Providing Notice and Opportunity to Intervene and comment," FERC Project No. 77-162
(Govt. Code Section 54956.9(c))
6. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Existing Litigation
Name of Case: In the Matter of the Protest of: Bill Cogbill, Sheriff, et al., against the Person to Person and Premises to Premises transfer of an On-Sale General Public Eating Place License to Dry Creek Rancheria of Pomo Indians, River Rock Casino, Department of Alcoholic Beverage Control No. 47-396835
(Govt. Code Section 54956.9(a))
7. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Anticipated Litigation
Name of Case: Estate of Chass vs. County of Sonoma, et al.
Agency claimed against: Sonoma County Sheriff's Department
(Govt. Code Section 54956.9(a))
8. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Existing Litigation
Name of Case: Lauren Renee Ferrara vs. County of Sonoma, et al., United States District Court No. C05-1182 CRB
Agency claimed against: Sonoma County Sheriff's Department
(Govt. Code Section 54956.9(a))
9. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Initiation of litigation
(Govt. Code Section 54956.9(c))

Closed Session (Cont.):

10. The Board of Supervisors, the Board of Commissioners of the Community Development Commission and the Board of Directors of the Sonoma County Water Agency will consider the following in closed session:
Conference with labor Negotiator
Agency negotiator: Ken Couch and Ann Goodrich
Employee organization: All
or/and
Unrepresented employees: 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 agendized 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: The Board of Supervisors to consider the purchase of certain real property (Lands of Nemeth) consisting of a ten-acre rural residential property improved with a single-family dwelling and miscellaneous outbuildings
Env. Doc.: N/A
Location: 1808 Sanders Road, Windsor; APN 164-170-003
Sup. Dist.: Dist. #4

Regular Calendar Public Hearings

- 2:10 File No.: PRMD File No. UPE05-0003
Description: Appeal of Claudia Olvera of a BZA decision to deny a use permit for one mobile food unit in the parking lot of an existing commercial building
Env. Doc.: Mitigated Negative Declaration
Location: 990 Sebastopol Road, Santa Rosa
Sup. Dist.: Dist. #5
- 2:15 File No.: N/A
Description: The Board of Supervisors/Directors will consider fee and permit increases and/or new fees for the following departments and agencies:
Agricultural Commissioner
Emergency Services
Health Services
Permit and Resource Management Department
Regional Parks
Sonoma County Water Agency
Env. Doc.: N/A
Location: Countywide
Sup. Dist.: Countywide

5:30 Workshop - Sutter-Memorial Hospital Proposed Transaction

Thursday, April 19, 2007

- 1:00 p.m. Bid opening: Occidental County Sanitation District Collection System Replacement (W.A.)

SPECIAL DISTRICTS

CONSENT CALENDAR

APRIL 17, 2007

III. DEVELOPMENT SERVICES

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

1. Renewal of Agricultural
Resolution determining that renewal of the lease of the Ho Property for agricultural operation is consistent with the 1989 Sonoma County General Plan and authorizing the General Manager to renew the existing lease of the Ho Property, located at 5974 Petaluma Hill Road
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SONOMA COUNTY WATER AGENCY

2. Aerial Photography Services for South Transmission System Project
Authorize the Chair to execute the Agreement for Aerial Photography Services for proposed South Transmission System Project between the Sonoma County Water Agency and Delta Geomatics Corporation (\$131,895)

Authorize the Agency's General Manager/Chief Engineer to terminate the Agreement pursuant to Agreement provisions

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 and do not substantially change the scope of work
 3. Conflict of Interest Code - Amendment
Resolution amending Conflict of Interest Code of the Sonoma County Water Agency
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SONOMA VALLEY COUNTY SANITATION DISTRICT (3-Member Board)

4. Conflict of Interest Code - Amendment
Resolution amending Conflict of Interest Code of the Sonoma Valley County Sanitation District
-

BOARD OF SUPERVISORS

CONSENT CALENDAR

APRIL 17, 2007

IV. CRIMINAL JUSTICE SERVICES

SHERIFF-CORONER

5. Bomb Squad & Weapons of Mass Destruction (WMD) Agreement with the Sonoma County Junior College District
Approve and authorize the Sheriff to execute Bomb Squad & Weapons of Mass Destruction (WMD) Agreement with the Sonoma County Junior College District and, upon County Counsel approval, make any future modifications that do not substantially alter the Agreement. Revenue for FY 06/07 will total \$3,487
6. Warm Springs Dam Law Enforcement Services Contract
Approve the \$110,732.96 law enforcement services contract for 2007 with the U.S. Army Corps of Engineers and authorize the Sheriff to execute the contract and make any revisions or amendments thereto that do not substantially change the content thereof, upon approval of County Counsel

III. DEVELOPMENT SERVICES

EMERGENCY SERVICES

7. Speedway Sonoma, LLC Fire Protection Services Agreement
Approve and authorize the Chair to execute a two year agreement for supplemental fire protection services with Speedway Sonoma, LLC for the following 2007 and 2008 events:
 - AMA-Superbike
 - NASCAR
 - National Hot Rod Association (NHRA)
 - IRL Indy Car Series

REGIONAL PARKS

8. Schopflin Fields Appropriation Transfer and Phase 3 Bid Award
Resolution appropriating additional funds from Park Mitigation Special Revenue Funds for the Schopflin Fields Capital Improvement Project (4/5ths vote required)

Award the bid for construction of Schopflin Fields Phase 3 Improvements, Santa Rosa, California, to Siri Grading & Paving, Inc. in the amount of \$839,895

TRANSPORTATION AND PUBLIC WORKS

9. Central Landfill Gas Rights Purchase Agreement
Approve and authorize the Chair to execute First Amendment to the Gas Rights Purchase Agreement with Sonoma Energy Systems

10. Airport Boulevard Signal Modification at Aviation Boulevard
Approve Plans and Specifications for the construction of Airport Boulevard Signal Modification at Aviation Boulevard (C07003)

Authorize and direct the Clerk of the Board to publish a notice calling for bids for the construction of the same in a newspaper of general circulation one time at a date as directed by the Director of Transportation and Public Works

Direct the Clerk of the Board to receive bids at the time and date as directed by the Director of Transportation and Public Works

Authorize the Director of Transportation and Public Works to award contract for construction to the lowest responsible bidder

11. Fulton Road Sidewalk Improvements
Approve Plans and Specifications for the construction of Fulton Road Sidewalk Improvements (C03400)

Authorize and direct the Clerk of the Board to publish a notice calling for bids for the construction of the same in a newspaper of general circulation one time at a date as directed by the Director of Transportation and Public Works

Direct the Clerk of the Board to receive bids at the time and date as directed by the Director of Transportation and Public Works

Authorize the Director of Transportation and Public Works to award contract for construction to the lowest responsible bidder

TRANSPORTATION AND PUBLIC WORKS (Cont.)

12. River Road Channelization and River Access Project at Sunset Beach Park
Approve Plans and Specifications for the construction of River Road Channelization and River Access Project at Sunset Beach Park (C03410)

Authorize and direct the Clerk of the Board to publish a notice calling for bids for the construction of the same in a newspaper of general circulation one time at a date as directed by the Director of Transportation and Public Works

Direct the Clerk of the Board to receive bids at the time and date as directed by the Director of Transportation and Public Works

Authorize the Director of Transportation and Public Works to award contract for construction to the lowest responsible bidder

I. GENERAL ADMINISTRATIVE SERVICES

GENERAL SERVICES

13. Hood House Seismic Upgrades - Phase 1
Resolution authorizing budgetary adjustments to the 2006-07 Final Budget for the Capital Project Fund - Hood House Seismic Upgrades project, in the amount of \$566,710 (4/5ths vote required)

14. Justice Precinct Planning
Resolution authorizing budgetary adjustments to the FY 2006-07 Final Budget for the Capital Project Fund - Justice Precinct Planning project, in the amount of \$25,000 (4/5ths vote required)

15. Valley of the Moon Children's Home - Phase 3
Authorize the Chair to execute an amendment to the contract with Josette Brault in the amount of \$85,000 for the Valley of the Moon Children's Home - Phase 3 project

Authorize the Chair to execute a contract with Coastland Civil Engineering in the amount of \$90,405 for the Valley of the Moon Children's Home - Phase 3 project

Authorize the Chair to execute a contract with Rodolph & Associates in the amount of \$152,579 for the Valley of the Moon Children's Home - Phase 3 project

Authorize the Chair to execute a contract with Kitchell CEM in the amount of \$95,934 for the Valley of the Moon Children's Home - Phase 3 project

GENERAL SERVICES/INFORMATION SYSTEMS

16. Information Systems Department Back-Up Center Lease
Resolution declaring intent to enter into a lease with Sonic.Net, Inc. for a portion of 2260 Apollo Way, Santa Rosa, California; setting a public hearing for May 15, 2007, at 2:05 p.m.

HUMAN RESOURCES

17. Supplement to Military Leave Pay
Concurrent resolution to continue to provide supplemental pay and health and welfare benefits for regular county employees on active military duty in response to the war in Iraq/Afghanistan, through April 18, 2008 for the following:
Sonoma County Water Agency
Community Development Commission
Northern Sonoma County Air Pollution Control District
Board of Supervisors

COUNTY COUNSEL

18. Conflict of Interest Codes
Resolution approving conflict of interest code amendments for the Sonoma County Water Agency and Sonoma Valley County Sanitation District

COUNTY ADMINISTRATOR

19. Hospital Closeout Funds Appropriations
Resolution authorizing the appropriation of all available balances within the Hospital Closeout Enterprise Fund-County Services Budget

BOARD OF SUPERVISORS

20. Proclamation
Resolution recognizing the 500th birthday of the geographical naming of America
21. Proclamation
Resolution proclaiming April 2007 as Relay for Life Month in Sonoma County

CONSENT CALENDAR (Cont.)

April 17, 2007

BOARD OF SUPERVISORS (Cont.)

- 22. Proclamation
Resolution proclaiming April 23 through 29, 2007 as West Nile Virus and Mosquito and Vector Control Week in Sonoma County
- 23. Commendation
Resolution honoring Andrew Alexander Hoesly for achieving the rank of Eagle Scout
- 24. Commendation
Resolution honoring Maureen Shaw as a Konocti Girl Scouts Council 2007 Jewel of a Woman
- 25. Commendation
Resolution honoring Peggy Gorman Soberanis as a Konocti Girl Scouts Council 2007 Jewel of a Woman
- 26. Appointment
Resolution appointing Mary Alex-Needham to the Commission on the Status of Women, representing Supervisorial District 5

MISCELLANEOUS

- 27. Minutes
Concurrent resolution approving the minutes for the meeting of March 20, 2007 for the following:
 - Community Development Commission
 - Occidental County Sanitation District
 - Sonoma County Agricultural Preservation and Open Space District
 - Sonoma County Water Agency
 - Board of Supervisors
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BOARD OF SUPERVISORS

REGULAR CALENDAR

APRIL 17, 2007

V. HEALTH AND HUMAN SERVICES

HUMAN SERVICES

28. 2007-08 Area Plan Update
Resolution authorizing the Chair to approve the Area Agency on Aging Area Plan Update for FY 2007-08

CAO Recommends: Approval

I. GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

29. FY 07-08 Advertising Program/Fund
Accept status report on TOT collections and Advertising Fund multi-year projections, provide policy direction on funding for FY 07-08 Advertising Program, and approve revisions to the Advertising & Promotions Policy

CAO Recommends: Approval

BOARD OF SUPERVISORS

30. Fee Waiver
Waive room rental fees at the Santa Rosa Veterans Memorial Building in the amount of \$250 for the Fish and Wildlife Partners Educational Event to be held Thursday, May 10, 2007

CAO Recommends: For policy determination of the Board

BOARD OF SUPERVISORS (Cont.)

31. Fee Waiver

Waive Special Event Permit fees in the amount of \$237 for the Fitch Mountain Footrace on Sunday June 10, 2007, sponsored by the Healdsburg Kiwanis Club

CAO Recommends: For policy determination of the Board

32. Fee Waiver

Waive fees in the amount of \$930 for the Bodega Bay Area Chamber of Commerce's fireworks celebration to be held on July 1, 2007

CAO Recommends: For policy determination of the Board

33. Fee Waiver

Fee waiver in the amount of \$1,272 for use of the Veterans Memorial Building in Petaluma for the operation of Redwood Empire Food Bank's Emergency Food Assistance Program (EFAP) that provides supplemental food for low-income residents in the Petaluma area

CAO Recommends: For policy determination of the Board

BOARD OF SUPERVISORS

AGENDA ADDENDUM

APRIL 17, 2007

CONSENT CALENDAR

I. GENERAL ADMINISTRATIVE SERVICES

HUMAN RESOURCES

- 27a. Exempt General Services Director from Civil Service System
Ordinance amending the Sonoma County Code to exempt the Director of General Services from the Civil Service System
(Ready for adoption)

COUNTY ADMINISTRATOR

- 27b. AB 1019 (Blakeslee)
Authorize the Chair to sign a letter in support of AB 1019 relating to land use, annexations and regional housing needs

Closed Session:

11. The Board of Supervisors will consider the following in closed session:
Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation - One Item
(Govt. Code Section 54956.9(b))
12. The Board of Directors of the Sonoma County Water Agency will consider the following in closed session:
Initiation of litigation pursuant to subdivision (c) of Section 54956.9
(Govt. Code Section 54956.9(c))

5:30 p.m.

34. Sutter/Memorial Hospital Proposed Transaction

Accept Preliminary Study prepared by Department of Health Services' independent consultants regarding the proposed transaction between Sutter Medical Center of Santa Rosa and Santa Rosa Memorial Hospital

Accept comment from the public regarding the proposed transaction between Sutter Medical Center of Santa Rosa and Santa Rosa Memorial Hospital

Give direction to staff to take action as may be necessary in light of the consultants' report and the County's agreements with Sutter

Direct the Department to initiate a planning process on access to quality, affordable health care in Sonoma County

CAO Recommends: Approval
