

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

October 7, 2008

The Board of Directors of the Sonoma County Agricultural Preservation and Open Space District met this date in regular session at 8:30 a.m., with the following members present: Directors Brown, Smith, Kelley, Reilly, Kerns

President Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

CONSENT CALENDAR

III. DEVELOPMENT SERVICES

08-0839

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

08-0855

33. Minutes
Concurrent resolution approving the minutes for the meeting of September 9, 2008

UNANIMOUS

REGULAR CALENDAR

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT (Cont.)

8:48 Present: Stuart Martin
Misti Arias

08-0856

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

UNANIMOUS

4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS

COMMUNITY DEVELOPMENT COMMISSION

October 7, 2008

The Board of Commissioners of the Community Development Commission met this date in regular session at 8:30 a.m., with the following members present:
Commissioners Brown, Smith, Kelley, Reilly, Kerns

Chair Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

CONSENT CALENDAR

III. DEVELOPMENT SERVICES

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

08-0842

14. Miscellaneous Classification and Compensation 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

CONSENT CALENDAR (Cont.)

COMMUNITY DEVELOPMENT COMMISSION (Cont.)

- 08-0855
33. Minutes
Concurrent resolution approving the minutes for the meeting of
September 9, 2008

UNANIMOUS

- 4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting
was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY WATER AGENCY

October 7, 2008

The Board of Directors of the Sonoma County Water Agency met this date in regular session at 8:30 a.m., with the following members present:
Directors Brown, Smith, Kelley, Reilly, Kerns

Chair Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

CONSENT CALENDAR

III. DEVELOPMENT SERVICES

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)

CONSENT CALENDAR (Cont.)

SONOMA COUNTY WATER AGENCY (Cont.)

6. Modeling and Interpretation of Hydrological Processes - Wohler Area (Cont.)
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
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
- 08-0842
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

CONSENT CALENDAR (Cont.)

SONOMA COUNTY WATER AGENCY (Cont.)

- 08-0855
33. Minutes
Concurrent resolution approving the minutes for the meeting of September 9, 2008
- 08-0840
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

UNANIMOUS

- 4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

RUSSIAN RIVER COUNTY SANITATION DISTRICT

October 7, 2008

The Board of Directors of the Russian River County Sanitation District met this date in regular session at 8:30 a.m., with the following members present:
Directors Brown, Smith, Kelley, Reilly, Kerns

Chair Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

CONSENT CALENDAR

III. DEVELOPMENT SERVICES

08-0840

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

UNANIMOUS

4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA VALLEY COUNTY SANITATION DISTRICT

October 7, 2008

The Board of Directors of the Sonoma Valley County Sanitation District met this date in regular session at 8:30 a.m., with the following members present:

Directors Brown, Kerns

Absent: Sanders

Chair Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

CONSENT CALENDAR

III. DEVELOPMENT SERVICES

08-0840

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

08-0841

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.)

AYES: Brown, Kerns

ABSENT: Sanders

4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

October 7, 2008

The Board of Directors of the Northern Sonoma County Air Pollution Control District met this date in regular session at 8:30 a.m., with the following members present:
Directors Brown, Smith, Kelley, Reilly, Kerns

Chair Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

CONSENT CALENDAR

III. DEVELOPMENT SERVICES

- 08-0842
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
- 08-0855
33. Minutes
Concurrent resolution approving the minutes for the meeting of September 9, 2008

UNANIMOUS

- 4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS

COUNTY OF SONOMA

October 7, 2008

The Board of Supervisors of the County of Sonoma met this date in regular session at 8:30 a.m., with the following members present:
Supervisors Brown, Smith, Kelley, Reilly, Kerns

Chair Kerns presiding.

Present: Robert Deis, County Administrator
Steven M. Woodside, County Counsel

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities:

Supervisor Brown requested that the Board adjourn in memory of Whitney R. Gilman

Chairman Kerns requested that the Board adjourn in memory of Dorothy Barella

CONSENT CALENDAR

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

- 08-0842
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
- 08-0843
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
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

Present: Mary Maddux-Gonzalez, Sonoma County Public Health Officer
George Ortiz

- 08-0837
16. Binational Health Week
Resolution in recognition of Binational Health Week, October 6-15, 2008

HUMAN SERVICES

- 08-0844
17. Appointment and Reappointments
Resolution appointing Craig Schmidt and reappointing Linda Freudenberg, Peter Harsch, Scott Kincaid, and Saeid Rahimi to the Workforce Investment Board

HUMAN SERVICES (Cont.)

- 08-0845
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
- 08-0846
Resolution authorizing budgetary adjustments to the 2008-2009 budget in the amount of \$10,000 (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
- 08-0847
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.

08-0848

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

08-0849

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)

NOES: Brown, Reilly

Ordinance No. 5806

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)

NOES: Brown, Reilly

CONSENT CALENDAR (Cont.)

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT (Cont.)

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

- 08-0850
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

- 08-0851
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
- 08-0852
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)
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

- 08-0838
30. Commendation
Resolution commending and honoring the Nelson Family of Companies as Sonoma Valley Business of the Year 2008

BOARD OF SUPERVISORS (Cont.)

- 08-0853
31. Appointment
Resolution appointing Steven Kemmerle to the Veterans Memorial Buildings Advisory Committee representing the Second District

- 08-0854
32. Reappointment
Resolution reappointing Jack Frost to the Timber Cove Fire Protection District

MISCELLANEOUS

- 08-0855
33. Minutes
Concurrent resolution approving the minutes for the meeting of September 9, 2008

- 08-0839
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)

Public Comment:
Stephan Volker

UNANIMOUS

III. DEVELOPMENT SERVICES

REGIONAL PARKS

8:56 Present: Mary Burns, Regional Parks Director
Judy Erickson

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

Present: CPY Committee: John Mills

Public Comment:

Stephanie Shackelford, Valley of the Moon Teen
Shannon Griffin, Petaluma Boys and Girls Club
Julie Thomasene, For Pete's Sake
Cy Penry, For Pete's Sake
Anita Templar, Windsor Boys and Girls Club
Gail Allus, Roseland School District Accelerated Middle School

UNANIMOUS

V. HEALTH AND HUMAN SERVICES

HEALTH SERVICES

9:32 Present: Jennie Tascheff, Health Services Program Manager
Present: Carol Caldwell Ewart, Health Services Information Specialist

08-0857

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

UNANIMOUS

II. FISCAL SERVICES

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

9:38 Present: Rod Dole, Auditor-Controller/Treasurer-Tax Collector

08-0858

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

UNANIMOUS

I. GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

9:50 Present: Lori Norton, Deputy County Administrator

08-0859

38. State Ballot Measures
Resolution declaring opposition to the enactment of Proposition 5 - Nonviolent Offenders, Sentencing, Parole and Rehabilitation

08-0860

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

08-0861

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

08-0862

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

08-0863

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

UNANIMOUS

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

Supervisor Reilly will check with the participants on whether they can cut the time down to two days to reduce the waiver amount

AYES: Brown, Kelley, Reilly, Kerns
NOES: Smith

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

AYES: Brown, Kelley, Reilly, Kerns
NOES: Smith

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

AYES: Brown, Kelley, Reilly, Kerns
NOES: Smith

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

AYES: Brown, Reilly
NOES: Smith, Kelley, Kerns

10:16 Board recessed to Closed Session

12:55 Board recessed to 2:00 p.m.

2:00 Board reconvened

Present: Robert Deis, County Administrator
Steven Woodside, County Counsel

Report on Closed Session

1. Instruction to Legal Counsel-Initiation of litigation pursuant to subdivision (c) of Section 54956.9 (Govt. Code Section 54956.9(c)). No action taken.
2. Instruction to Legal Counsel-Initiation of litigation pursuant to subdivision (c) of Section 54956.9 (Govt. Code Section 54956.9(c)).

08-0864

43. Resolution authorizing the County Counsel to: (1) amend the existing Legal Services Agreement with Peckar & Abramson; and (2) enter into a new Legal Services Agreement with Atkinson, Andelson, Loya, Ruud & Romo in connection with the leachate pipeline project

UNANIMOUS

3. Instruction to Legal Counsel-Anticipated litigation or Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9. No action taken.
4. Instruction to 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)).

08-0865

44. Resolution authorizing the Risk Manager to effect a settlement of the complaint from Emilce Castro Deller v. County of Sonoma, in the amount of \$55,000

UNANIMOUS

5. Instruction to Labor Negotiator (The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency and the Board of Commissioners of the Community Development Commission) - Agency negotiator: Ann Goodrich; Employee organization: All; Unrepresented employee: All, including retired employees (Govt. Code Section 54957.6(b)). No action taken.
6. Conference with Real Property Negotiator-Property: Central Landfill, 500 Mechem 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). Withdrawn.

2:03 Public Comment opened
Colleen Fellini, Colusa County Citizens for Safe Water
Beth Katsaris, Colusa County Citizens for Safe Water
Pam Nieberg, Sierra Club, Yolano Group
Valerie Anderson, Tuolumne Environmental Advocacy Group
Bill Piseni
Christine Bowerman, resident of Franz Valley Road
John Jenkel

2:25 Public Comment closed

2:25 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

APPROVED

2:25 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

Present: Gary O'Connor, County Surveyor, Permit and Resource Management Dept.
Kathy Larocque, Deputy County Counsel

2:26 Public Hearing opened
Tim Metzger

2:30 Public Hearing closed

08-0866

45. 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
1, Waldruhe Heights," a subdivision map filed in Book 33, Pages 4 and 5, Sonoma
County Records lying within lands of McGann as described in Document Number
2006120991, and lands of Crew as described in Sonoma County Document Number
2003059023, pursuant to the Streets and Highways Code Section 8300 et seq (First
Supervisory District)

UNANIMOUS

2:35 Description: The Board will conduct a hearing, make findings and issue determination resolving property tax refund claim filed by Pepperwood Foundation

Present: Kathy Larocque, Deputy County Counsel
Robert Deis, County Administrator
Jennifer Klein, Deputy County Counsel for Assessor's Office
Bill Rousseau, Chief Deputy Assessor

2:35 Public Hearing opened
John Mackie, representing Pepperwood Foundation
Herb Dwight, Founder, Pepperwood Foundation
Richard King, USDA, Natural Resources Conservation Service
John Mackie

3:24 Public Hearing closed

Straw vote:

Resolution directing Counsel to prepare findings in favor of Pepperwood Foundation.
This item is to come back to the Board for final decision on October 21, 2008 at 8:30 a.m.

UNANIMOUS

3:30 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

Present: Blake Hillegas, Permit and Resource Management Department
Jennifer Barrett, Permit and Resource Management Department
David Hurst, Chief Deputy County Counsel

3:38 Public Hearing opened
Ron Malone, appellant

3:50 Public Hearing closed

4:00 The gavel was passed to Vice Chair Reilly

3:30 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 (Cont.)

08-0867

46. Resolution denying without prejudice an appeal of a Zoning Permit for an agricultural employee dwelling unit in accordance with an Open Space Easement encumbering property at 909 Mustang Court, Petaluma; zoned DA (Diverse Agriculture) B7 (Frozen Lot Size) VOH (Valley Oak Habitat); APN 137-070-019

AYES: Brown, Smith, Reilly

NOES: Kelley, Kerns

4:08 The gavel was passed to Chair Kerns

4:08 Board adjourned in memory of Dorothy Barella and Whitney R. Gilman. The meeting was adjourned to Tuesday, October 14, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk