

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

October 14, 2008

The Board of Directors of the Sonoma County Agricultural Preservation and Open Space District met this date in adjourned 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
Bruce Goldstein, Assistant County Counsel

REGULAR CALENDAR

III. DEVELOPMENT SERVICES

Present: Andrea McKenzie, General Manager, APOSD
Stuart Martin, Land Acquisition Specialist, APOSD

08-0886

23. Acquisition of a Conservation Easement over the Cooke 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 193-acre Cooke property for a total price of \$1,000,000; determining that the acquisition is consistent with the 1989 Sonoma County General Plan; authorizing and directing the execution of a certificate of acceptance; directing the preparation of escrow instructions; and directing the filing of a Notice of Exemption in compliance with the California Environmental Quality Act

UNANIMOUS

3:18 Board adjourned to October 21, 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 14, 2008

The Board of Supervisors of the County of Sonoma met this date in adjourned 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
Bruce Goldstein, Assistant County Counsel

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities:

Supervisor Brown stated that she had attended an executive board meeting of the California State Association of Counties (CSAC) the previous week

CONSENT CALENDAR

IV. CRIMINAL JUSTICE SYSTEM SERVICES

SHERIFF-CORONER

- 08-0873
2. Appropriation Transfer
Resolution authorizing budgetary adjustment to the Sheriff's Department FY 2008-09 final budget appropriating unanticipated revenue from the U.S. Department of Justice, Bureau of Justice Assistance 2008 Justice Assistance Grant (JAG) in the amount of \$56,589 for the purchase of criminal justice related equipment (4/5ths vote required)

I. GENERAL ADMINISTRATIVE SERVICES

FAIRGROUNDS

3. Joint Exercise Powers Amended Agreement for California Fair Services Authority ("CFSA")
Approve the amended Joint Exercise Powers Agreement for CFSA. Modifications are outlined in Attachment A to the Summary Report

Authorize the Fair Manager, in coordination with the Sonoma County Counsel Department, to approve the amended Joint Exercise Powers Agreement for CFSA

GENERAL SERVICES

4. Sonoma County Comprehensive Energy Project
Authorize the Director of General Services or his designee to negotiate a scope of work and execute an amendment to the contract with Aircon Energy, in an amount not to exceed \$75,000, for services related to the development of an AB811 program, upon approval from County Counsel as to form

08-0874

Resolution authorizing budgetary adjustments to the 2008-09 Final Budget for the Capital Project Fund-Comprehensive Energy Project Index #109587 in the amount of \$75,000, transferred from Contingencies #081018-9000 (4/5ths vote required)

V. HEALTH AND HUMAN SERVICES

HEALTH SERVICES

08-0868

5. Community Activity and Nutrition Coalition Tenth Anniversary
Resolution recognizing the Community Activity and Nutrition Coalition for its community service and achievements and recognizing October 14, 2008 as the tenth anniversary of the coalition
6. DUI Court Project - Alcohol and Other Drug Services
Authorize the Director of Health Services to execute a contract with Sonoma County Superior Court for alcohol and other drug services for the period February 1, 2008 through August 31, 2009, and any amendments that do not significantly change the scope of the work, within approved budget authority (\$25,200).

08-0875

Resolution authorizing budgetary adjustments to the FY 2008-09 Final Budget within the Special Revenue Fund - Department of Health Services in the amount of \$23,100 (4/5ths vote required)

Ordinance No. 5807

7. Sonoma County Children and Families Commission
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

II. CONSUMER PROTECTION SERVICES

AGRICULTURAL COMMISSIONER/PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

08-0876

8. Consolidation of all Grading, Drainage and Vineyard and Orchard Development-Related Code Provisions into One Comprehensive Chapter
Resolution introducing, reading the title of, and waiving further reading of an Ordinance amending Sonoma County Code to consolidate all grading, drainage and vineyard and orchard development related code provisions into one comprehensive chapter

III. DEVELOPMENT SERVICES

REGIONAL PARKS/SONOMA COUNTY WATER AGENCY

08-0877

9. Riverfront Regional Park Phase 2 - Notice of Completion
Resolution accepting the construction of the Riverfront Regional Park Phase 2 Improvements near the Town of Windsor, California, under contract with Sonoma Engineering, Inc. as complete and authorizing the Chair to execute a Notice of Completion

TRANSPORTATION AND PUBLIC WORKS

10. Receive Proposals for Possible Divestiture of Solid Waste Assets
Pursuant to Government Code Section 25515 -2215.5 receive proposals, if any, submitted for the proposed sale of the County solid waste assets including the Central Landfill (including the transfer station thereon) and the following four transfer stations: Sonoma, Healdsburg, Guerneville and Annapolis

Direct staff to review, evaluate and engage in negotiations, if appropriate, until a contract is fully negotiated with a successful proposer at which time it shall be brought before the Board for final consideration and approval
11. Highway 12 Corridor Improvement Project Phase 2, Stage 1
Approve and authorize the Director of Transportation and Public Works to amend an Agreement for Professional Services with Vali Cooper and Associates, Inc. with the amount of the amendment not to exceed \$315,000 (C03401)

TRANSPORTATION AND PUBLIC WORKS (Cont.)

- 08-0878
12. Canon Manor Appropriations
Resolution authorizing budgetary adjustments to increase expenditure appropriations of \$200,000 in the Canon Manor Assessment District (4/5ths vote required)
- 08-0879
13. Water Purchase Agreement for CSA #41-Freestone Water District
Resolution authorizing the purchase of water from an existing well located at 611 Bohemian Highway, Freestone, CA (APN 073-100-065), owned by Anne Haden, to serve 27 existing water users in the CSA #41 Freestone Water District; and authorize the Director of Transportation and Public Works to execute an agreement for the purchase of the water

I. GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

14. Contract with ICMA Regarding Performance Measurement
Authorize County Administrator to approve contract with International City/County Management Association (ICMA) to support Performance Measurement Pilot Projects

BOARD OF SUPERVISORS

- 08-0869
15. Proclamation
Resolution proclaiming October 20-24, 2008 as National School Bus Safety Week in Sonoma County
- 08-0870
16. Proclamation
Resolution proclaiming Thursday, October 16, 2008 as International Credit Union Day
- 08-0880
17. Reappointment
Resolution reappointing Ron Rolleri and Dennis Murphy as members of the Sotoyome Resource Conservation District

BOARD OF SUPERVISORS (Cont.)

- 08-0881
18. Appointment
Resolution appointing Dolph Green to the Cloverdale Fire Protection District to fill vacant position
- 08-0882
19. Appointment
Resolution appointing Pat Mazzini to the Landmarks Commission, representing Supervisorial District 1
- 08-0883
20. Appointment
Resolution appointing Judy Rice to the Commission on Human Rights, representing Supervisorial District 5
- 08-0884
21. Appointment
Resolution appointing Steve Trippe to the Economic Development Board, representing Supervisorial District 5
- 08-0885
22. Appointment
Resolution appointing Nancy Rappolt as Alternate to the Bicycle and Pedestrian Advisory Committee, representing Supervisorial District 5

OFF AGENDA

- 08-0871
22a. Proclamation
Resolution honoring and commending Sonoma Acres Convalescent Hospital for providing 49 years of excellent nursing care

UNANIMOUS

IV. CRIMINAL JUSTICE SYSTEM SERVICES

SHERIFF-CORONER

9:03 Present: Sheriff Bill Cogbill
Heidi Keith, ASO

INFORMATIONAL

24. Sheriff's Department 2008 Community Survey
Presentation by the Sheriff's Department of the 2008 Community Survey findings

III. DEVELOPMENT SERVICES

ECONOMIC DEVELOPMENT BOARD

9:17 Randy De Caminada, PG&E
Cynthia Murray, North Bay Leadership Council
Ben Stone, Economic Development Board
Mehroz Baig, Economic Development Board
Karen Fies, Human Services
Eric Paul, Economic Development Board

25. Innovation Council Update
Accept draft report and direct staff to confer with the Innovation Council steering committee to develop an implementation strategy to address the key findings and prepare a final report to the Board of Supervisors

Direct staff to help facilitate interactions between "champions" selected from the members of the Innovation Council and the County's Strategic Plan Project owners so that implementation efforts can be coordinated as appropriate

Authorize the Economic Development Board Director to sign an acceptance letter for a grant from the Morgan Family Foundation agreement within the Sonoma County Economic Development Board Foundation

UNANIMOUS

TRANSPORTATION AND PUBLIC WORKS

10:00 Present: Phil Demery, Director, Transportation and Public Works

08-0888

26. Canon Manor Sewer Service Fee Ordinance - Amendment

Resolution introducing, reading the title of, and waiving further reading of an Ordinance which amends Ordinance 5742 of the Board of Supervisors of the County of Sonoma on behalf of the Canon Manor West Assessment District, establishing a procedure for the collection of the sewer service fee for continuing service for this fiscal year, and specifies County's intention to seek placement of the charge on the tax roll for FY 2009/10 and subsequent fiscal years

CAO Recommends: Approval

UNANIMOUS

I. GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

10:36 Present: Jim Leddy, Community and Government Affairs Manager
Don Peterson, Peterson Consulting

27. State Legislative Program - End of Session Report

Accept informational report regarding the County's State Legislative Program

10:54 Supervisor Kelley left the meeting

10:57 Supervisor Kelley returned to the meeting

11:10 Supervisor Reilly left the meeting

11:10 Bob Deis left the meeting

11:12 Bob Deis returned to the meeting

11:14 Supervisor Reilly returned to the meeting

UNANIMOUS

COUNTY ADMINISTRATOR (Cont.)

11:03

28. State Ballot Measure - Proposition 8

The Board of Supervisors will consider whether to take a position on Proposition 8

Supervisor Reilly recommends that the Board take an opposition position on Proposition 8

Public Comment

- Ben Cushman
- George Tuttle
- Nancy Vogan
- Wes Witter
- Reeny Kiff
- Stephan Gale
- Hal and Marion Cushman
- Pat Callahan
- Robin Bramwell
- Ray Holly
- Charles Metz
- Ed Sheffield
- Lisa Clyde Garcia

AYE: Brown, Smith, Reilly, Kerns

NOES: Kelley

BOARD OF SUPERVISORS

29. Fee Waiver

Waive fees of \$537 for rental of the Guerneville Veterans Memorial Building on November 28, 29 and 30, 2008 for the AIDS Quilt Display in connection with the World AIDS Day weekend

UNANIMOUS

08-0887

23. Acquisition of a Conservation Easement over the Cooke Property

Resolution of the Board of Supervisors consenting to the recordation of an irrevocable offer of dedication of a public trail easement over a portion of the Cooke Property

UNANIMOUS

12:28 Board recessed until 2:00

2:02 Board reconvened

Present: Jim Andersen, Assistant County Administrator
Bruce Goldstein, Assistant County Counsel
Absent: Supervisor Kelley

Report on Closed Session

1. Initiation of litigation pursuant to subdivision (c)) of Section 54956.9 (Govt. Code Section 54956.9(c)). Withdrawn.
2. Direction to Legal Counsel-Anticipated litigation or Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Govt. Code Section 54956.9(b)).
3. Direction to Legal Counsel (The Board of Supervisors and the Board of Directors of the Sonoma County Water Agency) - Anticipated litigation or Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Govt. Code Section 54956.9(b)).
4. Direction to 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).
5. Direction 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)).
6. Direction to Legal Counsel-Anticipated litigation or Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Govt. Code Section 54956.9(b)).

2:04 Public Comment opened
Craig Enyart
Bill Pisenti
Peter Tscherneff
Ian Miller
Lisa Carr
Donna Fischer
Ken Bauer

2:22 Public Comment closed

- 2:23 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

2:24 Board recessed to 2:30

2:37 Board reconvened

2:37 File No.: PLP05-0010
Description: To consider a request for a Lot Line Adjustment/Agricultural Preserve
Modification/Williamson Act contracts rescission and replacement Use
Permit for a winery with four special events per year
Env. Doc.: Mitigated Negative Declaration
Location: 16701 & 17705 Highway 128, Calistoga (Knights Valley)
Sup. Dist.: Dist. #4

Present: Gregory Dion, Deputy County Counsel

08-0889

30. Resolution continuing the hearing on a request for a Lot Line Adjustment/Agricultural
Preserve Modification/Williamson Act contracts rescission and replacement Use Permit for
a winery with four special events per year, located at 16701 & 17705 Highway 128,
Calistoga (Knights Valley), File No. PLP05-0010, to November 4, 2008 at 2:45 p.m.

AYES: Brown, Smith, Reilly, Kerns

ABSENT: Kelley

3:02 File No.: VLP02-0523
Description: To consider a resolution ordering the abatement and removal of an outdoor advertising structure
Env. Doc.: N/A
Location: 18100 Geyserville Avenue, Geyserville
Sup. Dist.: Dist. #4

Present: Ben Neuman, Permit and Resource Management Department
Pete Parkinson, Director, Permit and Resource Management Department
Jeff Brax, Deputy County Counsel

3:11 Public Hearing opened
Mark Freed, read letter from Ron Dering, Esq. on behalf of property owners
3:17 Public Hearing closed

08-0890

31. Resolution ordering the abatement and removal of an outdoor advertising structure at 18100 Geyserville Avenue, Geyserville, APN 091-090-013; Supervisorial District No. 4

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

3:18 Board adjourned to October 21, 2008 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk