

**AGENDA
BOARD OF SUPERVISORS
SONOMA COUNTY
575 ADMINISTRATION DRIVE, ROOM 102A
SANTA ROSA, CA 95403**

TUESDAY

September 9, 2014

8:30 A.M.

(The regular afternoon session commences at 2:00 p.m.)

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. Each of the foregoing entities is a separate and distinct legal entity.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

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, CA, 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.

Public Transit Access to the County Administration Center:

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

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APPROVAL OF THE CONSENT CALENDAR

The Consent Calendar includes routine financial and administrative actions that are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

8:30 A.M. CALL TO ORDER

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA

(Items may be added or withdrawn from the agenda consistent with State law.)

II. BOARD MEMBER ANNOUNCEMENTS

III. CONSENT CALENDAR

(Items 1 through 31)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 4)

PRESENTATIONS AT THE BOARD MEETING

1. Adopt a Gold Resolution proclaiming September 27, 2014 as Russian River Cleanup Day in Sonoma County. (Fourth and Fifth Districts)
2. Adopt a Gold Resolution proclaiming September 15, 2014 through October 15, 2014 as Latino Heritage Month in Sonoma County. (Fifth District)
3. Adopt a Gold Resolution proclaiming September as National Preparedness Month for Sonoma County, and commemorating the sacrifices and heroic actions of those impacted on September 11, 2001. (Fire and Emergency Services)

PRESENTATIONS AT A DIFFERENT DATE

4. Adopt a Gold Resolution honoring and acknowledging Lieutenant Matthew Stapleton upon the occasion of his retirement from the Petaluma Police Department after 26 years of exemplary service. (Second District)

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

5. Authorize the Chair to execute a contract with Diède Construction, Inc. in the amount of \$1,995,000 for construction of the Westside Facility (9703 Wohler Road), and delegate authority to the General Manager of the Water Agency to execute the agreement and release of any and all claims, if required.
6. Bus Transportation Services and Grant Award –
 - (A) Authorize the General Manager of the Water Agency to execute an agreement with West County Transportation Authority for student transportation for the water education program for the amount of \$112,800; agreement terminates on June 30, 2017.
 - (B) Authorize the General Manager to accept a \$43,539 financial assistance award from the Department of Commerce to partially fund one year of the Headwaters2Ocean water education program; award period is from August 1, 2014 to June 30, 2015.

CONSENT CALENDAR (Continued)

7. Sale of Easements for the Farmhouse Inn Expansion – Consider execution of an Easement and Real Property Purchase Agreement and an Easement Agreement with Bartolomei Tommervik Bartolomei Properties, LLC, and consider finding and determining that the proposed transfer is for an adequate consideration, will not adversely affect the Water Agency in any respect, will not have a significant adverse effect on the environment; and consider taking the following actions:
- (A) Authorize the Chair to execute an Easement and Real Property Purchase Agreement setting forth the terms and conditions for the sale of easements described and granted by the Easement Agreement; and
 - (B) Authorize the Chair to execute an Easement Agreement conveying easement rights to Bartolomei Tommervik Bartolomei Properties, LLC a California limited liability company for deposit into escrow, pending closing in accordance with the terms of the Easement and Real Property Purchase Agreement; and
 - (C) Authorize the General Manager of the Water Agency to execute such documents and take such actions as may be required for the Water Agency to meet its obligations under the terms of the Easement and Real Property Purchase Agreement; and
 - (D) Authorize the General Manager of the Water Agency to file a Notice of Determination with respect to these actions, in accordance with the California Environmental Quality Act.
- An agenda item for final action will be presented to the Board on September 16, 2014.
(4/5th vote required)

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Rouse)

8. Authorize the Chair to execute a contract with TerraCon Constructors, Inc. for \$247,852 (expected completion date January, 26, 2015), for construction of the North Bay Water Reuse Program, Sonoma Valley County Sanitation District, McGill Road Recycled Water Pipeline, and to delegate authority to the General Manager of the Water Agency on behalf of the District, and to execute the agreement and release of any and all claims, if required. (First District) (2/3rd vote required)

BOARD OF SUPERVISORS

9. Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotion activities for Fiscal Year 2014-15: The Actors' Theater for Children, \$500; Sonoma County Bach Society, \$500; Buck Institute for Research on Aging for the 2014 North Bay Science Discovery Day, \$500; Children's Museum of Sonoma County, \$500; Sonoma County Farm Trails, \$2,000; Mentor Me Petaluma, \$1,000; Petaluma Arts Center, \$1,000. (Second District)
10. Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotion activities for Fiscal Year 2014-15: Actors' Theater for Children, \$500; Children's Museum of Sonoma County, \$2,000; Council on Aging Services for Seniors, \$1,000; Sunny Hills Services, \$500; and Law Enforcement Chaplaincy of Sonoma County, \$1,250. (Third District)

CONSENT CALENDAR (Continued)

COUNTY ADMINISTRATOR

11. Authorize the Chair to execute the First Amendment to the Personal Services Agreement with John Hartwig as Director of Information Systems to extend the term for three years (September 20, 2014 through September 20, 2017).
12. Approve the Board of Supervisor's responses to the Fiscal Year 2013-14 Grand Jury Report.

COUNTY ADMINISTRATOR/AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR/ INFORMATION SYSTEMS DEPARTMENT/ GENERAL SERVICES

13. Accept the quarterly update on the Enterprise Financial System Project Implementation.

COUNTY CLERK-RECORDER-ASSESSOR

14. General District Election Appointments –
Adopt a Resolution appointing nominees in lieu of election to the Office of Director of their respective districts.
15. Adopt the Resolution authorizing consolidation of all jurisdictions that have submitted requests for consolidation, as required by Elections Code §10400, and have measures placed before the voters or sufficient nominees to require elections to be held on November 4, 2014.

DISTRICT ATTORNEY

16. Adopt a Resolution to authorize the Chair to execute a Federal Equitable Sharing Agreement and Certification with the U.S. Department of Justice and the U.S. Department of Treasury for Fiscal Year 2013-14. (Countywide)

FIRE AND EMERGENCY SERVICES

17. Authorize the Chair to execute an agreement between Sonoma County Fire and Emergency Services and the Novato Fire Protection District to provide mutual automatic response to emergency incidents in the Lakeville area of CSA 40, and the northeastern and northwestern areas of the District; The agreement terminates on July 31, 2015.

CONSENT CALENDAR (Continued)

GENERAL SERVICES/CLERK-RECORDER-ASSESSOR

18. New lease for the Clerk-Recorder-Assessor warehouse storage at 3033 Coffey Lane, Santa Rosa, California –
- (A) Authorize the Clerk to publish a notice, declaring the Board’s intent to execute a lease with Woodstock Properties, LLC, for approximately 15,145 sq. ft. of storage space at 3033 Coffey Lane, Unit E, Santa Rosa, for the County Clerk-Recorder-Assessor, for an initial rate of \$0.45 per sq. ft. per month (approximately \$6,815 per month, or \$81,780 per year), which is subject to adjustment as more particularly described in the proposed lease, for a 7-year initial term, with two, 5-year extension options;
 - (B) Authorize the General Services Director, or his Deputy, to execute a letter-agreement with Woodstock Properties, LLC, whereby the Landlord of said building will begin construction of tenant improvements in advance of the execution of the proposed lease, and the County agrees to reimburse such costs, not to exceed \$175,315, if the proposed lease is not executed by October 15, 2014.

GENERAL SERVICES/COUNTY COUNSEL

19. Authorize the Chair to execute the Legal Services Agreement with Burke, Williams and Sorensen, LLP, Attorneys at Law, to provide advisory and representation services regarding the fuel cell plan for one year, with two one-year extension options per approval by County Counsel, and a not-to-exceed amount of \$150,000 in total. (4/5th vote required)

GENERAL SERVICES/HUMAN SERVICES

20. Authorize the General Services Director to execute a lease amendment with Parkway Properties 14, LLC, for the Human Services Department/CalFresh and Medi-Cal programs, for approximately 3,457 sq. ft., in the building located at 520 Mendocino Avenue, Santa Rosa, for an additional \$5,768 per month, or \$69,220 per year, for a term concurrent with the existing lease, to expire on October 31, 2020, with options to extend the term through October 31, 2029.

GENERAL SERVICES/PROBATION

21. Probation Day Reporting Program Lease Assignment and License to BI – Authorize the Clerk to publish a notice pursuant to Government Code Section 6063 declaring the Board’s intention to execute the assignment and amendment of a commercial lease with B. I., Incorporated, for County acceptance of the rights and obligations under the existing lease between BI and Southport Land and Commercial Company for approximately 5,840 square footage of office space at 2400 County Center Drive, Suite A, Santa Rosa, with a monthly rent of \$6,815.28, plus the cost of utilities and common area maintenance estimated at \$1,100 per month. The term of the assignment is scheduled to commence November 1, 2014 and to expire January 31, 2016.

CONSENT CALENDAR (Continued)

HEALTH SERVICES/TRANSPORTATION AND PUBLIC WORKS

- 22. Sonoma County Safe Routes to School Program –
 - (A) Authorize the Director of Health Services to execute a grant agreement with Kaiser Foundation Hospitals to accept \$20,000 in grant revenue to continue implementation of the Sonoma County Safe Routes to School Program for the period of July 1, 2014 through June 30, 2015;
 - (B) Authorize the Director of Health Services to execute the second amendment to an agreement with Sonoma County Bicycle Coalition to continue implementation of bicycle and pedestrian education and support services for elementary and middle schools as part of the Sonoma County Safe Routes to School Program, increasing the contract by \$44,200 resulting in a new total not-to-exceed amount of \$600,200, and extending the term end date from September 30, 2014 to January 31, 2015;
 - (C) Adopt a Resolution of Local Support authorizing the Director of Transportation and Public Works to submit an application to the Metropolitan Transportation Commission for \$872,000 in funding from the Federal Active Transportation Program to implement the Sonoma County Safe Routes to School High School Pilot Program.

**HUMAN RESOURCES/
AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

COMMUNITY DEVELOPMENT COMMISSION

(Commissioners: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

- 23. Authorize the Director of Human Resources to execute Amendment No. 02 to the Agreement for Consulting Services with Pacific ADA Center/Center on Disability at the Public Health Institute, for website remediation services including training for ADA compliance, increasing the contract maximum from \$25,000 to \$100,000 and extending the term of the agreement through June 30, 2016.

SONOMA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

- 24. Authorize the approval of regulations to maintain the retirement system's IRS tax qualified plan status as adopted by the Sonoma County Employees' Retirement Association (SCERA) Board of Retirement, pursuant to Government Code Section 31525.

TRANSPORTATION AND PUBLIC WORKS

- 25. Adopt a Resolution establishing all-way stop controls at the intersection of Westside Road (#8001) and Westside Road (#80146).

CONSENT CALENDAR (Continued)

26. Refuse Enterprise – Short-Term Operation of Central Landfill Disposal Site and County Transfer Stations.
- (A) Approve and authorize the Chair to sign the Agreement for Operation of the County Transfer Stations with The Ratto Group of Companies, Inc., to allow for the term of the agreement to continue on a month-to-month basis until the Master Operations Agreement is effectuated.
- (B) Approve and authorize the Chair to sign the Third Amendment to the Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-Permitting services, with Keller Canyon Landfill, Inc., to allow for the term of the agreement to continue on a month-to-month basis until the Master Operations Agreement is effectuated and adding additional tasks to the scope of work.

TRANSPORTATION AND PUBLIC WORKS
AND
NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT
(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

27. Authorize the Air Pollution Control Officer of the Northern Sonoma County Air Pollution Control District to execute a Lease Agreement with the Wilcox Family Trust, for the Glenbrook Monitoring Site located at 14531 Bottle Rock Road (APN 011040-48), Cobb Area, Lake County, California, for use by the Geysers Air Monitoring Program, for an amount of \$1,900 annually with a term ending August 1, 2019, with an option to extend the term of the agreement by two years in one year increments.

MISCELLANEOUS

28. Approve the Minutes –
- (A) Minutes of the Meeting of July 29, 2014 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Occidental County Sanitation District, Russian River County Sanitation District, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and
- (B) Minutes of the Meeting of July 29, 2014 of the Sonoma Valley County Sanitation District.

APPOINTMENTS/REAPPOINTMENTS
(Items 29 through 31)

29. Approve the Appointment of Albert Lerma to the Sonoma County Transportation Authority Citizens Advisory Committee for a two year term effective September 9, 2014 through September 9, 2016. (Fifth District)
30. Approve the Appointment of Laura Van Waardenburg to the Commission on the Status of Women for a two year term effective September 9, 2014 through September 9, 2016. (First District).
31. Approve the Appointment of Caren Montante to the Commission on the Status of Women for a two year term effective September 9, 2014 through September 9, 2016. (Second District)

IV. REGULAR CALENDAR

(Items 32 through 37)

COUNTY ADMINISTRATOR/FIRE AND EMERGENCY SERVICES

32. Review and Approve the Fire Services Ad Hoc Committee Project Charter

TRANSPORTATION AND PUBLIC WORKS

33. **10:00 A.M.** Termination of County Maintenance on Reclamation Road between Post Miles 10.00 and 10.58 at the corner of Lakeville Highway and Highway 37 –
- (A) Conduct a Public Hearing to determine if Reclamation Road between County Post Miles 10.00 and 10.58 is necessary for the public convenience.
 - (B) Adopt a Resolution terminating the maintenance of Reclamation Road, County Post Miles 10.00-10.58, reducing the County Maintained mileage by .58 mile.
 - (C) Approve the installation of a private gate on Reclamation Road (#36001) at Post Mile 10.58. (Second District)

HUMAN SERVICES/PROBATION

34. Title IV-E Waiver Funding and Reinvestment Opportunity –
- (A) Approve a Memorandum of Understanding between California Department of Social Services and the Human Services Department for the Title IV-E California Well-Being Project.
 - (B) Authorize the Director of the Human Services Department to work with the Auditor/Controller to establish a special revenue fund for IV-E Waiver Reinvestment Funds to be used in accordance with County policy.

COUNTY ADMINISTRATOR/FIRE AND EMERGENCY SERVICES

35. Review and approve the Fire Services Ad Hoc Committee Project Charter

HUMAN RESOURCES

36. Pursuant to Government Code §7522.56, approve the appointment of Jill Hager, as a Risk Management Analyst II Retiree Extra-Help, in order to fill a critically needed position within 180 days of her retirement, and approve an appointment date as early as September 9, 2014.

BOARD OF SUPERVISORS

37. Approve Board Sponsorship of \$2,500 for Slow Food Russian River to operate a community apple press at Luther Burbank Experiment Farm. (Fifth District)

V. CLOSED SESSION CALENDAR

(Items 38 through 41)

38. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation – Roberto Ardon vs. County of Sonoma, Workers’ Compensation Appeals Board Nos. ADJ8376697, ADJ6900461. (Gov’t. Code Section 54956.9(d)(1)).
39. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Initiation of Litigation - Name of Case: Dry Creek Rancheria Band of Pomo Indians. (Gov’t. Code Section 54956.9(d)(4)).
40. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Potential Litigation (Gov’t. Code Section 54956.9(d)(4)).
41. The Board of Directors of the Sonoma County Community Development Commission will consider the following in closed session: Conference with Real Property Negotiator – Property: 17301 Hwy. 12, Sonoma, California 95476, APN 056-201-066; Agency Negotiator: Kathleen H. Kane, Executive Director, Community Development Commission; Negotiating Parties: Optionee - Sonoma County Community Development Commission; Optionor - Celestina Vailetti and Marco Vailetti, Successor Trustees of the Vailetti Family Living Trust dated July 5, 1995; Under Negotiation: Terms and conditions of potential exercise of right of first refusal on property. (Gov’t. Code Section 54956.8).

REGULAR AFTERNOON CALENDAR

(Items 42 through 46)

2:00 P.M. - RECONVENE FROM CLOSED SESSION

42. Report on Closed Session.
43. **PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA** (Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)
44. Permit and Resource Management Department: Review and possible action on the following:
- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
 - b) Acts and Determinations of Design Review Committee
 - c) Acts and Determinations of Project Review and Advisory Committee
 - d) Administrative Determinations of the Director of Permit and Resource Management

PERMIT & RESOURCE MANAGEMENT DEPARTMENT

45. **2:10 P.M.** – Technical Amendments to the 2020 General Plan Public Safety Element; GPA13-0001.
Conduct a Public Hearing and Adopt a Resolution finding that the proposed amendments are within the scope of the General Plan 2020 Program Environmental Impact Report, and incorporating the proposed amendments into the General Plan 2020 Public Safety Element to:
- (A) Update hazard maps and information;
 - (B) Add a program to implement the Hazard Mitigation Plan; and
 - (C) Add a discussion of wildland fire hazards to meet State requirements.

46. **ADJOURNMENTS**

PLEASE NOTE:

THE FOLLOWING HEARING WILL BE CONTINUED TO SEPTEMBER 16, 2014.

- a) APPLICANT: Nathan Belden, Owner
- b) APPELLANT: Parker, Rodney, LaGoy
- c) LOCATION: 5561 Sonoma Mountain Road, Santa Rosa
- d) ASSESSOR'S PARCEL NUMBER: 049-030-010.
- e) ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration
- f) REQUEST: Conduct a Public Hearing and Adopt a Resolution denying the appeal, adopting the Mitigated Negative Declaration, and upholding the Board of Zoning Adjustments approval of a Use Permit and Design Review for the Belden Barns Winery, PRMD File No. PLP12-0016. (First District)

NOTE: The next regular meeting will be held on September 16, 2014.

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

1. September 16th (PM) - Use Permit and Design Review for the Belden Barns Winery
2. October 7th (PM) - Re-adoption of Official Zoning Database for Coastal Zone.
3. October 21st (PM) - Riparian Corridor Zoning Amendments.
4. December 2nd (PM) - Riparian Corridor Zoning Amendments.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 1
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758 and
Supervisor Efren Carrillo

Supervisorial District(s):

Fourth District and Fifth District

Title: Gold Resolution

Recommended Actions:

Adopt a Gold Resolution Proclaiming September 27, 2014 as Russian River Cleanup Day in Sonoma County.

Executive Summary:

None

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma

State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopt A Gold Resolution Proclaiming September 27, 2014, as “Russian River Clean-Up Day.”

Whereas, the Russian River is Sonoma County's premier natural resource, providing water for agriculture, wildlife, recreation, residential and industrial uses, and;

Whereas, the Russian River is internationally known for its beauty and recreational amenities and has attracted millions of visitors to Sonoma County, and;

Whereas, efforts are now underway to restore and enhance this once world class steelhead stream, and;

Whereas, tons of trash, junk and debris are annually dumped into the Russian River and along its banks, damaging both the aesthetic and biological qualities of the river, and;

Whereas, the Russian River Watershed Cleanup Committee, a project of the Sonoma County Conservation Council, has for 27 years sponsored a massive volunteer river cleanup effort each September, and asks that volunteers from all nine cities and the County of Sonoma sign up to help with the effort by registering at www.russianrivercleanup.org, and;

Whereas, the following agencies and hundreds of volunteers will all donate time and materials to participate in the event:

- Sonoma County Water Agency
- PG&E
- Rivers Edge Canoe Trips
- Burke's Canoes
- SOAR Inflatables
- Russian River Watershed Association
- Russian Riverkeeper
- North Bay Corporation
- Brelje and Race Consulting Engineers

Now, Therefore, Be It Resolved, that the Sonoma County Board of Supervisors does hereby proclaim September 27, 2014, as “Russian River Clean-Up Day.”

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 2
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Efren Carrillo 565-2241

Supervisorial District(s):

Fifth District

Title: Gold Resolution

Recommended Actions:

Approve Gold Resolution proclaiming September 15th through October 15th as Latino Heritage Month in the County of Sonoma. (Fifth District)

Executive Summary:

The Board of Supervisors began recognizing Latino Heritage Month in 2012, in recognition of the community's strong culture and the Board's support of the advancement of Latino cultural resources.

Prior Board Actions:

Gold Resolution 2012 and 2013

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
N/A			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None.			
Attachments:			
Gold Resolution.			
Related Items “On File” with the Clerk of the Board:			
None.			



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Proclaiming September 14th Through October 15th As Latino Heritage Month In The County Of Sonoma.

Whereas, in 1968, President Lyndon B. Johnson first recognized Hispanic Heritage week, later expanded under President Reagan to one month, and each successive President has continued this tradition, including President Barack Obama, who declared September 15 through October 15 to be National Hispanic Heritage Month and who has called upon the people of our country to observe this month with appropriate respect, ceremonies, activities; and

Whereas, Sonoma County has a long history of welcoming immigrants and is home to a growing multi-ethnic and multicultural Latino populations, including citizens originating from Mexico, Central America, South America, and the Caribbean - all of whom are welcome and make our lives brighter and better. Sonoma County's Latino population grew by 55% in the past decade and now represents 25 percent of our citizens, approximately 124,000 people; and

Whereas, the diverse Latino population of the County of Sonoma makes a significant economic contribution and has many profound positive influences on our community through strong commitment to family, faith, education, hard work, vibrant culture, service; and

Whereas, Sonoma County, which thrives on the diversity and ingenuity of all of our people, depends on the continued support and success of our diverse Latino population. We will continue to be enriched by and value the cultural contributions of our Latino friends and neighbors for many decades to come.

Whereas, for the last five years Los Cien, an civic organization comprised of civically active Latino leaders, has brought together business leaders, elected officials and other engaged individuals to discuss topics of interest and engagement while growing to an active membership of over 300 people – and has encouraged similar efforts in Marin County, Napa County, and Sonoma State University; and

Resolution #

Date:

Page 2

Whereas, the Board of Supervisors recognizes the hard work and contributions of Latino businesses to our local economy and offer support for the Latino Business Visitation Program during this month; and

Whereas, the County expresses its support for H.R. 512 and S. 500 that calls for the establishment of a Commission to study the creation of a National Museum of the American Latino as a distinguished way to honor Latinos and their contributions to our culture and society; and

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma, in deep appreciation to the diverse Latino population of our community, hereby proclaim September 15 through October 15 to be Latino Heritage Month in Sonoma County.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 3
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Fire and Emergency Services

Staff Name and Phone Number:

Christopher Helgren / 565-2052

Supervisory District(s):

All

Title: National Preparedness Month and September 11 Commemoration for Sonoma County

Recommended Actions:

Adopt a gold resolution proclaiming September as National Preparedness Month for Sonoma County and commemorating the sacrifices and heroic actions on September 11, 2001

Executive Summary:

The President of the United States and the County of Sonoma issue annual proclamations designating September as National Preparedness Month.

National Preparedness Month (NPM) was created by the Federal Emergency Management Agency's (FEMA) *Ready* campaign in response to the tragic events of September 11 in order to educate the public on how to prepare for emergencies. This year's NPM campaign focuses on the theme: ***Be Disaster Aware, Take Action to Prepare***. The goal of this year's campaign is to enhance national preparedness by increasing the number of individuals who understand which disasters could happen in their community, know what to do to be safe and mitigate damage, take action to increase their preparedness and participate in community resiliency planning. The August 24, 2014, South Napa Earthquake serves to further underscore the threats we face and the need to be prepared. On September 5, 2014, the Board of Supervisors approved a resolution declaring a local state of emergency in Sonoma County.

The Fire and Emergency Services Department (FES) has taken several steps to better prepare Sonoma County to respond to a disaster. Over the past year we have hosted several workshops, trainings and exercises to increase our emergency management response capability. We have developed an Emergency Operations Center (EOC) Staff Development Plan, participated and reviewed a multi-agency Coast Incident Response Plan and completed a significant revision of the Operational Area Emergency Operations Plan (EOP) that will be coming to the Board for adoption soon. We participated in a functional EOC exercise with several of our response partners, including the Water Agency, on Friday, September 5 as part of the regional Urban Shield training and exercise program.

FES encourages the citizens of Sonoma County to take concrete action toward preparing for emergencies and disasters during National Preparedness Month and to continue the effort throughout the year. For free information on how to prepare for all emergencies, individuals can visit the *Ready* websites at Ready.gov or Listo.gov (*en Español*). These activities, along with a vigilant public, contribute to an overall level of

preparedness that is critical to the safety of our county, state and country.

FES also encourages everyone in the County to participate in the Great ShakeOut Earthquake Drills which are held on October 16, 2014. The public may register and get great ideas on how to be prepared for an earthquake at www.shakeout.org/california.

Sonoma County gives tribute to those sacrificed on September 11, 2001, with a moment to remember those who lost their lives, proclaiming the month of September as National Preparedness Month.

Prior Board Actions:

09/10/2013: Board proclamation for September National Preparedness Month for Sonoma County;
Adopt a Gold Resolution commemorating September 11, 2001.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Community members are socially supported and the community is educated to be prepared to respond to emergencies and recover more quickly from a disaster.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ -0-	County General Fund	\$ -0-
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Fees/Other	\$ -0-
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
Total Expenditure	\$ -0-	Total Sources	\$ -0-

Narrative Explanation of Fiscal Impacts (If Required):

None.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Gold Resolution (Att1)

Related Items "On File" with the Clerk of the Board:

None.



County of Sonoma

State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Gold Resolution of the Board of Supervisors of the County of Sonoma, State of California,
Proclaiming September 2014 as National Preparedness Month for Sonoma County and
Commemorating the Sacrifices and Heroic Actions on September 11, 2001.**

Whereas, National Preparedness Month creates an important opportunity for every resident of Sonoma County to prepare their homes, businesses and communities for any type of emergency, including natural disasters and potential terrorist attacks; and

Whereas, investing in the preparedness of ourselves, our families, businesses and communities can reduce fatalities and economic devastation in our communities and in our nation; and

Whereas, the Federal Emergency Management Agency's *Ready* campaign, Citizen Corps and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

Whereas, emergency preparedness is the responsibility of every citizen in Sonoma County and all citizens are urged to make preparedness a priority and work together as a team to ensure that individuals, families and communities are prepared for disasters and emergencies of any type; and

Whereas, all citizens of Sonoma County are encouraged to participate in citizen preparedness activities and asked to review the *Ready* campaign's websites at Ready.gov or Listo.gov (*en Español*) and become more prepared.

Whereas, the County of Sonoma will forever remember those 2,977 people who gave their lives on September 11, 2001; and

Whereas, we remember the amazing courage of 343 members of the Fire Department of New York, 60 officers of the New York Police Department and the 8 private EMTs and paramedics who made the ultimate sacrifice in order to ensure the safety and protection of the citizens they serve; and

Resolution #

Date: September 9, 2014

Page 2

Whereas, we honor our men and women in the armed forces who have worked to ensure such a tragedy does not befall us again; and

Now, Therefore, Be It Resolved that Sonoma County hereby proclaims September 2014 as National Preparedness Month, and encourages all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society.

Be It Further Resolved that the County of Sonoma hereby commemorates the incredible sacrifices and heroic actions resulting from the tragedy on September 11, 2001, and the incredible resilience of the American people.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 4
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt, 707/565-2241

Supervisorial District(s):

Second District

Title: Gold Resolution

Recommended Actions:

Adopt a Gold Resolution Honoring and Acknowledging Lieutenant Matthew Stapleton Upon the Occasion of His Retirement from the Petaluma Police Department after 26 Years of Exemplary Service.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Honoring and Acknowledging Lieutenant Matthew Stapleton Upon the Occasion of His Retirement from the Petaluma Police Department After 26 Years of Exemplary Service

Whereas, Lieutenant Matthew Stapleton retires from the Petaluma Police Department on September 15, 2014, after an exemplary 26 years of public service wherein his outstanding administrative, supervisory, managerial, instructional and police skills have been of inestimable benefit to the Petaluma Police Department as has his sincere passion for the most challenging type of police work where he has consistently demonstrated bravery in the line of duty, enormous creativity and continual enthusiasm in all of his assignments; and

Whereas, Lieutenant Stapleton joined the Petaluma Police Department in 1988 serving as a police officer in various specialized assignments including SWAT, Investigation, Narcotics and Patrol, in January 1996 was promoted to Sergeant and in 2007 was promoted to Lieutenant; and

Whereas, Lieutenant Stapleton holds a BS in Criminal Justice from California State University, is a graduate of the Supervisory Leadership Institute and the West Point Leadership Program sponsored by the Los Angeles Police Department – he has developed and delivered several 24-hour POST certified courses, in-service training programs for the Department, serving as a Narcotics Instructor for Santa Rosa Junior College and instructor for the California Public Safety Leadership and Ethics Course; and

Whereas, Lieutenant Stapleton has been decorated as Petaluma Police Officer of the Year, Petaluma City Employee of the year and is a recipient of the Medal of Bravery, while Supervisor of the Investigations Union, led his team in putting together an online sexual predator operation resulting in working with NBC Television's "To Catch a Predator" series with the unit identification and arrest of 30 online predators.

Now, Therefore, Be It Resolved, That the Sonoma County Board of Supervisors does honor and acknowledge Lieutenant Matthew Stapleton upon the occasion of his retirement after 26 years of exemplary service, congratulates him on his many

Resolution #

Date:

Page 2

accomplishments, and wishes him the best in his retirement.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 5
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Brian Paulson 547-1920

Supervisorial District(s):

Fourth and Fifth

Title: Westside Facility (9703 Wohler Road) – Contract Award

Recommended Actions:

Authorize the Chair to execute the contract with Diede Construction, Inc. in the amount \$1,995,000 for construction of the Westside Facility (9703 Wohler Road), and delegate authority to the General Manager of the Sonoma County Water Agency (Water Agency) to execute Agreement and Release of Any and All Claims, if required.

Executive Summary:

This item requests approval of a contract with Diede Construction, Inc. in the amount of \$1,995,000 for construction of the Westside Facility (9703 Wohler Road).

HISTORY OF ITEM/BACKGROUND

Since 1981, the Water Agency has provided a Water Education Program (Education Program) to public and private schools located within the Water Agency's service area in Sonoma and northern Marin counties. The Education Program is designed to help educators teach students the value of water as an important natural resource and to promote water conservation and stewardship of the Russian River watershed.

An important component of the Education Program's services is the Field Study Program for students in the fifth grade, which is currently staged at the Water Agency's Wohler facilities. The Field Study Program runs each year from March through May/early June and September through October/early November and is attended by approximately 2300 students.

Currently, the Water Education Program is housed in a portable building at the Wohler facility that is in poor condition and not worth repairing. The limited space in the portable building means that field trips must be cancelled on rainy days, since the current building isn't large enough to accommodate certain class sizes. The existing portable building is also located adjacent to the industrial buildings and related activities at the water supply facilities on the Water Agency's Wohler property. The new Westside

Facility will provide a new venue for the Field Study Program that can safely accommodate all students, away from the heavy vehicle traffic and other industrial activity at the Wohler property.

The Westside Facility will be located across the Wohler Bridge on Water Agency property at 9703 Westside Road, adjacent to Maxwell Grove in the unincorporated area of Forestville. The project site is a previously disturbed, abandoned quarry. The adjacent Maxwell Grove park is owned by the Water Agency and operated by Sonoma County Regional Parks, and consists of a fenced-in parking lot, picnic area, and boat launch access to the Russian River.

The new Westside Facility would be utilized as a classroom for the Water Agency's Field Study Program; a location to hold teacher workshops; and a starting location for community tours of the Water Agency's Water Transmission System. These tours are currently offered to the public several times a year. The facility may also be used for occasional staff trainings.

The proposed Westside Facility consists of two one-story buildings (approximately 4,000 – 5,000 square feet total), connected by a courtyard and breezeway. One building will serve as a classroom / meeting space; the second building a teaching lab. Other appurtenances include a small kitchen area; an outdoor sink area; and a shaded outdoor seating area with picnic tables. The buildings will be constructed away from Wohler Road towards the rear of the property. The buildings have been designed with a low profile to fit into the surrounding landscape and will be equipped with low intensity, non-glaring lighting. The project will also include security cameras. Restroom facilities will utilize an underground septic tank that will hold wastewater for periodic hauling to the Airport-Larkfield-Wikiup Sanitation Zone wastewater treatment facility for disposal and treatment.

Landscape improvements at the site will include plantings of native California perennials to demonstrate sustainable water resources management and provide habitat and food sources for beneficial insects and fauna. Interpretive signage will explain the plants, their uses and why they are important to our Russian River watershed. Improvements to the existing parking lot will include landscaping, removal of the existing cyclone fencing, and a new entryway at Wohler Road to provide safer ingress and egress.

The Water Agency has completed environmental documentation in accordance with the California Environmental Quality Act for the Westside Facility Project. Water Agency staff prepared an Initial Study and Negative Declaration and filed a Notice of Determination on December 10, 2013 in accordance with the California Environmental Quality Act, the State California Environmental Quality Act Guidelines, and the Water Agency's Procedures for the Implementation of the California Environmental Quality Act. The Westside Facility Project has met all the requirements of Government Code §65402 for General Plan consistency.

The Project was advertised for bids:	06/26/14
Bids were opened:	07/29/14
Bids for construction of said Project were received on July 29, 2014, as follows:	
Diede Construction, Inc., Woodbridge, CA	\$1,995,000

Murray Building, Inc., Sonoma, CA	\$2,055,107
F&H Construction, Lodi, CA	\$2,114,000
Codding, Rohnert Park, CA	\$2,163,000
Trico Construction, San Francisco, CA	\$2,216,560
W.E. Lyons Construction, Walnut Creek, CA	\$2,225,877

The Engineer's Estimate was \$1,650,000. The lowest responsive and responsible bid is from Diede Construction, Inc. and is \$345,000 above the Engineer's Estimate. The discrepancy between the low bid and the Engineer's Estimate appears to be attributed to the trend in increased industry costs.

Diede Construction, Inc. is experienced in this type of construction and met the specific prior experience requirements.

Pursuant to Resolution No. 04-0547, the General Manager maintains authority to approve change orders to construction contracts approved by your Board as long as certain conditions are met. In the unlikely event that significant design-related changes are necessary to complete the Project, staff will return to your Board to approve such changes. However, staff request that your Board authorize the General Manager or his designee to approve design changes as may be necessary or appropriate in connection with change orders within the General Manager's authority pursuant to Resolution No. 04-0547.

A contractor must execute a release of claims (Document 00650) before final payment but may except any unresolved claims from the release. The requested action authorizes the General Manager to approve the release unless the contractor lists unresolved claims. In that case, County Counsel must review Document 00650 prior to General Manager approval.

Construction on the Project is scheduled to begin approximately October 6, 2014, with an estimated completion date of July 17, 2015.

The Water Agency recommends the Board take the following actions:

ACTIONS

1. Adopt and approve the Project Manual and Drawings ("plans and specifications") entitled "Westside Facility (9703 Wohler Road)."
2. Authorize the Chair of the Board to execute the contract with Diede Construction, Inc. in the amount of \$1,995,000, for the Westside Facility (9703 Wohler Road).
3. Authorize the General Manager of Water Agency, to sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the contractor.
4. Authorize the General Manager of the Water Agency or his designee to approve design changes to the Project as may be necessary or appropriate in connection with change orders within the General Manager's authority pursuant to Resolution No. 04-0547.

ALTERNATIVES

Selection of the No Project alternative would mean that the new Westside Facility, which will safely

accommodate students, would not be constructed and that the Water Agency's Water Education Program would need to continue in the existing undersized and dilapidated portable building adjacent to the industrial activities at the Wohler facility.

Prior Board Actions:

12/10/2013 Adoption of Resolution 13-0487 approving the Westside Facility Project and authorizing of the Filing of a Notice of Determination for the Project.

10/9/2012 Authorization by Chair to execute the Agreement for Architectural Services for Westside Multiuse Facility between the Sonoma County Water Agency and Quattrocci Kwok Architects (\$100,000).

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Support for community events and educational programs that promote a clean, sustainable water supply, a healthy fish population, and a diverse and healthy environment, demonstrates the County's continuing commitment to environmental stewardship.

Water Agency Organizational Goals and Strategies, Goal 3: Increase outreach to community and employees.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 1,995,000	Water Agency Gen Fund	\$ 1,095,000
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 900,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 1,995,000	Total Sources	\$ 1,995,000

Narrative Explanation of Fiscal Impacts (If Required):

Funding is available from appropriations in the Water Transmission System Common Facilities Fund, supported by water rates (\$900,000) and General Fund (\$1,095,000). Funding for the project will be appropriated during the first quarter CBA.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):
Attachments:
Related Items “On File” with the Clerk of the Board:
Project Manual and Drawings (1 set)

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Award_summ.docm

PROJ/Westside Facility (9703 Wohler Road), 0-85-7 #1



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 6
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Ryan Pedrotti (707) 521-6209

Supervisorial District(s):

All

Title: Bus Transportation Services and Grant Award

Recommended Actions:

1. Authorize General Manager of Water Agency to execute an agreement with West County Transportation Authority for student transportation for the water education program for the amount of \$112,800; agreement terminates on June 30, 2017; 2. Authorize the General Manager to accept a \$43,539 financial assistance award from the Department of Commerce to partially fund one year of the Headwaters2Ocean water education program; award period is from August 1, 2014 to June 30, 2015.

Executive Summary:

HISTORY OF ITEM/BACKGROUND

The Water Education Program (Program) is a comprehensive approach to helping educators teach students the value of water as an important natural resource. The Program promotes water conservation and stewardship of our local watersheds. Students are encouraged to use water wisely and make environmentally sustainable choices to help secure a reliable source of freshwater now and in the future. The Program service area covers over 200 schools throughout Sonoma and northern Marin counties and is attended by approximately 2,300 students annually.

One component of the Program is Headwaters2Ocean, an experiential, hands-on program for fifth and sixth grade students that will increase student learning in watershed science through a series of field trips working down the Russian River watershed. In May 2014, the Sonoma County Water Agency (Water Agency) was awarded \$43,539 in grant funds to help support its Headwaters2Ocean program for one year, supporting five schools, up to 13 classrooms, and up to 455 students. The grant is provided by the National Oceanic and Atmospheric Administration through its Bay Watershed Education and Training Grant (Grant). Grant money will be used to target underserved schools who lack the resources to participate in the Program field trips. Total program costs for one academic year are estimated to be \$69,440, with \$43,539 in federal funds and the remaining \$25,901 as the Water Agency's cost share. The Grant allocates \$12,600 to student transportation costs, which will be applied to the bus transportation agreement with West County Transportation Authority.

The Water Agency requires bus transportation for Program and Headwaters2Ocean students because

Water Agency does not possess appropriate equipment or personnel to transport students from selected Sonoma County schools to the Russian River Field Study sites at Water Agency's Mirabel and Wohler facilities in Forestville, Lake Sonoma and Warm Springs Dam, the Water Agency's Rockpile Road Field Study Site in Geyserville, and Jenner.

SELECTION PROCESS

On July 9, 2014, the Water Agency issued a Request for Qualifications on the Water Agency website and directly to five firms. The two firms listed below submitted Statements of Qualifications:

1. West County Transportation Agency, Santa Rosa, California
2. First Student, Inc., Santa Rosa, California

The following criteria were used to evaluate each firm:

- a. Responsiveness to the work requirements
- b. Professional qualifications and overall performance commitment
- c. Demonstrated ability to perform the work in accordance with good practices common to the industry
- d. Compliance with required DBE outreach
- e. Exceptions to agreement terms
- f. Bus passenger capacity

West County Transportation Authority was selected to perform the work because it has experience in transporting children to educational events and familiarity with Water Agency programs. West County Transportation Authority's consistent positive performance with the Water Agency shows they are able to provide high quality services in compliance with California and Water Agency requirements for transportation safety.

SERVICES TO BE PERFORMED

Under the proposed agreement, the West County Transportation Authority will transport students from selected Sonoma County schools to the Russian River Field Study sites at Water Agency's Mirabel and Wohler facilities in Forestville, Lake Sonoma and Warm Springs Dam, Geyserville, and Jenner.

The cost of services will not exceed \$37,600 in fiscal year 2014/2015, \$37,600 in fiscal year 2015/2016, and \$37,600 in fiscal year 2016/2017; the term end date is June 30, 2017. The total agreement amount is \$112,800. The Grant is contingent on a successful application and subsequent award. Should the Grant become unavailable in subsequent fiscal years, the Water Agency will fund the Program transportation cost with non-Grant funds in the estimated amount of \$25,000.

Prior Board Actions:

None

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

County Goal 1: Safe, Healthy, and Caring Community
Transportation of student Program participants connects the children and the community to the natural environment of Sonoma County. The educational opportunities provided by the Program increases understanding by students of our watershed, natural resources, and the living things that reside in the community.

Water Agency Organizational Goals and Strategies, Goal 3: Increase outreach to community and employees.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 50,901	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 43,539	State/Federal	\$ 43,539
	\$	Water Conservation Fees/Other	\$ 50,901
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 94,440	Total Sources	\$ 94,440

Narrative Explanation of Fiscal Impacts (If Required):

Bus Transportation Agreement: Budgeted amount of \$25,000 is available from FY 2014/2015 appropriations for the Water Conservation fund. Additional appropriations of \$12,600 are required to process this expense. These funds will come from the Headwaters2Ocean grant. With Board approval appropriations will be made in the next quarterly consolidated budget adjustment. Additional appropriations will be budgeted in FY 2015/2016 and FY 2016/2017.

Grant Award: The Headwaters2Ocean program budgeted amount of \$25,901 is available from the Water Conservation fund for FY14/15. Additional appropriations of \$43,539 in grant funds will be made in the next quarterly consolidated budget adjustment, with \$12,600 going toward the Bus Transportation Agreement.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

None.

Related Items "On File" with the Clerk of the Board:

Agreement (1 copy); Financial Assistance Award (US Department of Commerce)



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 7
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: September 9, 2014

Vote Requirement: 4/5

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Kevin Campbell 547-1921

Supervisorial District(s):

Fifth

Title: Sale of Easements for the Farmhouse Inn Expansion

Recommended Actions:

Consider execution of an Easement and Real Property Purchase Agreement and an Easement Agreement with Bartolomei Tommervik Bartolomei Properties, LLC, and consider finding and determining that the proposed transfer is for an adequate consideration, will not adversely affect the Water Agency in any respect, and will not have a significant adverse effect on the environment; and consider taking the following actions:

1. Authorize the Chair to execute Easement and Real Property Purchase Agreement setting forth the terms and conditions for the sale of easements described and granted by the Easement Agreement; and
2. Authorize the Chair to execute an Easement Agreement conveying easement rights to Bartolomei Tommervik Bartolomei Properties, LLC a California limited liability company for deposit into escrow, pending closing in accordance with the terms of the Easement and Real Property Purchase Agreement; and
3. Authorize the General Manager of the Water Agency to execute such documents and take such actions as may be required for the Water Agency to meet its obligations under the terms of the Easement and Real Property Purchase Agreement; and
4. Authorize the General Manager of the Water Agency to file a Notice of Determination with respect to these actions, in accordance with the California Environmental Quality Act.

An agenda item for final action will be presented to the Board on September 16, 2014.

Executive Summary:

Joe and Catherine Bartolomei approached the staff of the Water Agency in 2013 regarding their interest in purchasing a portion of property owned by the Water Agency. The Water Agency property is located next to their business (the Farmhouse Inn) and is needed for expansion of the business (the Project). The Project would result in an expansion of the Farmhouse Inn parking lot and septic system onto the property currently owned by the Water Agency.

After discussions regarding the schedule for the Project, it became apparent that the process required for the Water Agency to sell the Bartolomeis the property required for the Project would not meet the Bartolomeis' timing requirements. A portion of the Water Agency's property contains the Cotati Intertie Pipeline and certain water transmission system facilities, so that a subdivision of the Water Agency property will be required to allow the Bartolomeis to acquire the portion of the property needed for the Project.

To address the timing concerns, Water Agency staff has negotiated a proposal that would result in a granting of easements required for the Project, to be followed by a finding and determination that the fee property underlying the easement areas are no longer necessary to be retained for the uses and purposes of the Water Agency (which is a requirement for the Water Agency to sell property under the Agency's enabling statute). The grant of easements to the Bartolomeis for the Project would be conditioned upon the Bartolomeis agreement to purchase the fee property underlying the easement areas, as that fee property would have no appreciable value to the Water Agency after the Project was constructed.

As consideration for the grant of easement, the Bartolomeis will pay the Water Agency \$250,000. This figure represents a negotiated estimate of the fair market value of the fee underlying the easement areas. Estimating the market value of the fee is difficult given the location of the property and its current use by the Water Agency. Staff has concluded, however, that \$250,000 represents adequate consideration for the property being transferred.

As additional compensation, the Bartolomeis have agreed to reimburse the Water Agency for the actual costs that have been and will be incurred by Water Agency staff to negotiate and process transfer of the easements and the later sale of the underlying fee property. These costs are estimated to be \$60,000. The Bartolomeis will also agree to undertake all actions necessary to effect a subdivision of the property, so that the specific portions underlying the easements may be sold as surplus. Finally, the Bartolomeis will provide insurance coverage (including environmental contamination insurance) to protect the Water Agency during the period between the grant of easements and the sale of the underlying fee property.

The Easement and Real Property Purchase Agreement (on file with the Clerk) provides for the creation of an Escrow, with a third party of the Bartolomei's choosing, to hold the executed Easement Agreement and payment of the Purchase Price required for the Easement and Real Property Purchase Agreement for dispersal at Closing. In addition to the execution of these Documents by the Chair of the Board, this item requests the Authority for the General Manager to execute such documents and take such actions as may be required for the Water Agency to meet its obligations under the terms of the Easement and Real Property Purchase Agreement. This may include escrow agreements with the Escrow Agent, Escrow Instructions and such other incidental documents that are commonly required for real estate transactions of this nature.

Water Agency staff has reviewed the plans for the Project and has concluded that the improvements proposed for the Project, and the ensuing uses of the Water Agency property will not adversely affect the Water Agency in any respect.

CEQA:

The Sonoma County Permit and Resource Management Department (County) has completed environmental documentation in accordance with the California Environmental Quality Act (CEQA) for the Project. The County prepared an Initial Study/Mitigated Negative Declaration (IS/MND), which addresses the potential impacts related to the Project and measures to mitigate adverse effects of the Project. The County filed a Notice of Determination for the Project on August 7, 2014.

Approval of this item will result in a finding by the Board, on behalf of the Water Agency as a “responsible agency” under CEQA, that with the changes and alterations to the project adopted and required by, and within the jurisdiction and responsibility of, the Sonoma County Permit and Resource Management Department that were incorporated into the project in the IS/MND, the project will not have a significant adverse effect on the environment.

The Water Agency has prepared a Notice of Determination in accordance with CEQA, the State CEQA Guidelines, and the Water Agency’s Procedures for the Implementation of CEQA. As a Responsible Agency under CEQA, Water Agency staff considered the MND as prepared by the County. With the incorporation of the mitigation measures identified in the MND, the Project would not have an adverse impact upon the environment. Granting of the easement will not adversely affect the Water Agency’s ability to carry out its water supply responsibilities and will not have a significant adverse effect on the environment.

GENERAL PLAN CONSISTENCY:

The staff of the Sonoma County Permit and Resource Management Department have determined that the granting of easements under the Easement Agreement for the Project comply with the requirements of Government Code, Section 65402, for General Plan consistency.

WATER AGENCY STAFF RECOMMENDATION:

Water Agency staff recommends the approval of the Easement and Real Property Purchase Agreement and Easement Agreement in the forms presented to the Board for your consideration.

Prior Board Actions:

None

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This item supports the County goal of Economic and Environmental Stewardship by helping a member of the community to increase the economic potential of their existing business.

Water Agency Organizational Goals and Strategies, Goal 3: Increase outreach to community and employees.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 60,000	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 60,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 60,000	Total Sources	\$ 60,000

Narrative Explanation of Fiscal Impacts (If Required):

Negotiations with Joe and Catherine Bartolomei, obtaining the Board’s approval for execution of Easement and Real Property Purchase Agreement and support required to close a sale transaction is presently estimated to cost the Water Agency \$60,000. Bartolomei has agreed to pay the Water Agency the actual cost of the staff time required to do so. The sale of the Easements will generate \$250,000 in sale proceeds. The Water Transmission Fund will incur the expenses and receive the reimbursement and revenues.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Related Items “On File” with the Clerk of the Board:

1. Easement and Real Property Purchase Agreements (4)
2. Easement Agreement (4)
3. Notice of Determination (1 copy)



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 8
(This Section for use by Clerk of the Board Only.)

To: Sonoma Valley County Sanitation District

Board Agenda Date: September 9, 2014

Vote Requirement: 2/3 - SVCSD

Department or Agency Name(s): Sonoma Valley County Sanitation District

Staff Name and Phone Number:

Curran Price 524-1179

Supervisorial District(s):

First

Title: McGill Road Recycled Water Pipeline – Contract Award

Recommended Actions:

Authorize the Chair to execute the contract with TerraCon Constructors, Inc. for \$247,852 (expected completion date January, 26, 2015), for construction of the North Bay Water Reuse Program (NBWRP), Sonoma Valley County Sanitation District (District), McGill Road Recycled Water Pipeline, and delegate authority to the General Manager of the Water Agency on behalf of the District, to execute Agreement and Release of Any and All Claims, if required.

Executive Summary:

This item requests approval of a contract with TerraCon Constructors, Inc. for \$247,852 for construction of NBWRP Sonoma Valley County Sanitation District McGill Road Recycled Water Pipeline.

HISTORY OF ITEM/BACKGROUND:

The District operates a recycled water distribution system that transports tertiary treated recycled water produced at the District's Treatment Plant to local property owners for permitted uses on their property. Many local Agricultural users within the Sonoma Valley use recycled water produced by the District as an alternative to groundwater. Use of recycled water for agricultural irrigation has the benefit of lessening the pumping of groundwater within the Sonoma Valley while also decreasing the amount of recycled water the District must store for permitted discharge into Schell Slough. The NBWRP Sonoma Valley County Sanitation District Recycled Water Pipeline (Project) will provide the District the means to deliver approximately 200-acre feet of recycled water per year to agricultural properties located west of Highway 12 and south of Watmaugh Road. Properties in the area have significant reservoir storage capacity that will provide greater operational flexibility for the District. District staff is in the final stages of negotiating recycled water agreements for the properties to be served by the Project.

The Sonoma County Water Agency, as the Lead Agency pursuant to the California Environmental Quality Act, prepared an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) that disclosed, analyzed, and mitigated the potential environmental impacts of the North Bay Water

Recycling Program. On December 8, 2009, the Sonoma County Water Agency Board of Directors certified the Environmental Impact Report and made certain findings in connection therewith (Resolution No. 09-114). On August 21, 2012, the District, as a Responsible Agency under CEQA, filed a Notice of Determination (Resolution Number 12-0412) for the North Bay Water Recycling Program EIR/EIS. Incorporated by reference into the North Bay Water Recycling Program EIR/EIS, the District's Sonoma Valley Recycled Water Project EIR included project-level analysis of 34 miles of pipeline, including the recycled water pipeline along McGill Road. A Notice of Determination (NOD) for the Sonoma Valley Recycled Water Project was filed on December 15, 2006.

The North Bay Water Recycling Program EIR/EIS did not include project-level analysis of the Project under the National Environmental Policy Act (NEPA). Since the Project is a minor modification to the project description in the EIR/EIS, the District's consultant, ESA, conducted a NEPA analysis of the potential for the Project to result in environmental impacts. That analysis was memorialized in the form of a Supplemental Environmental Assessment dated March 27, 2013, and submitted to the U.S. Bureau of Reclamation. Based on site reconnaissance and other analyses, ESA concluded that no new impacts were identified that were not addressed in the EIR/EIS, and that there are no new or substantially more severe significant effects due to changes in the project or its circumstances or new information of substantial importance that was not known and could not have been known at the time the EIR was certified. The Project will incorporate and comply with all appropriate mitigation measures that have already been identified and incorporated into the EIR/EIS Mitigation Monitoring and Reporting Program. The Project has been reviewed by the Permit and Resource Management Department of the County of Sonoma and has been determined to be consistent with §65402 of Government Code with regards to the General Plan.

Under the North Bay Water Reuse Authority, the District has been awarded an \$87,500 grant from the U.S. Bureau of Reclamation's WaterSMART grant program for the construction of the Project.

The Project consists of construction of a recycled water pipeline along McGill Road crossing Highway 12, south of the City of Sonoma. The Work includes, but is not limited to, the installation of approximately 750 linear feet of recycled water pipe with sizes ranging from 4 inches to 8 inches in diameter, with valves, and a steel casing under Highway 12. Bidding Documents contain the full description of the Work.

The Project was advertised for bids: June 19, 2014

Bids were opened: July 22, 2014

Bids for construction of said Project were received on July 22, 2014, as follows:

TerraCon Constructors, Inc., Healdsburg, CA \$247,852

The Engineer's Estimate was \$195,620

The Project was advertised on the Sonoma County Water Agency's website and on local builder's

exchanges pursuant to the Sonoma County Water Agency's standard practice. Four contractors attended the mandatory pre-bid site visit and only one bid was received. The limited bidding participation is believed to be influenced by the fact that the Project has relatively significant environmental and administrative funding requirements for a project of its size.

The lowest responsive and responsible bid is from TerraCon Constructors, Inc. and is \$52,232 above the Engineer's Estimate. Although the bid is higher than the engineer's estimate, it is considered to represent a competitive price for the work to be provided. TerraCon Constructors, Inc. is experienced in this type of construction and met the experience requirements.

A contractor must execute a release of claims (Document 00650) before final payment but may except any unresolved claims from the release. The requested action authorizes the General Manager to approve the release unless the contractor lists unresolved claims. In that case, County Counsel must review Document 00650 prior to General Manager approval.

Pursuant to Resolution No. 04-0547, the General Manager maintains authority to approve change orders to construction contracts approved by your Board as long as certain conditions are met. In the unlikely event that significant design-related changes are necessary to complete the Project, staff will return to your Board to approve such changes. However, staff request that your Board authorize the General Manager or his designee to approve design changes as may be necessary or appropriate in connection with change orders within the General Manager's authority pursuant to Resolution No. 04-0547.

Construction on the Project is scheduled to begin approximately October 14, 2014, with an estimated completion date of January 26, 2015.

Sonoma County Water Agency (on behalf of the District), recommends the Board take the following actions:

Actions

1. Adopt and approve the Project Manual and Drawings ("plans and specifications") entitled "North Bay Water Reuse Program, Sonoma Valley County Sanitation District, McGill Road Recycled Water Pipeline."
2. Authorize the Chair of the Board to execute the contract with TerraCon Constructors, Inc. in the amount of \$247,852, for construction of the North Bay Water Reuse Program, Sonoma Valley County Sanitation District, McGill Road Recycled Water Pipeline Project.
3. Authorize the General Manager of the Sonoma County Water Agency, acting on behalf of the District, to sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the contractor.
4. Authorize the General Manager of the Water Agency or his designee to approve design changes to the Project as may be necessary or appropriate in connection with change orders within the General Manager's authority pursuant to Resolution No. 04-0547.

Prior Board Actions:

6/25/2013 District Board of Directors action approving Purchase Agreement and License Agreement, authorizing general manager to execute Recycled Agreements in the form provided to the board, adopt a resolution determining that the acquisition of real property for the Project from portions of McGill Road are necessary, authorize acquisition and condemnation of real property rights necessary for public purposes identified as unknown owner for a portion of McGill Road, and authorize and direct County Counsel and General Manager to take all necessary steps in order to obtain said real property rights in connection with the construction, maintenance, and continued operation, of the Project including such steps which may be required to acquire the real property interests required for the project through the exercise of eminent domain if necessary.

7/22/2014 District Board of Directors action approving and authorizing the District’s General Manager to execute a 5-year Recycled Water Use Agreement between the District and Gary J. Kiser and Carolyn R. Kiser.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This item supports the County Strategic plan Goal 2 by providing the District a means of disposing of recycled water while reducing agricultural dependence on local groundwater.

Water Agency Sanitation Goals and Strategies, Goal 2: Provide adequate rate-based revenues, while pursuing new income and cost-cutting opportunities.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 247,852	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 87,500
	\$	Fees/Other	\$ 160,352
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 247,852	Total Sources	\$ 247,852

Narrative Explanation of Fiscal Impacts (If Required):

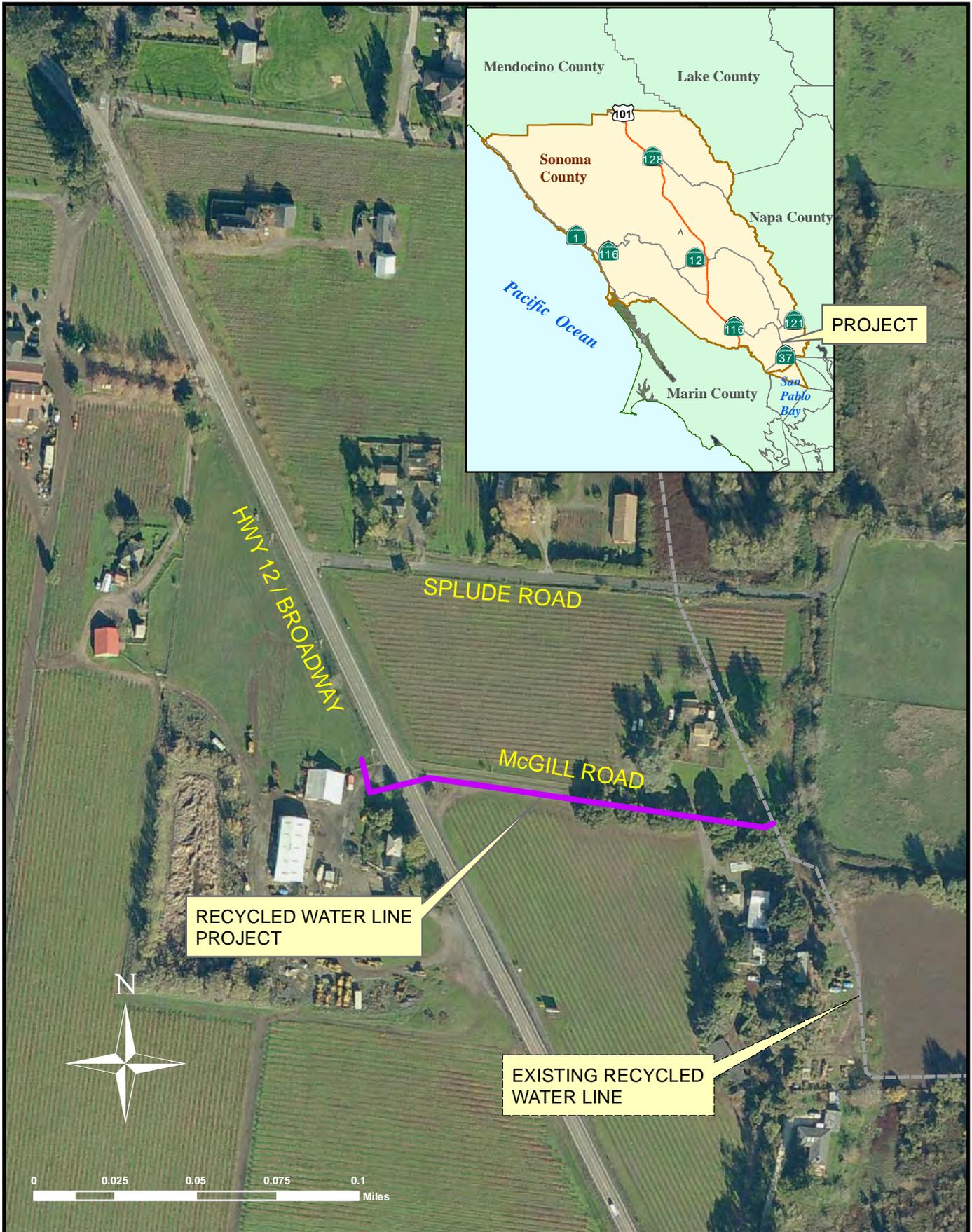
Funding is available from appropriation in the Sonoma Valley County Sanitation District Construction Fund. The project has been awarded an \$87,500 grant under the North Bay Water Reuse Program, from the U.S. Bureau of Reclamation’s WaterSMART grant.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Location Map (A1)			
Related Items “On File” with the Clerk of the Board:			
Project Manual and Drawings (1 set)			

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PROJ/McGill Road Recycled Water Pipeline, 71-712-7 #2

\\sd-data\proj\sanitation\sonoma valley csd\recycled water\7600_McGillRoad-RecycledWater\7600_McGill_GrantMap.mxd



Sonoma Valley County Sanitation District
 Recycled Water Line At McGill Road



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 9
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt, 565-2241

Supervisorial District(s):

Second

Title: Disbursement of FY 14-15 Second District Advertising Funds.

Recommended Actions:

Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotions activities for FY 14/15: The Actors' Theater For Children, \$500; Sonoma County Bach Society, \$500; Buck Institute for Research on Aging for the 2014 North Bay Science Discovery Day, \$500; Children's Museum of Sonoma County, \$500; Sonoma County Farm Trails, \$2,000; Mentor Me Petaluma, \$1,000; Petaluma Arts Center, \$1,000.

Executive Summary:

Category E – Local Events and Organizations of the Advertising and Promotions Program Policy provides grant allocations to each Supervisor, to be distributed at the Supervisor's discretion. The Second District has reviewed applications and wishes to recommend the following FY 14/15 advertising grant award:

- 1.) The Actors' Theater For Children for advertising and promotion of the production of three plays for the Sonoma County community, "Red vs. the Wolf" in October 2014, "Hansel and Gretel" in December 2014, and "Fairies of Boglewood" in March 2015; grant award of \$500.
- 2.) Sonoma County Bach Society for advertising and promotion of the annual Baroque Strings Workshop for amateur adult musicians and final student performance event; grant award of \$500.
- 3.) The Buck Institute for Research on Aging, for advertising and promotion of the 2014 North Bay Science Discovery Day event at the Sonoma County Fairgrounds; grant award of \$500.
- 4.) Children's Museum of Sonoma County for advertising and promotion of programming, events and special opportunities at the Children's Museum to attract out-of-town guests to visit; grant award of \$500.
- 5.) Sonoma County Farm Trails for advertising and promotion of the Gravenstein Apple Fair 2014 and Farm Trails Tours events; grant award of \$2,000.
- 6.) Mentor Me Petaluma for advertising and promotion of the annual Mad Hatter's Ball event; grant

award of \$1,000.

- 7.) Petaluma Arts Center for advertising and promotion of the El Dia de los Muertos Petaluma annual cross cultural event; grant award of \$1,000.

Funds will be distributed upon approval of these awards by Board and execution of Advertising grant agreement contract with the entity. The contracts will be executed by the County Administrator. The contracts will require the County logo on promotional materials produced using the grant award and will require submission to the District Director and County Administrator’s Office of advertising and promotional activity receipts up to the total amount of the grant award.

Prior Board Actions:

Previous grants were awarded through District 2 during FY 13/14.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Grant funds allow non-profit partners to advertise and grow local events and encourage tourism thereby promoting economic development and growth.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 6,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 6,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 6,000	Total Sources	\$ 6,000

Narrative Explanation of Fiscal Impacts (If Required):

Funds are included in the FY 14/15 budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:
FY 14/15 Grant Award Agreement Template
Related Items "On File" with the Clerk of the Board:
None.

AGREEMENT

THIS AGREEMENT made and entered into this ___ day of June, 2014, by and between the COUNTY OF SONOMA, (hereinafter COUNTY) and the Sonoma County Farm Trails, (hereinafter ADVERTISER).

WITNESSETH:

WHEREAS, ADVERTISER has represented that it is aware of and understands the provisions and requirements of Government Code Section 26100 and COUNTY'S "Advertising and Promotions Program Policy" for the expenditure of funds appropriated under Section 26100, and that any expenditure made by ADVERTISER will be in compliance with Section 26100, the Advertising and Promotions Policy, and this Agreement, and

WHEREAS, COUNTY'S Board of Supervisors has relied on those representations in authorizing the execution of this Agreement, and

WHEREAS, ADVERTISER has applied for and received funding under **Category E** – Local Events and Organizations category of the Advertising and Promotions Program Policy, and

WHEREAS, ADVERTISER is ready, willing and able to perform the services herein provided to be performed.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. During the fiscal year July 1, 2014 to June 30, 2015, COUNTY shall pay to ADVERTISER the total sum of **\$XXX.00** (hereinafter "Advertising Funds"), payable upon execution of this contract.
2. ADVERTISER must submit to the COUNTY receipts of activities performed utilizing the Advertising Funds. Activities must take place between July 1, 2014 and June 30, 2015. Receipts must be remitted to the COUNTY by July 31, 2015. If receipts are not submitted by July 31, 2015, repayment will be required of grant dollars not supported by advertising expense receipts by August 15, 2015. Failure to submit required receipts may jeopardize ability to receive future grant awards.
3. In consideration whereof, ADVERTISER promises and agrees to render the following services to COUNTY during the fiscal year July 1, 2014 to June 30, 2015:

As set forth in the attached, Exhibit A (application for funding). In the case of more than one event, Advertiser will not transfer funds between events without prior approval from the county's program coordinator.

Additionally, any Advertising conducted utilizing funds provided under this agreement must identify the "County of Sonoma – Board of Supervisors" as a sponsor. ADVERTISER may also include the Sonoma County seal logo on materials, although the seal may not replace the language noted in this section.

4. ADVERTISER agrees to keep complete books and records, and to make available and submit to audit by COUNTY all of ADVERTISER'S books, records, and financial statements upon COUNTY'S request and without prior notice.
5. ADVERTISER warrants to COUNTY that any Advertising funds paid to ADVERTISER by COUNTY pursuant to this agreement shall be expended for only those purposes authorized by Section 26100 of the Government Code of the State of California and the COUNTY's Advertising and Promotions Policy.
6. Travel expenses, such as transportation and lodging, and/or meal costs, are not allowable advertising and promotions expenses. Advertising Funds may not be used to purchase or lease fixed assets.
7. ADVERTISER agrees to submit copies of all published materials to the County Administrator's Office.
8. Indemnification:
 - a. ADVERTISER agrees to accept all responsibility for loss or damage to any person or entity, including COUNTY, and to indemnify, hold harmless, and release COUNTY, its officers, agents, and employees, from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including Advertiser, that arise out of, pertain to, or related to Advertiser's or its agents', employees', contractors', subcontractors', or invitees' performance or obligations under this Agreement. Consultant's obligations under this Section apply whether or not there is concurrent negligence on County's part, but to the extent required by law, excluding liability due to County's conduct. County shall have the right to select its legal counsel at Consultant's expense, subject to Consultant's approval, which shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Consultant or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts.
 - b. ADVERTISER shall be liable to COUNTY for any loss or damage to COUNTY property arising from or in connection with ADVERTISER's performance hereunder.
9. Non-Discrimination: ADVERTISER shall comply with all applicable federal, state and local laws, rules and regulations in regard to non-discrimination in employment because of race, ancestry, color, sex, age, national origin, religion, marital status, medical condition, or handicap, including the provisions of Article II of Chapter 19 of the Sonoma County Code, prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection.
10. Assignment/Delegation: ADVERTISER shall not assign, sublet, transfer or delegate any interest in or duty under this agreement without written consent of COUNTY, and no assignment shall be of any force or effect whatsoever unless and until so consented.
11. Merger: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to C.C.P. Section 1856. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

12. Termination: At any time, with or without cause, COUNTY shall have the right in its sole discretion, to terminate this Agreement by giving written notice to ADVERTISER. In the event of such termination, COUNTY shall pay ADVERTISER for services rendered satisfactorily and in good faith to such date in an amount which bears the same ratio to the total fees specified in the Agreement as the services satisfactorily rendered hereunder by ADVERTISER bear to the total services otherwise required to be performed for such total fee; provided, however, that there shall be deducted from such amount the amount of damage, if any, sustained by COUNTY by virtue of the breach of the Agreement by ADVERTISER.
13. Repayment: If ADVERTISER fails to comply with the rules and requirements of the Advertising and Promotions Program Policy or the specific Category requirements under which the ADVERTISER received funds, as specified, then ADVERTISER shall, within ten days of receipt of notice of such failure by COUNTY, return all grant funds provided by COUNTY under this agreement; provided, however, that COUNTY may, in its sole discretion, allow ADVERTISER to retain some or all grant funds if COUNTY determines that the failure was inadvertent or immaterial, or that ADVERTISER has taken action to ensure that the failure will not reoccur.
14. Conflict of Interest: ADVERTISER covenants that it presently has no interest and shall not acquire any interest, direct, or indirect, which would conflict in any manner or degree with the performance of its services hereunder. ADVERTISER further covenants that in the performance of this contract no person having any such interest shall be employed.
15. Attorneys' Fees: In the event either party brings an action or proceeding for damages arising out of the other's performance under this Agreement or to establish the right or remedy of either party, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs as a part of such action or proceeding.
16. Statutory Compliance: ADVERTISER agrees to comply with all applicable federal, state and local laws, regulations, statutes and policies applicable to the services provided under this Agreement as they exist now and as they are changed, amended or modified during the term of this Agreement.
17. AIDS Discrimination: ADVERTISER agrees to comply with the provisions of Chapter 19, Article II, of the Sonoma County Code prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.
18. No Third Party Beneficiaries: Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.
19. Extra or Changed Work: Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. ADVERTISER expressly recognizes that, pursuant to Sonoma County Code Section 1-11, COUNTY personnel are without authorization to order extra or changed work or waive Agreement requirements. Failure of ADVERTISER to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter ADVERTISER shall be entitled to no compensation whatsoever for the performance of such work. ADVERTISER further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the COUNTY.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

COUNTY OF SONOMA

DATE: _____

By _____
County Administrator, authorized by the
Chair, Board of Supervisors

DATE: _____

By _____
(Enter name of Grantee)



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 10
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Shirlee Zane, 565-2241

Supervisorial District(s):

Third

Title: Disbursement of FY 14-15 Third District Advertising Funds.

Recommended Actions:

Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotions activities for FY 14/15: Actors' Theater For Children, \$500; Children's Museum of Sonoma County, \$2,000; Council on Aging Services for Seniors, \$1,000; Sunny Hills Services, \$500; and Law Enforcement Chaplaincy of Sonoma County, \$1,250.

Executive Summary:

Category E – Local Events and Organizations of the Advertising and Promotions Program Policy provides grant allocations to each Supervisor, to be distributed at the Supervisor's discretion. The Third District has reviewed applications and wishes to recommend the following FY 14/15 advertising grant award:

- 1.) The Actors' Theater For Children for advertising and promotion of the production of three plays for the Sonoma County community, "Red vs. the Wolf" in October 2014, "Hansel and Gretel" in December 2014, and "Fairies of Boglewood" in March 2015; grant award of \$500.
- 2.) Children's Museum of Sonoma County for advertising and promotion of programming, events and special opportunities at the Children's Museum to attract out-of-town guests to visit; grant award of \$2,000.
- 3.) Council on Aging Services for Seniors for advertising and promotion of the Sonoma Wine Country Games event; grant award of \$1,000.
- 4.) Sunny Hills Services for advertising and promotion of the Sunny Hills Road Ride event throughout Sonoma County; grant award of \$500.
- 5.) Law Enforcement Chaplaincy of Sonoma County for advertising and promotion of the Tour de Fuzz recreational bicycle ride annual cycling event in Santa Rosa; grant award of \$1,250.

Funds will be distributed upon approval of these awards by Board and execution of Advertising grant agreement contract with the entity. The contracts will be executed by the County Administrator. The contracts will require the County logo on promotional materials produced using the grant award

and will require submission to the District Director and County Administrator’s Office of advertising and promotional activity receipts up to the total amount of the grant award.

Prior Board Actions:

8/12/14 – Awarded FY 14/15 Category E grants.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Grant funds allow non-profit partners to advertise and grow local events and encourage tourism thereby promoting economic development and growth.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 5,250		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 5,250
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 5,250	Total Sources	\$ 5,250

Narrative Explanation of Fiscal Impacts (If Required):

Funds are included in the FY 14/15 budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

FY 14/15 Grant Award Agreement Template

Related Items “On File” with the Clerk of the Board:

None.

AGREEMENT

THIS AGREEMENT made and entered into this ___ day of June, 2014, by and between the COUNTY OF SONOMA, (hereinafter COUNTY) and the Sonoma County Farm Trails, (hereinafter ADVERTISER).

WITNESSETH:

WHEREAS, ADVERTISER has represented that it is aware of and understands the provisions and requirements of Government Code Section 26100 and COUNTY'S "Advertising and Promotions Program Policy" for the expenditure of funds appropriated under Section 26100, and that any expenditure made by ADVERTISER will be in compliance with Section 26100, the Advertising and Promotions Policy, and this Agreement, and

WHEREAS, COUNTY'S Board of Supervisors has relied on those representations in authorizing the execution of this Agreement, and

WHEREAS, ADVERTISER has applied for and received funding under **Category E** – Local Events and Organizations category of the Advertising and Promotions Program Policy, and

WHEREAS, ADVERTISER is ready, willing and able to perform the services herein provided to be performed.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. During the fiscal year July 1, 2014 to June 30, 2015, COUNTY shall pay to ADVERTISER the total sum of **\$XXX.00** (hereinafter "Advertising Funds"), payable upon execution of this contract.
2. ADVERTISER must submit to the COUNTY receipts of activities performed utilizing the Advertising Funds. Activities must take place between July 1, 2014 and June 30, 2015. Receipts must be remitted to the COUNTY by July 31, 2015. If receipts are not submitted by July 31, 2015, repayment will be required of grant dollars not supported by advertising expense receipts by August 15, 2015. Failure to submit required receipts may jeopardize ability to receive future grant awards.
3. In consideration whereof, ADVERTISER promises and agrees to render the following services to COUNTY during the fiscal year July 1, 2014 to June 30, 2015:

As set forth in the attached, Exhibit A (application for funding). In the case of more than one event, Advertiser will not transfer funds between events without prior approval from the county's program coordinator.

Additionally, any Advertising conducted utilizing funds provided under this agreement must identify the "County of Sonoma – Board of Supervisors" as a sponsor. ADVERTISER may also include the Sonoma County seal logo on materials, although the seal may not replace the language noted in this section.

4. ADVERTISER agrees to keep complete books and records, and to make available and submit to audit by COUNTY all of ADVERTISER'S books, records, and financial statements upon COUNTY'S request and without prior notice.
5. ADVERTISER warrants to COUNTY that any Advertising funds paid to ADVERTISER by COUNTY pursuant to this agreement shall be expended for only those purposes authorized by Section 26100 of the Government Code of the State of California and the COUNTY's Advertising and Promotions Policy.
6. Travel expenses, such as transportation and lodging, and/or meal costs, are not allowable advertising and promotions expenses. Advertising Funds may not be used to purchase or lease fixed assets.
7. ADVERTISER agrees to submit copies of all published materials to the County Administrator's Office.
8. Indemnification:
 - a. ADVERTISER agrees to accept all responsibility for loss or damage to any person or entity, including COUNTY, and to indemnify, hold harmless, and release COUNTY, its officers, agents, and employees, from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including Advertiser, that arise out of, pertain to, or related to Advertiser's or its agents', employees', contractors', subcontractors', or invitees' performance or obligations under this Agreement. Consultant's obligations under this Section apply whether or not there is concurrent negligence on County's part, but to the extent required by law, excluding liability due to County's conduct. County shall have the right to select its legal counsel at Consultant's expense, subject to Consultant's approval, which shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Consultant or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts.
 - b. ADVERTISER shall be liable to COUNTY for any loss or damage to COUNTY property arising from or in connection with ADVERTISER's performance hereunder.
9. Non-Discrimination: ADVERTISER shall comply with all applicable federal, state and local laws, rules and regulations in regard to non-discrimination in employment because of race, ancestry, color, sex, age, national origin, religion, marital status, medical condition, or handicap, including the provisions of Article II of Chapter 19 of the Sonoma County Code, prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection.
10. Assignment/Delegation: ADVERTISER shall not assign, sublet, transfer or delegate any interest in or duty under this agreement without written consent of COUNTY, and no assignment shall be of any force or effect whatsoever unless and until so consented.
11. Merger: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to C.C.P. Section 1856. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

12. Termination: At any time, with or without cause, COUNTY shall have the right in its sole discretion, to terminate this Agreement by giving written notice to ADVERTISER. In the event of such termination, COUNTY shall pay ADVERTISER for services rendered satisfactorily and in good faith to such date in an amount which bears the same ratio to the total fees specified in the Agreement as the services satisfactorily rendered hereunder by ADVERTISER bear to the total services otherwise required to be performed for such total fee; provided, however, that there shall be deducted from such amount the amount of damage, if any, sustained by COUNTY by virtue of the breach of the Agreement by ADVERTISER.
13. Repayment: If ADVERTISER fails to comply with the rules and requirements of the Advertising and Promotions Program Policy or the specific Category requirements under which the ADVERTISER received funds, as specified, then ADVERTISER shall, within ten days of receipt of notice of such failure by COUNTY, return all grant funds provided by COUNTY under this agreement; provided, however, that COUNTY may, in its sole discretion, allow ADVERTISER to retain some or all grant funds if COUNTY determines that the failure was inadvertent or immaterial, or that ADVERTISER has taken action to ensure that the failure will not reoccur.
14. Conflict of Interest: ADVERTISER covenants that it presently has no interest and shall not acquire any interest, direct, or indirect, which would conflict in any manner or degree with the performance of its services hereunder. ADVERTISER further covenants that in the performance of this contract no person having any such interest shall be employed.
15. Attorneys' Fees: In the event either party brings an action or proceeding for damages arising out of the other's performance under this Agreement or to establish the right or remedy of either party, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs as a part of such action or proceeding.
16. Statutory Compliance: ADVERTISER agrees to comply with all applicable federal, state and local laws, regulations, statutes and policies applicable to the services provided under this Agreement as they exist now and as they are changed, amended or modified during the term of this Agreement.
17. AIDS Discrimination: ADVERTISER agrees to comply with the provisions of Chapter 19, Article II, of the Sonoma County Code prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.
18. No Third Party Beneficiaries: Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.
19. Extra or Changed Work: Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. ADVERTISER expressly recognizes that, pursuant to Sonoma County Code Section 1-11, COUNTY personnel are without authorization to order extra or changed work or waive Agreement requirements. Failure of ADVERTISER to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter ADVERTISER shall be entitled to no compensation whatsoever for the performance of such work. ADVERTISER further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the COUNTY.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

COUNTY OF SONOMA

DATE: _____

By _____
County Administrator, authorized by the
Chair, Board of Supervisors

DATE: _____

By _____
(Enter name of Grantee)



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 11
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office

Staff Name and Phone Number:

Veronica Ferguson, (707) 565-2431

Supervisorial District(s):

All

Title: [First Amendment to Personal Services Agreement – Director of Information Systems Department](#)

Recommended Actions:

Authorize the Chair to execute the First Amendment to the Personal Services Agreement with John Hartwig as Director of Information Systems, from September 20, 2014 – September 20, 2017.

Executive Summary:

Approve amendment to Personal Services Agreement for John Hartwig as Director of Information Systems to extend the term for three years (September 20, 2014 through September 20, 2017).

Prior Board Actions:

September 13, 2011: Entered into Personal Services Agreement with John Hartwig, as Director of Information Systems Department.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

This position provides the civic services and support required to manage various Information Systems programs and services.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

Ongoing annualizing salary associated with this position is \$172,605 and is incorporated in the FY 14-15 budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

1st Agreement for Personal Services.

Related Items "On File" with the Clerk of the Board:

Agreement for Personal Services.

FIRST AMENDMENT TO AGREEMENT FOR PERSONAL SERVICES

DIRECTOR OF INFORMATION SYSTEMS DEPARTMENT

This First Amendment to the Agreement for Personal Services by and between, the County of Sonoma, a political subdivision of the State of California (hereinafter "COUNTY") and John Hartwig (hereinafter called "EMPLOYEE") is entered into this 20th day of September, 2014. (COUNTY and EMPLOYEE shall collectively be referred to as the "Parties.")

WITNESSETH:

WHEREAS, COUNTY and EMPLOYEE entered into a personal services agreement (the "Agreement") for the position of Director of Information Systems Department dated September 20, 2011; and,

WHEREAS, the Agreement provides for a term of employment for a period of three (3) years, commencing on September 20, 2011, and ending on September 20, 2014; and,

WHEREAS, the Parties desire to further extend the Agreement for a period of three years commencing on September 20, 2014, and ending on September 20, 2017.

NOW, THEREFORE, BE IT AGREED by and between the Parties that the term of employment provided for in the Agreement shall be extended for a period of three years commencing on September 20, 2014, and ending on September 20, 2017. All other provisions in the Agreement shall remain in full force and effect.

ATTEST:

COUNTY OF SONOMA

Clerk of the Board

By _____
County Administrator

EMPLOYEE

John Hartwig



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 12
(This Section for use by Clerk of the Board Only.)

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office

Staff Name and Phone Number:

Supervisorial District(s):

Veronica Ferguson, 565-2431

All

Title: Board of Supervisors Responses to 2013-2014 Grand Jury Report

Recommended Actions:

Approve the Board of Supervisors responses to 2013-2014 Grand Jury Report

Executive Summary:

The 2013-2014 Grand Jury Final Report was presented to the Presiding Judge of the Superior Court on June 23, 2014. The California Penal Code Section 933 requires the Board of Supervisors to formally respond to the Presiding Judge within 90 days, or no later than September 21, 2014.

The Grand Jury reports requiring responses from the Board include:

1. Graton Casino: A Big Gamble?
2. Your County Wants You
3. It's 10 p.m. Do You Know Where Your Dog and Cat Are?
4. Sheriff-Coroner's Office and Morgue Inspection
5. Up Against the Wall: Sonoma County Detention Facilities.

The specific recommendations and draft Board responses are attached for the Board's consideration and approval.

Prior Board Actions:

The Board annually approves required responses to the Grand Jury.

Strategic Plan Alignment: Goal 4: Civic Services and Engagement

Board responses to the Grand Jury reports promote transparency and accountability in County government.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):
 There is no fiscal impact associated with this action. Potential future financial implications of following the Grand Jury's recommendations are noted in the individual responses.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):
 No impacts

Attachments:
 Attachment 1: Board of Supervisors response to Grand Jury Cover Letter
 Attachment 2: Graton Casino: A Big Gamble?
 Attachment 3: Your County Wants You
 Attachment 4: It's 10 p.m. Do You Know Where Your Dog and Cat Are?
 Attachment 5: Sheriff-Coroner's Office and Morgue Inspection
 Attachment 6: Up Against the Wall: Sonoma County Detention Facilities.

Related Items "On File" with the Clerk of the Board:
 2013-2014 Sonoma County Civil Grand Jury Final Report

September 9, 2014

The Honorable Ken Gness, Presiding Judge
Sonoma County Superior Court
600 Administration Drive
Santa Rosa, CA 95401

RE: Response to 2013-2014 Sonoma County Grand Jury Report

Dear Judge Gness:

Thank you for the opportunity to respond to the 2013-14 Grand Jury Report. Attached are the Sonoma County Board of Supervisors' responses to reports titled:

1. Graton Casino: A Big Gamble?
2. Your County Wants You
3. It's 10 p.m. Do You Know Where Your Dog and Cat Are?
4. Sheriff-Coroner's Office and Morgue Inspection
5. Up Against the Wall: Sonoma County Detention Facilities.

Sincerely,

David Rabbit
Chair and District 2 Supervisor

Attachments: Responses

cc: Members, Sonoma County Board of Supervisors
Veronica Ferguson, Sonoma County Administrator
Bruce Goldstein, County Counsel
William Rousseau, Clerk-Recorder-Assessor
Rita Scardaci, Director of Health Services
Steve Freitas, Sheriff-Coroner

Board of Supervisors Response to “Graton Casino: A Big Gamble” Grand Jury Report

FINDINGS

- F1. If the City of Rohnert Park and Sonoma County do not oversee the allocation of mitigation funds meant to offset the effects of the Casino on the County’s infrastructure and public services, then unfunded future obligations may be created.**

The Board agrees with this finding.

- F2. Casino revenue shortfalls may adversely affect public services.**

The Board agrees with this finding.

RECOMMENDATIONS

- R1. Officials of Sonoma County and the City of Rohnert Park, who oversee their separate agreements with the Federated Indians of Graton Rancheria, release to the public annual financial reports on mitigation funds, including a plan for mitigation fund allocations over the next six months and an accounting of mitigation fund expenditures for previous years.**

Response: Recommendation will be implemented.

Sonoma County received the first tribal mitigation funds in late June 2014, and dispersed a portion of these funds based on an allocation approved by the Board of Supervisors on June 17, 2014. Staff is currently working to develop an on-going report for the use of these funds as part of the annual budget process.

Board of Supervisors Response to “Your County Wants You” Grand Jury Report

FINDINGS

F3. The County provides limited recognition of the work done by the boards, commissions, committees, and task forces, and their members.

The Board agrees with this finding.

F1. Sonoma County’s online information on each board, commission, committee, and task force does not fully explain the qualifications necessary for appointment.

The Board disagrees partially with this finding. For the Boards, Commissions, Committees and Task Forces that are managed by Sonoma County departments, the information that explains the qualifications necessary does appear on the website. Sonoma County provides information for many Boards, Commissions, Committees and Task Forces that are not managed by County staff, and the information provided on the website is provided by the agency that manages each entity.

F2. The decentralized nature of individual Boards, Commissions, Committees and Task Forces precludes a uniform evaluation of their work.

The Board disagrees with this finding. For the Boards, Commissions, Committees and Task Forces that are managed by Sonoma County departments, the County can establish a process for annual reporting, providing an opportunity for a uniform evaluation of their work. Sonoma County provides information for many Boards, Commissions, Committees and Task Forces that are not managed by County staff, and the County is not responsible for evaluating the work of these entities.

F4. Sonoma County’s outreach efforts to encourage participation on the Boards, Commissions, Committees and Task Forces are insufficient.

The Board disagrees with this finding. For the Boards, Commissions, Committees and Task Forces that are managed by Sonoma County departments, outreach efforts include not only the use of the website, but other outreach efforts based targeted to groups with an interest in the specific topic.

RECOMMENDATIONS

R2. The Board of Supervisors direct that each board, commission, committee and task force post, on its website, an annual one-page report about its activities and accomplishments that will provide accountability and transparency.

Response: Recommendation R2 has not been implemented but will be implemented in the future.

The Board of Supervisors will consider adopting a policy to implement this recommendation for the Boards and Commissions that are under County oversight. The Board will direct staff to contact

outside agencies who manage the other Boards to request annual reports by December 31, 2014. Staff will prepare an annual report of all submitted updates.

R3. The Board of Supervisors adopt a program to recognize the boards, commissions, committees and task forces and their members, to solicit greater public interest and participation

Response: Recommendation R3 has not been implemented but will be implemented in the future.

The Board of Supervisors will direct staff to develop and bring back for approval a policy relating to recognition no later than December 31, 2014.

**Board of Supervisors Response to
“It’s 10 p.m. Do You Know Where Your Dog and Cat Are?”
Grand Jury Report**

FINDINGS

- F1. When owners delay picking up their pets from Sonoma County Animal Services, the resulting increase in the holding period adversely affects the animals’ health.**

The Board agrees with this finding.

- F2. Sonoma County Animal Services programs to decrease the unwanted animal population through spay and neuter services appear to be effective.**

The Board agrees with this finding.

- F3. A professional animal behaviorist can evaluate the possibility of successful rehabilitation of borderline-adoptable dogs and prescribe the best course of action.**

The Board agrees with this finding.

- F4. Sonoma County Animal Services lacks sufficient office space.**

The Board agrees with this finding.

RECOMMENDATIONS

- R3. The Board of Supervisors authorizes the position of full-time animal behaviorist for Sonoma County Animal Services.**

Response: Recommendation R3 has not been implemented but will be implemented in the future.

The Board of Supervisors has directed the DHS to work with County Human Resources Department to identify, or create, an appropriate job class (or classes) for full-time animal behavior and training position(s) at SCAS. DHS will return to the Board within 6 months to request the position allocation(s) and funding needed to meet the animal behavior and training needs at SCAS.

- R4. The Board of Supervisors provides additional office space at the Sonoma County Animal Services facility.**

Response: Recommendation R4 has not been implemented but will be implemented in the future.

Sonoma County Animal Services (SCAS) has already undertaken several steps to alleviate congestion in the office space at the facility. Along with improvements in space utilization and workflows, SCAS will work with General Services to conduct an analysis of the current office spaces to determine if any additional changes will improve operations. The Board has directed staff to incorporate identified projects into the 2015 Capital Project Plan.

Board of Supervisors Response to “Sheriff-Coroner’s Office and Morgue Inspection” Grand Jury Report

FINDINGS

- F1. The close to 400 delinquent final autopsy reports due from FMG (Forensic Medical Group) show a lack of effective oversight by the Sheriff-Coroner’s Office.**

The Board disagrees partially with this finding. While it is correct that at the time of the investigation there were approximately 400 delinquent final autopsy reports, Sheriff’s Office staff has worked diligently with Forensic Medical Group to address this backlog. The Board acknowledges that the nationwide shortage of Forensic Pathologists and continues to support the Sheriff’s office in the efforts to recruit and retain additional professional resources in this area.

- F2. The Sheriff-Coroner’s Office has not exercised means within its control to bring about the timely issuance of final autopsy reports by imposing the 2-percent daily fine for overdue reports.**

The Board disagrees partially with this finding. While the Sheriff’s Office has not imposed the fines allowed in the contract, they have taken several steps, in consultation with County Counsel, to ensure compliance by Forensic Medical Group, and have established a deadline for compliance of December 31, 2014, at which time the penalties will be imposed.

- F3. The Coroner’s Office lacks adequate storage for the extensive records currently in cardboard boxes stacked throughout the facility.**

The Board disagrees wholly with this finding. The records referred to in the report are associated with the back log of cases, and once this has been addressed, the records will be moved to storage. The current facility is adequate to meet the demands.

- F4. Coroner operations can be negatively affected by delays resulting from failure to use up-to-date file management software tailored to its needs or hands-free recording equipment during autopsies.**

The Board disagrees wholly with this finding. Delays are primarily caused by the shortage of Forensic Pathologists.

RECOMMENDATIONS

- R1. The Sheriff-Coroner’s Office Impose contractually stipulated penalties for late autopsy reports while evaluating the suitability of its continued relationship with FMG (Forensic Medical Group) for forensic services.**

Response: Recommendation has not yet been implemented, but will be implemented in the future.

The Sonoma County Sheriff’s Office is working with Forensic Medical group to reduce the backlog, and will institute penalties on January 1, 2015 for any reports that are delinquent at that

time. Sheriff's staff is also developing an Request for Proposal for forensic pathology services to solicit additional resources.

R2. The Sonoma County Board of Supervisors give priority to exploring possibilities for remodeling or relocating the existing Coroner's Office and Morgue.

Response: Recommendation has not yet been implemented, but will be implemented in the future.

The Board has established a Facilities Ad Hoc Committee for the purpose of developing recommendations regarding short-and long-term uses of property on Chanate. The morgue, which is located on the Chanate property, will be part of this evaluation. In addition, the County General Services department is currently undertaking a Facilities Conditions Assessment, and the morgue is included in the facilities that will be assessed.

R3. The Coroner's Office and Morgue adopt technological improvements, including a modern file management system and hands-free recording devices in the autopsy room.

Response: Recommendation has not yet been implemented, but will be implemented in the future.

Sheriff's Office staff is working with Information Systems Department to develop a module within the existing department records management system used by the Sheriff's Office. The Board of Supervisors will consider funding requests to support this work, if the Sheriff believes additional resources are necessary to support this work. As a contract provider, Forensic Medical Group would need to notify the County if there was equipment needed, such as hands-free recording devices, under the terms of the contract.

Board of Supervisors Response to “Up Against the Wall: Sonoma County Detention Facilities” Grand Jury Report

FINDINGS

F1. Realignment continues to pose challenges to adult detention facilities.

The Board agrees with this finding.

F2. Mandatory overtime is an increasing burden for correctional personnel.

The Board agrees with this finding.

F3. Inmates with medical and mental health issues make significant demands on the MADF staff and facilities.

The Board agrees with this finding.

RECOMMENDATIONS

R1. The Sheriff’s Office continue to improve the expansion and safety of adult detention facilities.

Response: Recommendation has been implemented.

The Board of Supervisors approves the Capital Project Plan every year, and allocates \$3.9 million/year of General Fund plus other special revenue funds to the projects identified as the highest priority in the Capital Projects Plan. In FY 14/15, approximately \$5 million has been appropriated to the detention facilities. Staff is also working to update the Criminal Justice Master Plan, with the intent to use this to support future grant applications for facilities construction funding from the State of California, if the need is demonstrated.

R2. The Sheriff’s Office keep up its efforts to hire new personnel to deal with the growing inmate population.

Response: Recommendation has been implemented.

The Board of Supervisors has appropriated additional funds since FY 12/13 to support the intensive hiring effort underway at the Sheriff’s Office. Based on projections from the Sheriff’s office, the funding through December 31, 2014 will total \$3.4 million.

R3. The Sheriff’s Office continue treating inmates with mental and physical health issues to improve their chances for successful adjustment to independence upon release.

Response: Recommendation has been implemented.

During FY 13/14, the Board of Supervisors approved additional General Fund support for mental health programs within the jail by \$785K, which increased staffing by 3.85 full time employees. In addition, during FY 13/14, the Board approved a new contract for inmate medical services, based on the results of the Request for Proposals issued by the Sheriff's Office.

In addition to treatment services, the Sheriff's Office provides programs to support the health of inmates while in custody, using Realignment funding to the extent it is available and appropriate.

Partners from Health Services, Human Services and other private providers within the County have worked with the Sheriff's Office and Probation Department to increasing enrollment in the Affordable Care Act, to support inmates upon their release, as well as those who are placed into community supervision.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 13
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator, Auditor-Controller-Treasurer-Tax Collector, Information Systems Department (ISD), General Services

Staff Name and Phone Number:

Donna Dunk 565-3274
Terina Tracy 565-3234

Supervisorial District(s):

All

Title: Quarterly Update on Enterprise Financial System (EFS) Project Implementation

Recommended Actions:

Accept quarterly update on the Enterprise Financial System Project Implementation

Executive Summary:

On February 5, 2013, your board directed staff to proceed with the Enterprise Financial System (EFS) implementation project and to return with quarterly updates on the project's progression. The purpose of this report is to provide your board with the Fall 2014 quarterly update.

At this time the project continues on time, on budget (without the use of contingencies) and within the planned scope. As of the end of Phase 1 (i.e., June 30, 2014), the forecasted project budget to complete Phase 2 has a surplus of approximately \$775,000. Phase 1 of the project went live on July 1, 2014 as was originally planned. Phase 2 of the project, which includes the Hyperion Budgeting, Grants and Project Costing, Contracts, Billing, Accounts Receivable, Strategic Sourcing, Oracle Scorecard and Strategy Management and Oracle Business Intelligence modules, began on July 1, 2014 and is planned to go-live on June 30, 2015. There are no major issues that are unresolved with either Phase 1 or Phase 2 of the project. A summary of the project budget is included in Attachment A.

1. Phase 1 is Live:

Phase 1 included the General Ledger, Accounts Payable, Purchasing and Fixed Asset Modules went live on July 1, 2014. Below are some examples of the very positive feedback received from Stakeholders:

- "...the reporting is really esasy to use and seeing real-time information is wonderful...within a minute of someone else encumbering a requisition it was posted and viewable in the budget/expenditure report...very nice."
- "...this is so cool...I did a requisition and attached the supporting documents and we can see

all information associated with the purchase in one place...no more bouncing around from paper files, to spreadsheets, etc...everything right on the screen.”

- “...It was a clear priority from the top down and everyone made sure to pitch in and help make it a success.”

The EFS Core Project team has been very responsive in providing operational support since go-live, contributing to the fairly smooth transition to EFS. Users feel supported and know how to get the help they need to do their jobs and successfully use the system.

2. Project Activities over the past three months leading up to Phase 1 go-live on July 1, 2014:

Project activities since the last quarterly update that led to Phase 1 go-live worth noting are as follows:

- Extensive User Acceptance Testing was completed.
- Delivered a comprehensive training program to 500 County staff to prepare them for a smooth transition to the new system. The average ranking of students completing evaluations was 4.3 on a scale of 1-5.
- Developed and adopted a long term organizational support model and strategy.
- Successfully converted vendor, trial balance and encumbrance data into the new system.
- Completed development work in the area of interfaces and reports.
- Completed implementation and testing of new applications for check issuance and warrant reconciliation functions. These functions went live on September 1, 2014.
- Provided hands-on lab during July and early August to support County users with processing transactions to become familiar and comfortable with the new system.
- Completed a lessons learned evaluation using the experience gain from Phase 1 as a reference for Phase 2 planning.
- Successfully closed the months of July and August in the new system.

3. Upcoming project activities:

Now that Phase 1 is live, the project team has moved onto Phase 2 activities which include the implementation of the Hyperion Budgeting, Grants and Project Costing , Contracts, Billing, Accounts Receivable, Strategic Sourcing, Oracle Scorecard and Strategy Management and Oracle Business Intelligence modules. The following project activities are already underway:

- Phase 2 planning sessions with Sonoma County Water Agency, Department of Transportation and Public Works, Information Systems Department and Department of Health Services.
- Update the Project Management Plan developed in Phase 1 for the Phase 2 scope of work and other changes (e.g., work plan, staffing, lessons learned, etc.).
- Began communicating with departments about Cost Accounting options.
- Held various Phase 2 as-is (i.e., review of current business processes) and discovery work sessions with departments.
- Installation and testing of all recent PeopleSoft bundles (i.e., various software fixes) since version 9.1 was installed earlier in Phase 1. This is a major effort because it is similar to a software upgrade and is also required to have the most up to date software functionality for starting Phase 2.
- Core project team training provided by Maverick Solutions.

- Completion of development work in the areas of interfaces and reports. Although the majority of development work was completed by June 30, 2014, there will be ongoing development work into Phase 2.
- Completion of ongoing refinements to Phase 1 business processes and/or configuration changes to PeopleSoft modules.
- Planning for decommissioning of the mainframe environment.

4. Phase 2 go-live expected June 30, 2015:

As noted earlier, now that Phase 1 activities are completed, Phase 2 implementation activities are well underway. Modules to be implemented in Phase 2 include Hyperion Budgeting, Grants and Project Costing, Contracts, Billing, Accounts Receivable, Strategic Sourcing, Oracle Scorecard and Strategy Management and Oracle Business Intelligence. The Steering Committee will continue to return to your board approximately every three months with an update of project activities throughout the remainder of the project.

Prior Board Actions:

- 8/19/14 – Board approved a contract amendment with Maverick Solutions for core project team training
- 6/3/14 – Board accepted the quarterly EFS update
- 2/25/14 – Board accepted the quarterly EFS update and approved a contract with Bottomline Technologies for C-Series Payments Software upgrade
- 12/5/13 – Board accepted the quarterly EFS update
- 8/13/13 – Board accepted the quarterly EFS update
- 5/7/2013 – Board accepted the quarterly EFS update and approved a contract with Neko Industries, Inc. for document management to be integrated with the PeopleSoft system
- 2/5/2013 – Board approved proceeding with EFS project and budget, along with contracts with Ciber, Inc., Oracle, and Maverick Solutions
- 9/18/2012 – Board approved proceeding with EFS project by negotiating a contract with Ciber, Inc and Oracle

Strategic Plan Alignment Goal 3: Invest in the Future

The enterprisewide system solution will allow the county to ensure fiscal transparency by replacing outdated and unsupported financial tracking and reporting technology.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

--

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

Attachment A – EFS Budget Summary

Related Items “On File” with the Clerk of the Board:

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EFS Project Status Report
For the Period Ended August 5, 2014

Steering Committee EFS Budget Summary

Description	A	B	C	D = B+C	E = D-A	F = E/A
	Approved Budget As of 2/5/2013	PTD Expenditures As of 6/30/2014	ETC Expenditures As of 6/30/2014	Total Expenditures As of 6/30/2014	\$ Budget Variance As of 6/30/2014	% Budget Variance As of 6/30/2014
External Costs:						
Hardware, OS & DB	\$ 884,644	\$ 215,383	\$ 478,263	\$ 693,646	\$ (190,998)	-22%
PeopleSoft License & Maintenance	\$ 1,570,639	\$ 1,213,702	\$ 379,521	\$ 1,593,223	\$ 22,584	1%
Ciber Implementation Services	\$ 5,709,705	\$ 2,481,619	\$ 3,228,086	\$ 5,709,705	\$ -	0%
OnBase Integration & Maintenance	\$ 896,000	\$ 222,612	\$ 589,663	\$ 812,275	\$ (83,725)	-9%
Project Management Consulting	\$ 1,404,000	\$ 813,038	\$ 590,963	\$ 1,404,000	\$ -	0%
Other External Costs	\$ 967,407	\$ 444,703	\$ 443,778	\$ 888,481	\$ (78,926)	-8%
Contingency - External Costs	\$ 1,714,859	\$ -	\$ -	\$ -	\$ (1,714,859)	-100%
	\$ 13,147,254	\$ 5,391,057	\$ 5,710,272	\$ 11,101,329	\$ (2,045,924)	
Internal Costs:						
Internal Staffing	\$ 6,200,000	\$ 2,539,284	\$ 3,351,217	\$ 5,890,501	\$ (309,499)	-5%
Fixed Internal Costs	\$ 639,000	\$ 352,656	\$ 259,089	\$ 611,745	\$ (27,255)	-4%
Other Variable Internal Costs	\$ 239,000	\$ 87,467	\$ 93,211	\$ 180,679	\$ (58,321)	-24%
Departmental Vendor Interfaces	\$ 98,000	\$ -	\$ 49,000	\$ 49,000	\$ (49,000)	-50%
Contingency - Internal Costs	\$ 1,076,400	\$ -	\$ -	\$ -	\$ (1,076,400)	-100%
	\$ 8,252,400	\$ 2,979,408	\$ 3,752,517	\$ 6,731,925	\$ (1,520,475)	
Financing Costs	\$ 993,540	\$ 43,806	\$ 594,958	\$ 638,764	\$ (354,776)	-36%
TOTALS	\$ 22,393,193	\$ 8,414,271	\$ 10,057,748	\$ 18,472,018	\$ (3,921,175)	All Line Items
					\$ (1,129,916)	Excluding Contingencies
					\$ (775,140)	Excluding Contingencies and Financing Costs

PTD = Project To Date ETC = Estimate To Complete



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 14
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Clerk-Recorder-Assessor

Staff Name and Phone Number:

William F. Rousseau, 707-565-1877

Supervisorial District(s):

All.

Title: General District Election Appointments

Recommended Actions:

Adopt resolution appointing nominees in lieu of election to the office of Director of their respective districts.

Executive Summary:

An election was scheduled for November 4, 2014, to elect directors to numerous special districts. In those districts in which the number of nominees is equal to or less than the number of offices to be filled, the law provides for appointment of the nominees by the Board of Supervisors, rather than requiring an election.

Elections Code §10515 requires appointments to be made by December 1, 2014, by the Board of Supervisors. Each person so appointed shall qualify, take office, and serve exactly as if elected at a general district election for such office.

The attached resolution includes the names of the candidates who have qualified for appointment to their respective districts under the provisions of state law. There are 21 special districts that fall into that provision for this election, including life support, fire, health care, and water districts.

Upon adoption of this resolution, the Registrar of Voters Office will issue certificates to the respective nominees. For those offices for which no nominations were made, the Board shall appoint any person who was qualified as of November 4, 2014, to fill the vacancies. Such appointments are required to be made no later than December 1, 2014. Separate memos to the Clerk of the Board and County Supervisors outline those positions and the necessary qualifications for appointment.

Prior Board Actions:

Resolution 13-0345, dated September 10, 2013, authorized appointment of directors in districts with insufficient nominees.

Strategic Plan Alignment Goal 4: Civic Services and Engagement			
As a requirement of law, the Board of Supervisors must appoint qualified candidates to the offices described above when there are insufficient or no nominees.			
Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution.			
Related Items "On File" with the Clerk of the Board:			
None.			



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution of the Board of Supervisors of the County of Sonoma, State of California,
Appointing Nominees to the Office of Director of Their Respective Districts.**

Whereas, the November 4, 2014, Consolidated General Election was the regularly scheduled election for directors of the following districts; and

Whereas, each of the following districts has a number of nominees equal to or less than the number of offices to be filled in each respective district; and

Whereas, Elections Code §10515 provides that in such cases the supervising authority shall appoint such nominees as directors to serve exactly as elected; and

Whereas, the following named persons are the nominees for the office of director for each of the following districts as set forth below:

Coast Life Support District: Term, four years: Richard W. Perry, Rich Hughes.

Cloverdale Fire Protection District: Term, four years: Albert Giordano, Nancy Avansino.

Forestville Fire Protection District: Term, four years: Wendel Trappe, Greg Kotta.

Forestville Fire Protection District: Term, two years: Andrew C. Duckhorn.

Geyserville Fire Protection District: Term, four years: Robert Stewart, Diane H. Petersen, Tatsuo Okaya.

Gold Ridge Fire Protection District: Term, four years: Robert E. Gloeckner, Patrick E. Farrell, Domenico John Carinalli, Stephen E. Petrucci.

Graton Fire Protection District: Term, four years: Mario Cesaretti, Bob Maddocks.

Graton Fire Protection District: Term, two years: Dean B. Anderson.

Kenwood Fire Protection District: Term, four years: Dennis V. McIntosh.

Resolution #

Date:

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Monte Rio Fire Protection District: Term, four years: Ken Wikle, Dan Fein.

Rancho Adobe Fire Protection District: Term, four years: Carla A. Grube, Robert W. Rippin, Greg Karraker.

Rincon Valley Fire Protection District: Term, four years: Robert Pintane, Bob Briare.

Roseland Fire Protection District: Term, four years: Renée Lazzini Milligan.

Russian River Fire Protection District: Term, four years: Chuck Limbert, Mark Emmett, Nance Jones.

Timber Cove Fire Protection District: Term, four years: Robert Dickson, Kathleen M. Rasmussen.

Timber Cove Fire Protection District: Term, two years: Michael Singer.

Valley of the Moon Fire Protection District: Term, four years: Nicholas F. Greben, Brian Brady.

Valley of the Moon Fire Protection District: Term, two years: Terry Leen.

Windsor Fire Protection District: Term, four years: Steven Plamann.

Cloverdale Health Care District: Term, four years: James F. DeMartini, Al Delsid, Mary Payne Sink.

North Sonoma County Health Care District: Term, four years: Bill Esselstein, Edward Neil.

North Sonoma County Health Care District: Term, two years: Susan Campbell.

Petaluma Health Care District: Term, four years: Kathie Powell, Josephine Thornton.

Sonoma Valley Health Care District: Term, four years: Peter Hohorst, Joshua M. Rymer.

Sweetwater Springs Water District: Term, four years: Richard Holmer, Gaylord Schaap, Susan Robb-Wilder.

Valley of the Moon Water District: Term, four years: Jon L. Foreman, C. Mark Heneveld.

Valley of the Moon Water District: Term, two years: Meghan Peddicord.

Resolution #

Date:

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Now, Therefore, Be It Resolved, that pursuant to Elections Code §10515, the Board of Supervisors of the County of Sonoma does hereby appoint the herein named nominees who shall take office and serve exactly as if elected at the November 4, 2014, Consolidated General Election for the term prescribed by law.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 15
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Clerk-Recorder-Assessor

Staff Name and Phone Number:

William F. Rousseau, 707-565-1877

Supervisorial District(s):

All

Title: Consolidation of Elections to Be Held in Conjunction with the November 4, 2014, General Election.

Recommended Actions:

Adopt the resolution authorizing consolidation of all jurisdictions that have submitted requests for consolidation, as required by Elections Code §10400, and have measures to be placed before the voters or sufficient nominees to require elections to be held on November 4, 2014.

Executive Summary:

The regularly scheduled General Election is set to be held on November 4, 2014. Twenty-nine local agencies have called elections in their jurisdictions for the same date and have requested consolidation as authorized by state law.

Elections Code §10400 provides that two or more elections called to be held on the same day may be consolidated so that matters being voted on in the same or in part the same territory will appear on the same ballot. Elections Code §10402.5 requires the Board of Supervisors to approve such consolidations, and costs of the election are shared among the entities involved pursuant to Elections Code §10416.

Copies of resolutions received in this office from local agencies requesting consolidation with the November 4, 2014, General Election are on file with the clerk.

As of August 8, 2014, the consolidation deadline, the following jurisdictions have requested consolidation to place measures or offices on the November 4, 2014, election ballot:

School Districts: Sonoma County Board of Education, Napa County Community College, Sonoma County Junior College, Cotati-Rohnert Park Unified, Healdsburg Unified, Windsor Unified, Petaluma Joint Union High, City of Santa Rosa High, West Sonoma County Union High, Bellevue Union, Cinnabar, Kashia, Monte Rio Union, Oak Grove Union, City of Santa Rosa (Elementary), Waugh.

County: County of Sonoma.

Cities: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, Windsor.

Fire Protection Districts: Monte Rio, Russian River.

Health Care District: Palm Drive.

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

By conducting elections for local jurisdictions we provide a civic service that also enables voter participation.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

Costs of the consolidated elections are shared among all entities involved. Each jurisdiction requesting consolidation with the General Election will pay a pro-rata share of the costs of conducting the election. If there were no local jurisdictions conducting elections at this time, all costs for this election would be borne by the County of Sonoma only, with limited reimbursement from the State for some state-mandated services.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:
Resolution.
Related Items "On File" with the Clerk of the Board:
Copies of resolutions from local agencies.



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution of the Board of Supervisors of the County of Sonoma, State of California,
Authorizing Consolidation of any Local Election Which May Be Held on Tuesday, November 4,
2014, in the Same Territory or in Territory That Is in Part the Same, With the General Election.**

Whereas, Tuesday, November 4, 2014, is the scheduled election date for the General Election; and

Whereas, Elections Code §10400 provides that when two or more elections are called to be held on the same day, in the same territory or in territory that is in part the same, they may be consolidated upon the order of the governing body;

Now, Therefore, Be It Resolved that the Board of Supervisors does hereby authorize the consolidation of any election which may be held on Tuesday, November 4, 2014, in the same territory or in territory that is in part the same, provided that the local jurisdiction calling the election requested such consolidation by August 8, 2014, and that each jurisdiction pay its pro-rata share of the costs incurred throughout the conduct of said election.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 16
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): District Attorney

Staff Name and Phone Number:

Cindy Williams, 565-2818

Supervisorial District(s):

1, 2, 3, 4, 5

Title: Federal Equitable Sharing Agreement and Certification

Recommended Actions:

Resolution to authorize the Chairperson of the Board of Supervisors to execute a Federal Equitable Sharing Agreement and Certification with the U.S. Department of Justice and the U.S. Department of the Treasury for the fiscal year 2013/2014.

Executive Summary:

The Comprehensive Crime Control Act of 1984 authorized the sharing of federal forfeiture proceeds with state and local law enforcement agencies which work with federal agencies to enforce federal criminal laws.

To obtain such proceeds, the state or local agency must sign an Equitable Sharing Agreement and certify that the forfeited proceeds received are allocated as required by federal statutes and regulations established by the U.S. Department of Justice and the U.S. Department of the Treasury. Because anticipated property or the completion of forfeiture is not certain, regulations prevent the budgeting of forfeiture revenue. Partner agencies are required to know the amount of money that has been collected before they can authorize the Equitable Sharing Agreement. Therefore, the Equitable Sharing Agreement and Certification Report is produced after the fiscal year close in order to include the ending fund balances. Thus, the requested Board action is for approval of the Equitable Sharing Agreement and Certification Report for Fiscal Year 2013/2014.

In order to receive a share of the proceeds, the District Attorney is required to submit a request to the appropriate federal agency at the time assets are seized. At the conclusion of the case, the federal agency determines the percentage the District Attorney will receive, and transfers the money to the County of Sonoma.

The Comprehensive Crime Control Act of 1984 requires that forfeited funds of property must be kept separate from state or other forfeitures, that a federal Equitable Sharing Agreement and Certification be

filed annually with both agencies, that a record shall be maintained of the funds or property and any expenditure, and that funds exceeding \$100,000 shall be audited annually.

The District Attorney maintains these funds in two separate Special Revenue Funds: (1) The District Attorney Asset Forfeiture-Justice Special Revenue Fund, and (2) The District Attorney Asset Forfeiture-Treasury Special Revenue Fund.

Prior Board Actions:

Resolutions dating from fiscal year 1999/2000 through 2012/2013.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Funds from this program are utilized to support District Attorney investigations and support law enforcement training, enhancing public safety efforts that may result in furthering the effort to deter crime, remove tools of crime from criminal organizations, and deprive wrongdoers of the proceeds of their crimes.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 26,717.84		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 26,717.84
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 26,717.84
	\$		\$
Total Expenditure	\$ 26,717.84	Total Sources	\$ 26,717.84

Narrative Explanation of Fiscal Impacts (If Required):

The District Attorney Asset Forfeiture Justice Special Revenue Fund received \$5,942.70 in asset forfeiture funds resulting from local narcotics related asset forfeiture cases being adopted by the Drug Enforcement Administration, and \$13.53 in interest for FY 13-14. The Fund balance as of Fiscal Year 2013-2014 year-end is \$23,766.04. The District Attorney's Adopted Budget for Fiscal Year 2014-2015 anticipates expending some of the existing fund balance in accordance with statutes and guidelines governing equitable sharing, including but not limited to, community outreach and overtime.

The District Attorney Asset Forfeiture – Treasury Special Revenue Fund received no (\$0.00) asset forfeiture funds from cases generated by the Bank Secrecy Act Task Force chaired by the IRS, but did earn \$17.35 in interest for FY 13-14. The Fund balance at the close of Fiscal Year 2013-2014 is \$2,951.80. The District Attorney anticipates possibly expending some of the existing fund balance in accordance with statutes and guidelines governing equitable sharing, including but not limited to, community outreach and overtime.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Not applicable			
Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			
Equitable Sharing Agreement and Certification			



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Authorizing the Chairperson of the Board of Supervisors to Execute a Federal Equitable
Sharing Agreement and Certification with the U.S. Department of Justice and the U.S.
Department of the Treasury for Fiscal Year 2013/2014.**

Whereas, The U.S. Department of Justice and the U.S. Department of the Treasury have mandated requirements concerning the sharing of federal forfeiture proceeds; and

Whereas, those requirements include the submission of an Equitable Sharing Agreement and Certification; and

Whereas, execution of the Equitable Sharing Agreement and Certification is recommended by the Sonoma County District Attorney for approval by the Board of Supervisors.

Now, Therefore, Be It Resolved, by the Board of Supervisors of Sonoma County, that the Equitable Sharing Agreement and Certification with the U.S. Department of Justice and the U.S. Department of the Treasury is hereby approved;

Be It Further Resolved, that the Chairperson of this Board, be and is hereby authorized and directed to execute the same for and on behalf of the County of Sonoma.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 17
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors, County of Sonoma

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s):

Staff Name and Phone Number:

Al Terrell / 565-1152

Supervisorial District(s):

Second District

Title: Novato Fire Protection District Agreement

Recommended Actions:

Authorize the Chair to execute an agreement between Sonoma County Fire and Emergency Services and the Novato Fire Protection District (District) to provide mutual automatic response to emergency incidents in the Lakeville area of County Service Area 40 (CSA 40), and the northeastern and northwestern areas of the District.

Executive Summary:

This item requests the Chair to execute an agreement between Sonoma County Fire and Emergency Services (FES) and the Novato Fire Protection District (District) to provide mutual automatic response to emergency incidents in the Lakeville area of CSA 40, and the northeastern and northwestern areas of the District. (See area map - Attachment 1). A similar agreement for mutual automatic.

Background

Sonoma County FES maintains and operates a fire protection organization for the purpose of providing fire protection of lives and property within the jurisdictional boundaries of CSA 40, and the District maintains and operates a fire protection organization for the purpose of providing fire protection and other emergency services within its jurisdictional boundaries.

FES wishes to augment its available fire protection resources in the Lakeville area of CSA 40, and the District wishes to augment its available fire protection resources in the northeastern and northwestern areas of the District, to better respond to emergency incidents in those areas. The agreement provides additional resources to FES to assist with simultaneous events as well as large scale events. FES and the District had an agreement to provide mutual automatic response to emergency incidents starting in 2000. That earlier agreement was terminated by the District. The proposed agreement amends the scope of service area from the previous agreement. The agreement provides additional resources to FES to assist with simultaneous events as well as large scale events.

FES is requesting the Chair execute an agreement with the District to continue these shared services for

one year, effective August 1, 2014, through July 31, 2015. The agreement will automatically renew under the same conditions unless either party notifies the other party of their desire to terminate the agreement in writing 30 days prior to the end of the contract. Either party may terminate the agreement at any time by giving 30-day written notice of intent to do so.

Prior Board Actions:

05/04/2000: Executed initial agreement with Novato Fire Protection District for shared response. This agreement has been in place since 2000.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

This agreement supports Goal 1 by providing shared emergency response services, for the health, wellbeing, and safety, of the residents of these areas.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ -0-	County General Fund	\$ -0-
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Fees/Other	\$ -0-
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
Total Expenditure	\$ -0-	Total Sources	\$ -0-

Narrative Explanation of Fiscal Impacts (If Required):

None.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

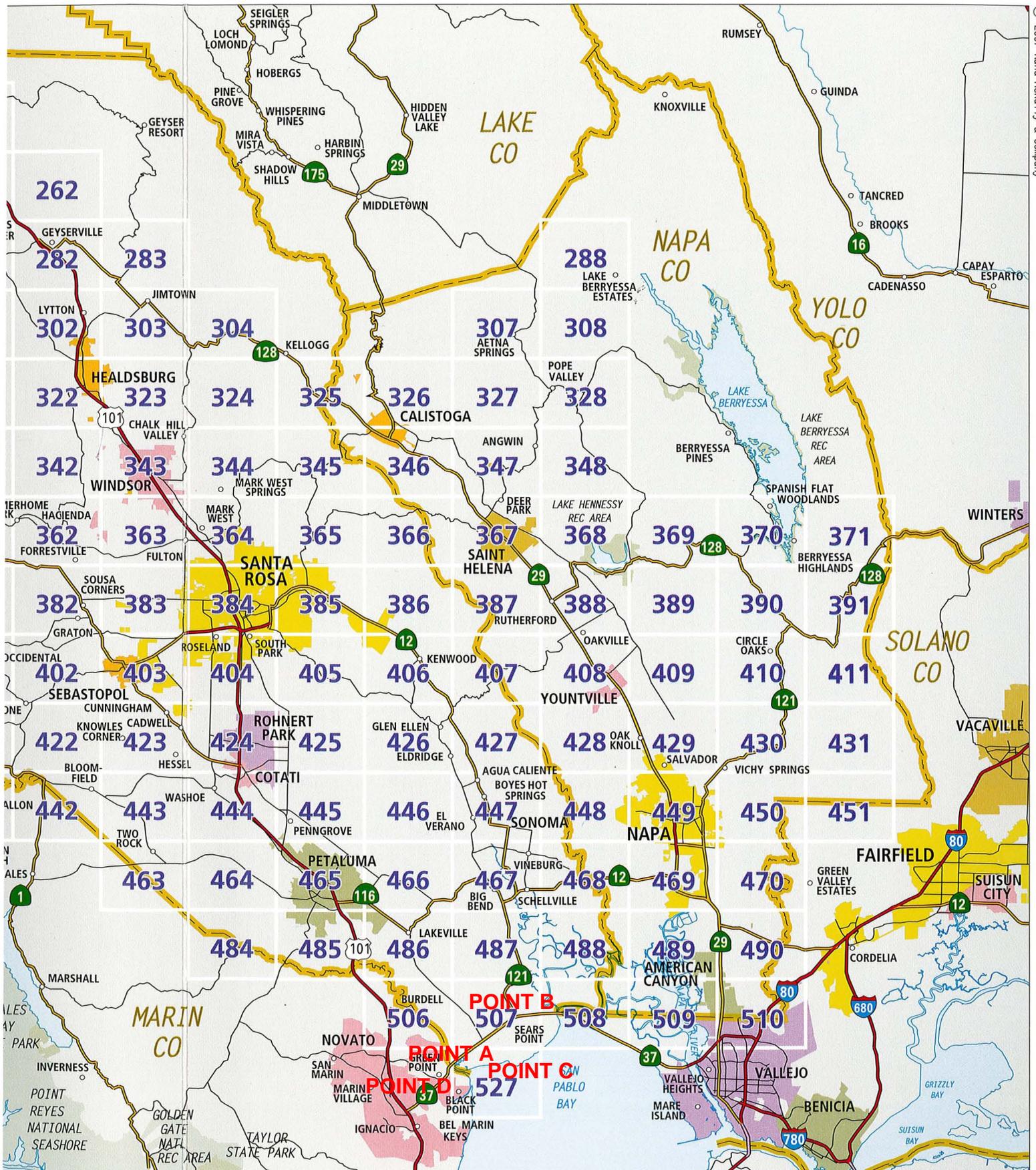
None.

Attachments:

Area Map - Attachment 1

Related Items "On File" with the Clerk of the Board:

Agreement (4 copies).





County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 18
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): General Services / Clerk-Recorder-Assessor

Staff Name and Phone Number:

Ed Buonaccorsi, General Services, 707-565-2463
Ray Leonard, Clerk-Recorder-Assessor, 707-565-1880

Supervisorial District(s):

3rd District

Title: New lease for the Clerk-Recorder-Assessor warehouse storage space at 3033 Coffey Lane, Santa Rosa, California

Recommended Actions:

- 1) Authorize the Clerk to publish a notice, declaring the Board's intent to execute a lease with Woodstock Properties, LLC, for approximately 15,145 sq. ft. of storage space at 3033 Coffey Lane, Unit E, Santa Rosa, for the County Clerk-Recorder-Assessor, for an initial rate of \$0.45 per sq. ft. per month (approximately \$6,815 per month, or \$81,780 per year), which is subject to adjustment as more particularly described in the proposed lease, for a 7-year initial term, with two, 5-year extension options
- 2) Authorize the General Services Director, or his Deputy, to execute a letter-agreement with Woodstock Properties, LLC, whereby the Landlord of said building will begin construction of tenant improvements in advance of the execution of the proposed lease, and County agrees to reimburse such costs, not to exceed \$175,315, if the proposed lease is not executed by October 15, 2014.

Executive Summary:

This item requests the Board to authorize the Clerk to publish a notice, declaring the Board's intent to execute a lease for approximately 15,145 sq. ft. of storage space at 3033 Coffey Lane, Santa Rosa, at an initial rate of \$0.45 per sq. ft. per month, for an initial 7-year term, with two, 5-year extension options.

Existing CRA warehouse and storage facilities. The Department of the Clerk-Recorder-Assessor ("CRA") Registrar of Voters Division ("ROV") has leased warehouse storage space at 3345 Industrial Drive, Unit #13, Santa Rosa, since 1994, and 3343 Industrial Drive, Unit #3, Santa Rosa, since 2001 for storage of ROV voting supplies, machines and equipment. CRA has also leased storage space at InfoStor, 1264 Apollo Way, Santa Rosa, for storage of records for the Recorder's Division, since 2001. Additionally, CRA

occupies storage space, at no-charge, at 11 English Street, Petaluma, pursuant to a Memorandum of Understanding agreement with the City of Petaluma, since 1971. Finally, CRA also occupies storage space at County-owned facilities at the County Administration Center (at the rear gated area of the Main Adult Detention Facility), and in north Santa Rosa at the General Services Fleet maintenance yard near the Sonoma County Airport. The total CRA storage square footage, leased and County-owned, currently utilized by CRA for its ROV equipment/materials and Recorder's records is approximately 12,000 sq. ft. The total cost for these various storage arrangements is approximately \$7,500 per month, or \$90,000 per year. The proposed warehouse lease agreement will provide sufficient space to consolidate all of CRA's storage needs in one facility/location at an initial annual cost of \$81,780. The proposed space also provides expansion space to meet future needs.

On September 10, 2013, your Board approved lease extensions for Unit #13, 3345 Industrial Drive, Santa Rosa through June 30, 2015; and for Unit #3, 3343 Industrial Drive, Santa Rosa through June 30, 2014. The CRA contract with InfoStor is month-to-month and CRA is charged by the linear foot for space utilized. Terminating the lease agreements at these locations will not impose termination costs for CRA.

Procurement Process. Over the past years CRA has been working with the General Services Department ("GSD") to develop a long-term strategy to meet CRA's warehouse and administrative office requirements. To that end, in October 2013, staff issued Requests for Information ("RFIs") for information relative to market availability for space to accommodate CRA office and warehouse needs. The RFIs requested proposals for the lease or acquisition of available property in the Santa Rosa area and in close proximity to the County Administration Center.

Staff received two responses to the RFIs; both responses were for office use only and were determined to be inadequate. Staff received no responses for the warehouse space, and therefore, reinitiated a search for suitable warehouse properties. Several prospective warehouse properties were screened based on the following criteria: 1) appropriate concrete slab construction to accommodate the load of storing ROV election and ballot materials, 2) square footage sufficient to accommodate and consolidate all of CRA storage, 3) sufficient ceiling height to accommodate storage racks used for ROV election equipment and materials, 4) moisture content of the facility to address Recorder's paper storage requirements, 5) proximity to the County Administration Center, and 6) accessibility and parking to accommodate the larger trucks needed to transport election equipment and materials on election days.

Staff subsequently identified the subject site at 3033 Coffey Lane, Santa Rosa ("Premises") for lease, which presented a listing rental rate of \$0.45 per square foot (psf) per month. The Premises meets all of the warehouse criteria listed above. Monthly rental rates for comparable warehouse properties in the Santa Rosa area are between \$0.45 and \$1.05 psf/month, with the subject property for the Premises at the low end of the asking price range. The proposed Premises improves current warehouse operations by providing the square footage needed to consolidate all of CRA warehouse storage into one facility, provides improved internal and external circulation, eliminates travel to multiples locations and has a lower rental rate per square foot than current facilities.

Early Occupancy Agreement (EOA). California election law requires that voting materials and equipment remain in place for set periods of time: For June elections, ROV materials must not be moved between the period of April 1 and June 30, except when moves are directly related to balloting on or about the day of balloting. For November elections, ROV materials must remain in place from

September 1 through November 30, except when moves are directly related to balloting on or about the day of balloting. Since the lease agreement for the Unit #3 Industrial Drive warehouse space would terminate in June 2014, voting equipment stored at that location would need to be moved out to voting locations and then returned to storage prior to June 30, only to be moved again upon expiration of the lease space agreement for this site on June 30, 2014.

To mitigate the need to relocate this equipment twice in May of 2014, staff negotiated an Early Occupancy Agreement (“EOA”) with the landlord, Woodstock Properties, LLC, for the proposed Premises. The “early occupancy agreement” allowed for the limited occupancy of the proposed Premises pending approval of the long-term lease. The EOA lease rates were set at \$2,500/month and conditioned on the County paying any additional monthly lease cost agreed upon in the long-term lease agreement. The EOA allowed CRA to move materials from the Unit #3 Industrial Drive warehouse to the Premises as an exception activity. Prior to election day, voting equipment and materials were taken out of storage from the Unit #3 Industrial Drive warehouse and set up at balloting stations in precincts throughout the County. Upon close of the elections on the evening of June 3, 2014, these ROV elections equipment and materials were placed in storage at the new Premises at Coffey Lane. This allowed CRA to move the voting equipment only once and comply within the “no move” timelines provisions mandated by election law. The EOA will expire on the latter of the following: August 15, 2014, or upon the commencement date of the proposed lease. (The Unit #3 Industrial Drive warehouse lease agreement has subsequently expired and the space was vacated as of June 30, 2014.) If the proposed Lease is approved by your Board, CRA intends to terminate the Unit #13 Industrial Drive warehouse lease effective on or before December 31, 2014. The InFoStor contract is month-to-month and may be terminated at any time with 30 days’ notice of termination.)

Proposed Lease. The proposed long-term lease which would replace the EOA, allows CRA to continue to utilize the Premises beyond August 15, 2014, and to consolidate its ROV elections materials, equipment and Recorder storage, which are currently stored at various locations, including the leased facilities at Unit #13, 3345 Industrial Drive, Santa Rosa, the InfoStor facility at 1264 Apollo Way, Santa Rosa, and County-owned facilities. Initial lease rates for the consolidated space will reduce current aggregated warehouse lease cost for CRA. Staff has negotiated terms for the lease, the proposed terms of which are as follows:

Premises: 3033 Coffey Lane, Unit E, Santa Rosa, comprised of 15,145 rentable square feet of industrial warehouse storage space.

Initial Term: Seven (7) years.

Base Rent: Initial - \$0.45 per sq. ft., or \$6,815 per month. Rent will be subject to annual 3% fixed adjustments during the Initial Term.

Tenant Improvements:

The tenant improvements (“TIs”) include the construction of a small office space, a separate storage room for CRA-Recorder paper record storage, an ADA-compliant restroom, and a forklift electrical charging station. The total cost for these TIs is \$148,885. As negotiated for the proposed Lease, Landlord will pay \$78,885, and County’s share of the TI costs will be \$70,000, which would be

amortized, at 3% interest, over the initial term and the 1st option period of the Lease, or 12 years. This TI cost adds \$.04 psf to the above \$0.45 psf base rental rate. In lieu of amortization of County's share of tenant improvements, County may elect to pay the \$70,000 in one lump-sum payment upon lease commencement. The lump-sum payment would save the County approximately \$12,700 in interest costs. Once County's share of TIs have been paid, the monthly rent would be reduced to the initial base rent of \$.45 psf, or \$6,815.

In addition to the above TIs, the Landlord will perform, and County will reimburse the Landlord, for tenant improvements which include the installation of a moisture control system for the conditioned storage room, and purchase and installation of the pallet storage racking materials and system for CRA's extensive storage requirements. The approximate cost for this portion of the TIs is \$105,315. These TI costs will not be amortized over the lease term. CRA will reimburse the Landlord, upon receipt of paid invoices.

**Additional
Rent:**

A condition of the proposed lease and the EOA is that CRA would pay, upon commencement of the proposed Lease, the differential in the proposed monthly lease rent of \$6,815, and the current EOA monthly rent of \$2,500, which equals additional rent of \$4,315 per month. CRA would pay additional rent of \$4,315 for each month of early occupancy under the EOA, for a total monthly rent of \$11,130. In lieu of paying the additional rent of \$4,315 per month, County may also elect to pay the Lease rent differential in one lump-sum payment upon lease commencement.

Options: Two, 5-year options to extend the lease term.

Termination: The lease may be terminated by County for non-appropriation of funds with 180 days' notice.

Funding: CRA previously budgeted funds for the Unit #3 and Unit #13 warehouse leases out of the General Fund for FY14-15. These funds will be used to pay for the ROV Elections portion of the rent. The Recorder portion of the proposed lease rent will be paid from funds previously budgeted for FY14-15 for the InfoStor lease, as well as from additional Recorder funds (CRA Recorder's Modernization Fund).

Strategic Plan: The County Comprehensive Facilities Plan recommends that where practical industrial, storage and warehouse operations are best situated outside of the County Administration Complex site. The initial focus was to examine available properties in the Airport area, however, these properties were rejected due to accessibility concerns, pricing and square footage available. It is staff's opinion that the proposed leased facility is advantageous from a logistical and practical standpoint, as the proposed location allows the consolidation of CRA ROV equipment and materials storage and Recorder records storage into a single leased facility, is in reasonable close proximity to the County Administration Center (less than 2 miles), and provides a good rental rate (\$.45 psf per month) for the proposed Lease.

Proposed Letter Agreement: To expedite completion of the tenant improvements for the Premises, staff proposes a letter-agreement, whereby the landlord will proceed with construction of the tenant improvements during the public noticing period required by the California Government Code, provided the County guarantees reimbursement of these costs in an amount not to exceed \$175,315, should the Board of Supervisors not approve the proposed lease by October 15, 2014. This amount represents County’s share of tenant improvements (\$70,000) for construction of the small office, separate storage room for CRA-Recorder paper record storage, an ADA-compliant restroom and a forklift electrical charging station, plus the additional tenant improvements (\$105,315) for installation of the moisture control system, and purchase and installation of storage racking. In the event the County executes the proposed lease, County will reimburse landlord for these tenant improvement costs in accordance with the reimbursement schedule of the lease, whereby these costs may be amortized over the lease term or paid in lump-sum payments. The letter-agreement (Attachment 2) is proposed as a means to attain the targeted occupancy date of December 1, 2014.

Public Notice Requirement: Government Code Section 25350 requires the Board to publish a notice of its intent to enter into a lease valued in excess of \$50,000 for three (3) consecutive weeks prior to consummation of the proposed lease. Staff has prepared the attached notice for publication, which sets October 7, 2014 as the date of the meeting for the Board to authorize execution of the proposed lease by the General Services Director. By approving this agenda item, the Board directs the Clerk of the Board to publish the notice in accordance with Government Code Section 25350. If your Board takes the requested action, and in line with California Government Code, this matter will be returned to the Board at 8:30 A.M., on October 7, 2014, for consideration and possible consummation of the proposed lease.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

The provision of the proposed lease provides a location for the CRA-Recorder Division to store its paper records, pursuant to State-mandated storage requirements, and to store CRA-ROV equipment and materials necessary to provide and conduct election services.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 148,435	County General Fund	\$ 77,910
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 70,525
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 148,435	Total Sources	\$ 148,835

Narrative Explanation of Fiscal Impacts (If Required):

CRA would pay \$77,910 lease rent from FY14-15 funds previously-budgeted for the CRA ROV leases on Industrial Drive, and the CRA Recorder InfoStor lease. (\$77,910 = 7 months X \$6,815 base rent + a lump-sum payment of \$30,205 for EOA rent)
In addition, CRA would use FY14-15 CRA Recorder’s Modernization funds for the lump-sum payment for tenant improvements of \$70,525, which funds are included in the FY14-15 budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

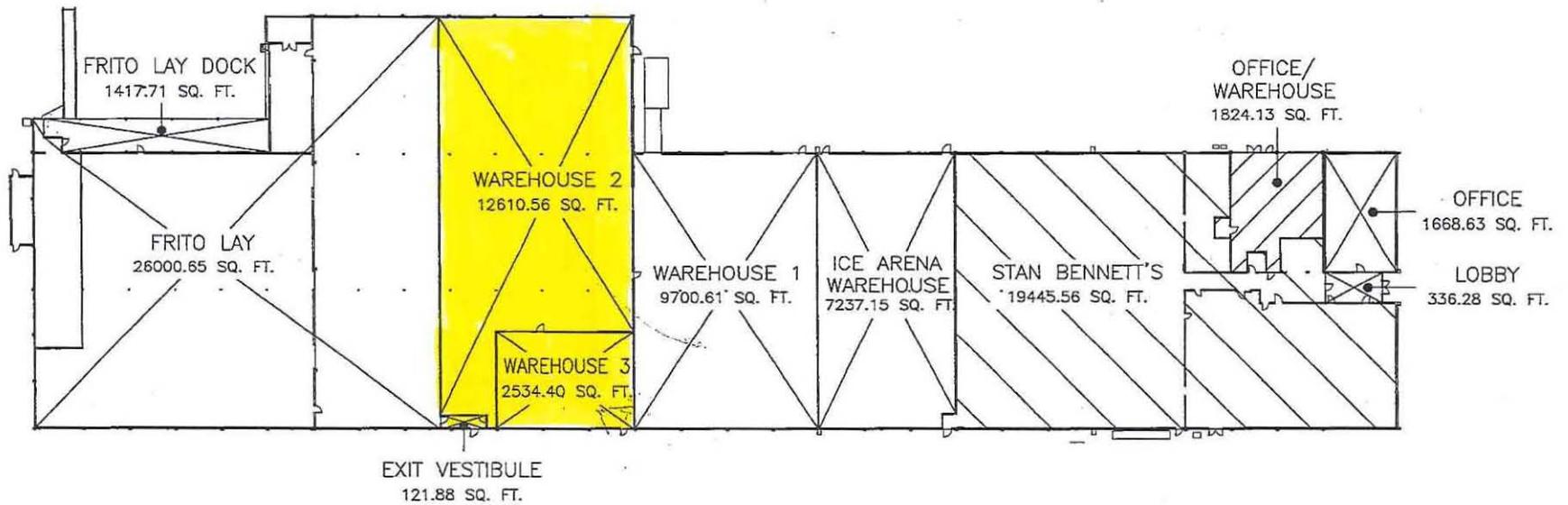
N/A

Attachments:

- Attachment 1 – Floor plan
- Attachment 2 – Letter-agreement
- Attachment 3 – Notice of intent

Related Items “On File” with the Clerk of the Board:

Copy of proposed lease



3033 COFFEY LN. AREA TAKE OFF

SCALE: NONE

AREA TAKE OFF	
AREA NAME	SQ. FT.
LOBBY	336.28 SQ. FT.
OFFICE	1668.63 SQ. FT.
OFFICE/WAREHOUSE	1824.13 SQ. FT.
STAN BENNETT'S	19445.56 SQ. FT.
ICE ARENA WAREHOUSE	7237.15 SQ. FT.
WAREHOUSE 1	9700.61 SQ. FT.
WAREHOUSE 2	12610.58 SQ. FT.
WAREHOUSE 3	2534.40 SQ. FT.
EXIT VESTIBULE	121.88 SQ. FT.
FRITO LAY	26000.65 SQ. FT.
FRITO LAY DOCK	1417.71 SQ. FT.
TOTAL	81479.87 SQ. FT.



SONOMA COUNTY
GENERAL SERVICES DEPARTMENT

JOSÉ OBREGÓN
 DIRECTOR

ENERGY & SUSTAINABILITY • FACILITIES DEVELOPMENT & MANAGEMENT • FLEET OPERATIONS • PURCHASING

VIA 1st Class Mail and E-Mail

September 9, 2014

Woodstock Properties, LLC
 In c/o Cornish & Carey Commercial
 Newmark Knight Frank
 Attn: Ronald Reinking, Vice President
 2455 Bennett Valley Road, Suite C200
 Santa Rosa, CA 95405
rreinking@ccareynkf.com

Re: Proposed lease ("Lease") between Woodstock Properties, LLC ("Landlord") and the County of Sonoma ("County") for premises located at 3033 Coffey Lane, Santa Rosa, CA ("Premises")

Dear Mr. Reinking:

In order to expedite construction of the Premises as defined by the above-referenced proposed Lease, County is willing to guarantee certain costs, as outlined below, provided that Landlord diligently proceeds with construction of the tenant improvements for the Premises pursuant to the letter of intent dated May 29, 2014 (attached for reference).

This guarantee is subject to the following conditions:

- (1) In the event the Lease is executed by County on or before October 15, 2014, then this guarantee shall be of no force or effect, and County shall not be required to reimburse Landlord for any costs.
- (2) In the event the Lease is not executed by County on or before October 15, 2014, then County shall reimburse Landlord for actual costs incurred in completing tenant improvements as outlined in Section 14 of the aforementioned letter of intent; provided, however, that in no event shall County be required to reimburse Landlord in an amount greater than One Hundred Seventy-Five Thousand Three Hundred Fifteen and No/100 Dollars (\$175,315.00).
- (3) In the event the Lease is executed after October 15, 2014, then County shall reimburse Landlord for these tenant improvement costs in accordance with the terms of the executed lease (i.e., either amortized over the lease term or in lump-sum payments).
- (4) This guarantee shall only be binding on County in the event it is executed by the General Services Director, or his Deputy.

If you are in agreement with the terms of this guarantee, please have the appropriate person sign the attached copy of this letter, where indicated, and return it to me.

Very truly yours,

Ed Buonaccorsi, Deputy Director
Facilities Development & Management
General Services Department
COUNTY OF SONOMA

"Landlord": WOODSTOCK PROPERTIES, LLC,
a California limited liability company

By: _____

Name: _____

Title: _____

Date: _____

"County": COUNTY OF SONOMA, a political
subdivision of the State of California

By: _____
José Obregón, Director
General Services Department

Date: _____

Enclosures:

Copy of letter dated September 9, 2014
Copy of letter of intent dated May 29, 2014

Copies via E-mail:

Kevin Doran, Keegan & Coppin
Ray Leonard
Marc McDonald
William Wilkins

Ron Reinking
Vice President
Lic #00931004

May 29, 2014

Marc McDonald, Real Estate Manager
C/O Alma Rogers
General Services Department
COUNTY OF SONOMA

Sent Via Email: Alma.Roger@sonoma-county.org

RE: Proposal for County of Sonoma Clerk-Recorder-Assessor Lease – 3033
Coffey Boulevard, Unit E, Santa Rosa (“Premises”)

Dear Mr. McDonald,

On behalf of the ownership and myself, I wish to express our pleasure in the interest of The County of Sonoma Registrar Of Voters securing a lease at of 3033 Coffey Lane. I am in receipt of your proposal of lease terms dated May 23, 2014. Below you will find your original proposal with the ownerships counter-points in red. Hopefully we can come to an agreement quickly as time is crucial in this transaction.

1. **Parties:**

The parties to the transaction shall be the County of Sonoma (Tenant) and Woodstock Properties, LLC (Landlord). **[AGREED]**

2. **Landlord Warranties:**

Landlord warrants that it has good and marketable title to the Property with the legal right to enter into and to consummate the lease transaction contemplated herein and has full power to perform under the Lease. Except for Tenant’s occupancy pursuant to an Early Occupancy Agreement between Tenant and Landlord, Landlord represents that as of the Commencement Date of the Lease, the Premises shall be free and clear of all tenancies or other rights of third parties that would conflict with the rights of the Tenant for its intended use. **[AGREED]**

3. **Building and Premises:**

3033 Coffey Lane, Unit E, Santa Rosa, CA **[AGREED]**

4. **Size and Type:**

Approximately fifteen thousand one hundred and forty-five Square Feet (15,145 +/-) of Industrial Warehouse space. Actual size and layout of the Premises shall be subject to a mutually acceptable space plan and architectural measurement of the Premises using designation ANSI/BOMA Z65.2-2009 measurement standards. **[AGREED]**

5. **Lease Commencement and Occupancy:**

The Lease will commence upon completion of Tenant Improvements estimated to be August 1, 2014. **[AGREED]**



Marc McDonald
May 29, 2014
Page 2 of 6

6. **Term:**
The term of the Lease will be for seven (7) years from commencement date. **[AGREED]**
7. **Termination Date:**
Unless extended per paragraph twenty-one (21) below, the Lease shall terminate July 31, 2021. **[MODIFIED] – See paragraph (21) below.**
8. **Base Monthly Rental Rate: [MODIFIED]**
The base monthly rental rate will be \$0.48 PSF per month (\$7,270) with 3% annual increases per the graph below:
- | | |
|--|-------------------|
| August 1, 2014-July 31, 2015 (Year 1): | \$7,270 per month |
| August 1, 2015-July 31, 2016 (Year 2): | \$7,488 per month |
| August 1, 2016-July 31, 2017 (Year 3): | \$7,713 per month |
| August 1, 2017-July 31, 2018 (Year 4): | \$7,944 per month |
| August 1, 2018-July 31, 2019 (Year 5): | \$8,182 per month |
| August 1, 2019-July 31, 2020 (Year 6): | \$8,427 per month |
| August 1, 2020-July 31, 2021 (Year 7): | \$8,680 per month |
- (Rental rate is a function of the cost of tenant specific improvements per paragraph fourteen (14) and will not be finally determined until cost of such improvements is confirmed. Upon execution of a letter of intent, Landlord will move forward with obtaining firm bids.) **[MODIFIED] – See paragraph (14) below.**
9. **Additional Rent-Year One: [MODIFIED]**
In addition to the base monthly rent during Year 1 described above, Tenant shall reimburse Landlord for the difference between asking rent (\$0.48 or \$7,270 per month) and the monthly rental of \$2,500 during the Early Occupancy period, or approximately \$4,770 for every month of occupancy during the Early Occupancy Agreement prior to Lease Commencement. The “Additional Rent” shall be amortized over the first twelve (12) months of the Lease term.
10. **No Pass Through of Expenses:**
The Rent specified in paragraph eight (8) is calculated on the Rentable Square Feet of the Premises. The Base Rent includes all of Landlord’s building operating expenses as specified in paragraph twenty (20), plus taxes and insurance. **[AGREED]**
11. **Early Access:**
Tenant shall have access to the Premises per the terms of Early Occupancy Agreement previously executed by both parties. Tenant will make accommodations to Landlord during



Marc McDonald
May 29, 2014
Page 3 of 6

this period to allow access for Landlord's work described in paragraph fourteen (14) below. **[AGREED]**

12. **Building Codes and Governmental Regulations:**

To the best of Landlord's knowledge, without inquiry, the interior and exterior of the Premises do not violate any ordinance, rule, code or regulation of any governmental agency and Landlord has not received any notice of any possible violation. Tenant shall be solely responsible for obtaining any licenses or permits required for tenant's specific use. **[AGREED]**

13. **Condition of Premises:**

Upon lease commencement, Landlord shall deliver the Premises with the roof, electrical, plumbing and lighting in good working condition. **[AGREED]**

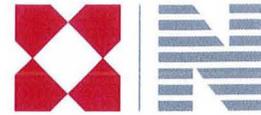
14. **Tenant Improvements:**

Landlord's Work Prior to Lease Commencement (Landlord's sole cost): **[MODIFIED]**

1. Installation of ADA Restroom in a mutually agreed upon location. (Location to be identified no later than May 30, 2014.)
2. Provision of ADA Parking if required by City
3. Installation of any city required venting systems
4. Sealing of doorway between units D and E.
5. Sewage line relocation
6. Ceiling paint or remediation as required by OSHA standards.
- ~~7. PGE review and recommendations for energy-efficient lighting.~~ Landlord to install T-5 lighting with motion sensors in warehouse area.
8. Power to the condition room for dehumidifier.
9. Installation of electrical outlet in mutually agreeable location for the purpose of charging Tenant's fork lift.

Landlord's Work Prior to Lease Commencement (To be amortized into Base Rental Rate described in paragraph eight (8) at 3% annual interest) **[MODIFIED] –**
Maximum cost amount of Tenant Improvements to be amortized is \$75,000. Any charges above this \$75,000 cap to be paid by Tenant upon completion of work.

1. Construction of office per floor plan to include:
 - (i) Either electrical or gas heater and air conditioner
 - (ii) Double Entry door with sidelight; and



Marc McDonald
May 29, 2014
Page 4 of 6

2. Installation of additional exit doorway and enlargement of exiting corridor to be shared with neighboring unit, though such exit corridor is not required by the City of Santa Rosa.

There shall be a work letter attached to the Lease Agreement, specifying the scope of these improvements in greater detail.

Tenant may request additional work to be performed by Landlord's Contractor (such as Tenant's racking/shelving purchase and installation), with all costs paid by Tenant, upon completion of installation of the additional work and receipt of invoice(s) for Landlord's costs for such additional work. **[MODIFIED] – As above**

15. **Use of Premises:**
Tenant shall use the premises for Sonoma County, Clerk-Recorder-Assessor (CRA) storage. **[AGREED]**
16. **First Month's Rent:**
Tenant shall pay first month's rent to Lessor upon commencement of the Lease Agreement. The Lease Agreement shall commence upon the later of the following: (1) receipt of a certificate of substantial completion of Tenant Improvements as described in paragraph fourteen (14); or approval of the execution of the Lease by the Sonoma County Board of Supervisors. **[AGREED]**
17. **Security Deposit:**
Tenant shall not provide a security deposit upon execution of the Lease Agreement. **[AGREED]**
18. **Insurance:**
General Liability insurance in an amount of not less than \$2,000,000.00 per occurrence shall be maintained by Tenant. Landlord acknowledges that Tenant is self-insured. Tenant shall provide Landlord with a Letter of Self-Insurance upon lease execution. Landlord shall maintain insurance in amount(s) as required by Tenant's Risk Management Department. **[AGREED]**
19. **Utilities: [MODIFIED]**
All utilities provided to the demised premises shall be paid by Tenant. ~~Landlord will work with PG&E to ensure energy efficient lighting for the Premises.~~ Landlord will install T-5 lighting with sensors in warehouse area.



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20. **Maintenance:**
Maintenance of Building, Foundation, Roof, Exterior Walls Landlord Tenant
All Building Interior Maintenance Landlord Tenant
Janitorial within Premises Landlord Tenant
Parking Lot Maintenance Landlord Tenant
Outside Area Maintenance, including Landscaping Landlord Tenant
21. **Option to Renew: [MODIFIED]**
Upon expiration of the initial Lease Term Tenant will have the right to two (2) options to renew the Lease for a period of five (5) years each. Tenant will give Landlord written notice of intent to exercise this renewal option no less than one hundred eighty (180) days prior to the expiration of initial term. Option rent will be **at market rent** subject to 3% annual increases.
22. **Right to Sublease: [MODIFIED]**
Tenant will have the right to assign or sublease a portion or all of the Premises with Landlord's prior written consent which will not be unreasonably withheld or delayed. **Any profit from a sublease will be split 50/50 between Landlord and Tenant.**
23. **Hazardous Materials:**
Landlord shall warrant that the premises or any part of the building which the premises is a part of, is not contaminated by, or subject to remediation related to any hazardous materials or substances. Any provisions contained in the Lease related to hazardous materials shall be mutual between both parties. **[AGREED]**
24. **Compliance with Americans with Disabilities Act: [MODIFIED]**
~~It will be Landlord's responsibility to keep the Premises, in compliance with all disability laws and requirements at Landlord's expense, unless noncompliance arises due to an action of Tenant or a specific use of the Premises by Tenant. All tenant improvements completed by Landlord prior to the Commencement Date shall be ADA-compliant.~~
Landlord warrants that all improvements were in compliance with ADA requirements at the time they were constructed and that Landlord has not received any notice of violation of such requirements. All tenant improvements constructed by Landlord shall be in compliance with ADA requirements. Any ADA upgrades or modifications which are required by Tenant's specific use shall be Tenant's responsibility.
25. **Lease Form and Memorandum: [MODIFIED]**
County of Sonoma Office Lease form shall be used. Neither Tenant nor Landlord shall record the Lease Agreement. However, the parties may agree to execute and record a Memorandum of Lease to be recorded by Tenant. **County lease form is subject to negotiation by Landlord.**



Marc McDonald
May 29, 2014
Page 6 of 6

26. **Commission and Representation:**

Cornish & Carey Commercial Newmark Knight Frank shall be recognized as Broker for the Landlord and Keegan & Coppin Commercial Oncor International shall be recognized as the Broker for Tenant in regards to this Transaction. Ownership shall pay a commission per the terms of a separate Listing Agreement.

THIS LETTER CONSTITUTES AN EXPRESSION OF INTEREST ONLY AND IS NOT INTENDED TO CONSTITUTE A BINDING AGREEMENT BETWEEN THE PARTIES, UNLESS AND UNTIL A FORMAL WRITTEN AGREEMENT, IN A FORM MUTUALLY ACCEPTABLE TO THE PARTIES, IS PREPARED AND SIGNED BY BOTH PARTIES. THE PARTIES HEREBY RECOGNIZE THAT NO SPECIAL RELATIONSHIP HAS BEEN CREATED BETWEEN THE PARTIES BY VIRTUE OF THIS LETTER AND THAT THE PARTIES SHALL HAVE NO OBLIGATION TO ONE ANOTHER IN THE EVENT A FORMAL WRITTEN AGREEMENT IS NOT EXECUTED AS PROVIDED ABOVE. **[AGREED]**

27. **Notices:**

Any agreement reached pursuant to these discussions shall be subject to all applicable federal, state and local laws, regulations, codes, ordinances and administrative orders having jurisdiction over the parties, property or subject matter of this Agreement, including but not limited to, the 1964 Civil Rights Act and all amendments thereto, the Foreign Investment in Realty Property Tax Act, the Comprehensive Response Compensation and Liability Act, and Americans with Disabilities Act. **[AGREED]**

Again, thank you for your interest. Please respond as soon as possible as this counterproposal expires at 5:00 PM on June 2, 2014.

Yours sincerely,

Ronald Reinking
Vice President

rrinking@ccareynkf.com
T 707.583.8342

**PUBLIC NOTICE
OF INTENT OF COUNTY
TO LEASE REAL PROPERTY**

NOTICE IS GIVEN that the Sonoma County Board of Supervisors intends to authorize the Director of the Department of General Services, to lease approximately fifteen thousand one hundred forty-five (15,145) sq. ft. of warehouse space, more or less depending on final configuration, in that certain one-story building ("Building") located at 3033 Coffey Lane, Santa Rosa, California, for use by the County Clerk-Recorder-Assessor Department. The Board intends to lease the premises from Woodstock Properties, LLC, a California limited liability corporation, for the base monthly gross service rental of Forty-Five Cents (\$0.45) per sq. ft. of warehouse space, said rental subject to increase at a rate of three percent (3%) per year during the initial term of the lease. Rent shall be adjusted using the Consumer Price Index, at a rate between three percent (3%) and six percent (6%) for the first year of each option term, and by three percent (3%) for the remaining years of each option term, as set forth in the proposed lease. The term of the lease shall be seven (7) years, plus two (2) optional extension terms of five (5) years each. Additional information regarding the proposed lease is available for public review at the Office of the Director of the Sonoma County General Services Department, 2300 County Center Drive, Suite A220, Santa Rosa, California 95403. The Board of Supervisors will meet on or after October 7, 2014, at 8:30 a.m. at the Sonoma County Administration Building, Room 102A, 575 Administration Drive, Santa Rosa, California to consummate the lease.

Clerk of the Board of Supervisors

Public notice of the County's intention to lease the Property shall be published once a week for three successive weeks in accordance with Government Code Section 25350 and 6063.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 19
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: 4/5

Department or Agency Name(s): Sonoma County General Services and County Counsel

Staff Name and Phone Number:

Petra Bruggisser 565-3744

Supervisorial District(s):

n/a

Title: Legal Services Agreement with Burke, Williams & Sorensen, LLP

Recommended Actions:

Authorize the Chairman of the Board to execute the Legal Services Agreement with Burke, Williams and Sorensen, LLP, Attorneys at Law, to provide advisory and representation services regarding the fuel cell for one year, with two one-year extension options per approval by County Counsel, and a not-to-exceed amount of \$150,000.00 in total.

Executive Summary:

As part of the County's Comprehensive Energy Project ("C.E.P."), the County commissioned a 1.4 megawatt fuel cell ("Fuel Cell") in anticipation of significant annual energy savings in 2011. Although the County has received energy savings from the Fuel Cell, the unit's performance has been inconsistent and several impacting issues have been identified as warranting detail examination. General Services is investigating the Fuel Cell's performance and is working with Fuel Cell Energy, Inc. ("FCE") on an ongoing basis to address and remedy the issue. In recognition that the County and the supplier have a contractual agreement, General Services has also sought the assistance of County Counsel in ascertaining the County's legal position. At this point, General Services and the Office of the County Counsel agree that additional resources are required to more fully evaluate the performance of the technology and the anticipated energy savings, and to best position the County in evaluating its current and potential future contract with FCE and other legal options. Due to the link between fuel cell performance and contractual obligations, coupled with the complex nature and scope of specialized expertise required to conduct a comprehensive evaluation, County Counsel and General Services recommended that David Rosenthal of Burke, Williams & Sorensen ("BWS") be engaged to assist with the matter. Mr. Rosenthal specializes in public works construction law, including comprehensive energy and fuel cell projects, and has significant experience and recognized legal and technical expertise in these specialized areas. General Services and the Office of the County Counsel agree that securing Mr. Rosenthal's advisory and legal representation services would best serve the County by providing both the technical and legal resources required to fully assess issues and impacts in connection with the County's Fuel Cell. All services provided will be closely coordinated with the General Services

Department and the Sonoma County Counsel's Office.			
Prior Board Actions:			
None.			
Strategic Plan Alignment		Goal 3: Invest in the Future	
The proper operation of the fuel cell is an important component of the County's Comprehensive Energy Project, intended to conserve energy and reduce costs.			
Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 150,000	County General Fund	\$ 150,000
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 150,000	Total Sources	\$ 150,000
Narrative Explanation of Fiscal Impacts (If Required):			
Funding for this agreement will be paid for from the County's Comprehensive Energy Project fund balance.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
None.			
Related Items "On File" with the Clerk of the Board:			
Agreement for Professional Legal Services with Burke, Williams and Sorensen, LLP.			

LEGAL SERVICES AGREEMENT

Consultation and Potential Litigation Services Related to Comprehensive Energy Project

This Agreement is made by and between the County of Sonoma (“County”) and Burke, Williams & Sorensen, LLP (“Attorney”). This Agreement is required by Business and Professions Code Section 6148 and is intended to fulfill its requirements.

RECITALS

WHEREAS, Attorney specializes in public works construction law, including comprehensive energy projects, and has significant experience and recognized expertise in all aspects of public works construction and energy project matters, including contracting, expert consultant retention and litigation; and

WHEREAS, County has determined that Attorney’s assistance is needed for consultation, expert consultant retention and contract enforcement services, including potential litigation services, in connection with certain public works contracts and energy project matters;

WHEREAS, in April 2014, County engaged the law firm of Wulfsberg, Reese and Colvig (“WRC”) for related legal services. Effective September 1, 2014, WRC merged with Attorney. County owes WRC \$27,000 for services received pursuant to the April 2014 Agreement, which amount will be paid to Attorney under this Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

AGREEMENT

1. Services. Attorney will provide advisory and representation services to County as follows: (a) provide legal advice and services on matters related to contract interpretation and enforcement, (b) provide legal advice and services on matters related to public works construction law, including the County’s Comprehensive Energy Project and Fuel Cell, (c) provide legal advice and services with respect to the retention of expert consultants in relation to the County’s Comprehensive Energy Project and Fuel Cell, (d) provide legal advice and services with respect to potential future litigation in relation to the County’s Comprehensive Energy Project and Fuel Cell, and (e) provide such services as may be requested by County Counsel. Attorney shall coordinate with County Counsel and keep County Counsel fully advised of the progress and developments in each matter assigned to Attorney. Attorney shall also cooperate with County’s General Services Department in the performance of all work hereunder.

2. Attorney’s Key Personnel. The parties identified in this section as the work team, project manager, or other professional providing services under this Agreement, are key persons, whose services are a material inducement to County to enter into this Agreement, and without whose services County would not have entered into this Agreement. Except for matters requiring

less than 3 hours of recorded time per personnel, Attorney shall assign no other personnel to this Project without the written approval of County Counsel. Key personnel shall be as follows: Project Manager -- H. James Wulfsberg; Todd Wulfsberg is also an approved member of the work team.

3. Compensation. Compensation to Attorney for services shall be at the rates set forth in Exhibit A, provided however that total payments hereunder shall not exceed \$150,000, without the County's prior written approval. The rates set forth in Exhibit A shall not be adjusted without a formal amendment to this Agreement. The County and Attorney agree that should the services provided under this Agreement include Attorney playing a primary role in actual litigation, for example preparation of pleadings, motions, discovery, or related litigation work, compensation to Attorney for such litigation-related services shall be at a blended rate of \$310.00 per hour.

4. Term. The term of this Agreement shall commence April 1, 2014 and shall terminate on August 31, 2015, unless terminated earlier in accordance with the terms herein. County Counsel may approve options for two one-year extensions of this Agreement.

5. Standard of Care. County has relied on the professional ability, professional experience, and training of Attorney as a material inducement to enter into this Agreement. Attorney shall perform its services in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance by County of work performed by Attorney shall not operate as or be interpreted to be a waiver or release.

6. Billing and Timekeeping. Billing statements shall be provided on a monthly basis to County Counsel, and shall include the following information:

- a. The date and time spent performing services. Minimum billing times shall not exceed one-tenth of an hour.
- b. Description of the services performed regarding the designated matter, with a separate time allocation for each function (e.g., telephone calls, research, drafting);
- c. Separate itemization of non-legal costs by type.
- d. Total fees and costs of the matter to date.
- e. For any extraordinary expenses, the invoice must include the date and who gave prior approval for incurring such expense.
- f. All invoices submitted must include the following statement signed by the firm's supervising attorney:

"I have personally examined this billing statement. All entries are in accordance with the Legal Services Agreement, are correct and reasonable

for the services performed and the costs incurred, and no item on this statement has been previously billed to the County.”

7. Non-Reimbursable Services. Attorney shall not be reimbursed for any of the following expenses:

- a. Travel expenses, except to the extent approved in accordance with Section 8 below.
- b. Messenger or express mail charges.
- c. Normal overhead functions such as word processing or typing time, scheduling of depositions, ordering records, calendaring functions, filing, indexing, proofreading or copying time, or any other procedures that are of a secretarial nature.
- d. Meals, overtime, office supplies, or attorney time for preparation of bills or audit responses to routine billing inquiries.
- e. Expenses for experts or consultants that have been retained without the prior written approval of County Counsel.
- f. Photocopying charges in excess of \$25.00 in any billing cycle without prior written approval of County Counsel.
- g. Office supplies, local telephone charges, per-page fax charges, conference call line charges, routine mail, etc.
- h. Conferencing time of more than one attorney for routine matters, such as administrative tasks, scheduling or billing, unless such conference involves expert opinion, and/or case analysis as reasonably necessary.
- i. Replacement attorney learning time or other ramp-up learning costs.
- j. Travel time – 50% of time.
- k. Charges/fees for use of computer research programs (e.g. Lexis Nexis, WestLaw, etc.).

8. Direction and Extraordinary Expenses. All direction and control of Attorney’s work for County will be by the Sonoma County Counsel’s Office and in conjunction with Lisa Pheatt, or other personnel designated by the County Counsel. Attorney shall seek pre-approval from the County Counsel’s Office for all extraordinary expenses before the same is incurred by Attorney. By way of example, extraordinary expenses shall include expenses for preparing complex motions, undertaking significant legal research or substantial drafting, retaining experts and consultants, and out-of-town travel.

9. Termination. This Agreement may be terminated by the County at any time, subject to equitable proportional payments due to Attorney. County Counsel shall have the authority to terminate the Agreement on behalf of the County. All files, written material, and documents will be transferred to the County upon such termination. Attorney will be available to consult with the County or, should one be retained, with the County's new attorney with respect to facts and circumstances of any matters previously worked on by Attorney for a reasonable period of time following such termination.

10. Withdrawal. Attorney may withdraw as permitted under the Rules of Professional Conduct of the State Bar of California.

11. Status of Attorney. The parties intend that Attorney, in performing the services under this Agreement, shall be an independent contractor and shall control the work and the manner in which it is performed. Attorney shall acquire no rights or status in the service of the County. Attorney is not to be considered an agent or employee of the County and is not entitled to participate in any pension plan, insurance, bonus, or similar benefits the County provides its employees. In the event the County exercises its right to terminate this Agreement pursuant to the terms herein, Attorney expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

12. Modification. If, during the term of this Agreement, it becomes necessary to amend or add to its terms, conditions, scope or requirements, such amendment or addition shall only be made after mutual agreement of Attorney and the County and by way of execution of a written modification to this Agreement.

13. Insurance. With respect to performance of work under this Agreement, Attorney shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit B, which is attached hereto and incorporated herein, by this reference.

14. Indemnity. Attorney agrees to accept responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless, and release the County, its officers, agents, and employees, from and against any and all actions, claims, damages, liabilities, or expenses that may be asserted by any person or entity, including Attorney, arising out of or in connection with the negligent performance or willful misconduct of Attorney hereunder, but excluding liability due to the sole or active negligence or due to the willful misconduct of the County. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Attorney or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts. In addition, Attorney shall be liable to the County for any loss or damage to the County property arising from or in connection with Attorney's negligent performance or willful misconduct hereunder.

15. Rules of Professional Conduct. Nothing contained herein shall be construed to relieve Attorney of its obligations under the Rules of Professional Conduct.

16. Merger. This Agreement contains the entire agreement of the parties. No other agreement, statement or promise made on or before the effective date of this agreement will be binding on the parties.

17. Taxes. Attorney agrees to file federal and state tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. Attorney agrees to indemnify and hold the County harmless from any liability which it may incur to the United States or to the State of California as a consequence of Attorney's failure to pay, when due, all such taxes and obligations. If the County is audited for compliance regarding any withholding or other applicable taxes, Attorney agrees to furnish the County with proof of payment of taxes on these earnings.

18. Conflict of Interest. Attorney covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of the services hereunder. Where the County deems that there is an actual or potential conflict of interest in Attorney representing another party in a matter, the County must waive any such actual or potential conflict before Attorney may represent such other party. County was previously advised of a potential conflict of interest in connection with an unrelated matter in which Attorney's firm represents the City of Rohnert Park. The County waived such potential conflict through a waiver of conflicts letter, attached hereto as Exhibit C.

19. Nondiscrimination. Attorney shall comply with all applicable federal, state, and local laws, rules and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation, or other prohibited basis, including without limitation the County's Non-Discrimination Policy. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated by this reference.

20. Assignment and Delegation. Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

21. Method and Place of Giving Notice, Submitting Bills and Making Payments. All notices, bills, and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills, and payments sent by mail shall be addressed as follows:

To County: Bruce Goldstein, County Counsel
 c/o Lisa Pheatt, Deputy County Counsel
 County of Sonoma
 575 Administration Drive, Room 105
 Santa Rosa, CA 95403

To Attorney: H. James Wulfsberg, Esq.
 c/o J. Todd Wulfsberg, Esq.

Burke, Williams & Sorenson, LLP
1901 Harrison Street, Suite 900
Oakland, CA 94612

And when so addressed, shall be deemed given upon deposit in the United States mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills, and payments are to be given by giving notice pursuant to this paragraph.

22. No Waiver of Breach. The waiver by the County of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or promise or any subsequent breach of the same or any other term or promise contained in this Agreement.

23. Applicable Law and Forum. This Agreement shall be construed and interpreted according to California Law, and any action or proceeding to enforce this Agreement or for the breach thereof shall be brought or tried in the County of Sonoma.

24. AIDS Discrimination. Attorneys agree to comply with the provisions of Article II of Chapter 19 of the Sonoma County Code, prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.

25. Counterparts. This Agreement may be executed in several counterparts and all counterparts so executed shall constitute one agreement that shall be binding on all of the parties, notwithstanding that all of the parties are not signatory to the original or same counterpart.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date last signed by the parties to the Agreement.

Dated: _____, 2014

Attorney:

By: _____
H. James Wulfsberg, Esq.

Dated: _____, 2014

County of Sonoma

By: _____
Chairman of the Board of Supervisors

APPROVED AS TO FORM FOR COUNTY:

Bruce Goldstein, County Counsel

Dated: _____

APPROVED AS TO FUNDS FOR COUNTY:

Jose Obregon, General Services Director

Dated: _____

CERTIFICATES OF INSURANCE ON FILE WITH AND
APPROVED AS TO SUBSTANCE BY DEPARTMENT:

By: _____
Jose Obregon, General Services Director

Dated: _____

**EXHIBIT A
RATES**

**BURKE, WILLIAMS & SORENSEN, LLP SCHEDULE OF CURRENT
PROFESSIONAL FEES (HOURLY RATES) FOR THE LEGAL SERVICES
AGREEMENT WITH THE COUNTY OF SONOMA**

Principal

H. James Wulfsberg \$385.00

Senior Attorney

Todd Wulfsberg \$240.00

Law Clerks

Senior Law Clerk \$ 140.00

Law Clerk \$ 125.00

Paralegals

\$ 125.00

Paralegal Assistants

\$ 90.00

Cost and Expenses

In-office photocopying \$.20 per page

In-office scanning/printing \$.20 per page

Mileage Current IRS approved reimbursable rate

EXHIBIT B

Insurance Requirements

With respect to performance of work under this Agreement, Attorney shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a *Waiver of Insurance Requirements*. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

1. Workers Compensation and Employers Liability Insurance
 - a. Required if Attorney has employees.
 - b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
 - c. Employers' Liability with limits of \$ 1,000,000 per Accident; \$ 1,000,000 Disease per employee; \$ 1,000,000 Disease per policy.
 - d. Required Evidence of Coverage:
 - i. Certificate of Insurance.
 - e. If Attorney currently has no employees, Attorney agrees to obtain the above-specified Workers' Compensation and Employers' Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

2. General Liability Insurance
 - a. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
 - b. Minimum Limits: \$ 1,000,000 per Occurrence; \$ 2,000,000 General Aggregate; \$ 2,000,000 Products/Completed Operations Aggregate.
 - c. Attorney shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by the County. Attorney is responsible for any deductible or self-insured retention.
 - d. County, its officers, agents, and employees, shall be additional insured(s) for liability arising out of operations by or on behalf of the Attorney in the performance of this agreement.
 - e. The insurance provided to the County, et al. as additional insured(s) shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by them.
 - f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage including the "f" definition of insured contract in ISO form CG 00 01, or equivalent).
 - g. The policy shall cover inter-insured suits between County and Attorney and include a "separation of insured(s)" or "severability" clause which treats each insured separately.
 - h. Required Evidence of Coverage:

- i. Copy of the additional insured endorsement or policy language granting additional insured status, and
 - ii. Certificate of Insurance.
3. Automobile Liability Insurance
 - a. Minimum Limits: \$1,000,000 combined single limit per accident.
 - b. Coverage shall apply to all owned autos. If Attorney currently owns no autos, Attorney agrees to obtain such insurance should any autos be acquired during the term of this Agreement or any extensions of the term.
 - c. Coverage shall apply to hired and non-owned autos.
 - d. Evidence of Coverage:
 - i. Certificate of Insurance.
4. Professional Liability Insurance
 - a. Minimum Limit: \$1,500,000.
 - b. Attorney shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by the County. Attorney is responsible for any deductible or self-insured retention.
 - c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
 - d. Coverage applicable to the work performed under this Agreement shall be continued for two (2) years after completion of the work. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.
 - e. Required Evidence of Coverage:
 - i. Certificate of Insurance.
5. Standards for Insurance Companies
Insurers shall have an A.M. Best's rating of at least A:VII.
6. Documentation
 - a. The Certificate of Insurance must include the following reference: Fuel Cell Matter, Expert Consultant Retention and Potential Future Litigation.
 - b. All required Evidence of Coverage shall be submitted prior to the execution of this Agreement. Attorney agrees to maintain current Evidence of Coverage on file with County for the required period of insurance.
 - c. The name and address for Additional Insured endorsements and Certificates of Insurance is: Sonoma County, its officers, agents, and employees, County of Sonoma, Office of the County Counsel, 575 Administration Drive, Room 105A, Santa Rosa, CA 95403.

- d. Required Evidence of Coverage shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
- e. Attorney shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
- f. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.

7. Policy Obligations

Attorney's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

8. Material Breach

If Attorney fails to maintain insurance coverage which is required pursuant to this Agreement, it shall be deemed a material breach of this Agreement. County, at its sole option, may terminate this Agreement and obtain damages from Attorneys resulting from said breach. Alternatively, the County may purchase the required insurance coverage, and without further notice to Attorney, the County may deduct from sums due to Attorney any premium costs advanced by County for such insurance. These remedies shall be in addition to any other remedies available to County.

LEGAL SERVICES AGREEMENT

Consultation and Potential Litigation Services Related to Comprehensive Energy Project

This Agreement is made by and between the County of Sonoma (“County”) and Burke, Williams & Sorensen, LLP (“Attorney”). This Agreement is required by Business and Professions Code Section 6148 and is intended to fulfill its requirements.

RECITALS

WHEREAS, Attorney specializes in public works construction law, including comprehensive energy projects, and has significant experience and recognized expertise in all aspects of public works construction and energy project matters, including contracting, expert consultant retention and litigation; and

WHEREAS, County has determined that Attorney’s assistance is needed for consultation, expert consultant retention and contract enforcement services, including potential litigation services, in connection with certain public works contracts and energy project matters;

WHEREAS, in April 2014, County engaged the law firm of Wulfsberg, Reese and Colvig (“WRC”) for related legal services. Effective September 1, 2014, WRC merged with Attorney. County owes WRC \$27,000 for services received pursuant to the April 2014 Agreement, which amount will be paid to Attorney under this Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

AGREEMENT

1. Services. Attorney will provide advisory and representation services to County as follows: (a) provide legal advice and services on matters related to contract interpretation and enforcement, (b) provide legal advice and services on matters related to public works construction law, including the County’s Comprehensive Energy Project and Fuel Cell, (c) provide legal advice and services with respect to the retention of expert consultants in relation to the County’s Comprehensive Energy Project and Fuel Cell, (d) provide legal advice and services with respect to potential future litigation in relation to the County’s Comprehensive Energy Project and Fuel Cell, and (e) provide such services as may be requested by County Counsel. Attorney shall coordinate with County Counsel and keep County Counsel fully advised of the progress and developments in each matter assigned to Attorney. Attorney shall also cooperate with County’s General Services Department in the performance of all work hereunder.

2. Attorney’s Key Personnel. The parties identified in this section as the work team, project manager, or other professional providing services under this Agreement, are key persons, whose services are a material inducement to County to enter into this Agreement, and without whose services County would not have entered into this Agreement. Except for matters requiring

less than 3 hours of recorded time per personnel, Attorney shall assign no other personnel to this Project without the written approval of County Counsel. Key personnel shall be as follows: Project Manager -- H. James Wulfsberg; Todd Wulfsberg is also an approved member of the work team.

3. Compensation. Compensation to Attorney for services shall be at the rates set forth in Exhibit A, provided however that total payments hereunder shall not exceed \$150,000, without the County's prior written approval. The rates set forth in Exhibit A shall not be adjusted without a formal amendment to this Agreement. The County and Attorney agree that should the services provided under this Agreement include Attorney playing a primary role in actual litigation, for example preparation of pleadings, motions, discovery, or related litigation work, compensation to Attorney for such litigation-related services shall be at a blended rate of \$310.00 per hour.

4. Term. The term of this Agreement shall commence April 1, 2014 and shall terminate on August 31, 2015, unless terminated earlier in accordance with the terms herein. County Counsel may approve options for two one-year extensions of this Agreement.

5. Standard of Care. County has relied on the professional ability, professional experience, and training of Attorney as a material inducement to enter into this Agreement. Attorney shall perform its services in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance by County of work performed by Attorney shall not operate as or be interpreted to be a waiver or release.

6. Billing and Timekeeping. Billing statements shall be provided on a monthly basis to County Counsel, and shall include the following information:

- a. The date and time spent performing services. Minimum billing times shall not exceed one-tenth of an hour.
- b. Description of the services performed regarding the designated matter, with a separate time allocation for each function (e.g., telephone calls, research, drafting);
- c. Separate itemization of non-legal costs by type.
- d. Total fees and costs of the matter to date.
- e. For any extraordinary expenses, the invoice must include the date and who gave prior approval for incurring such expense.
- f. All invoices submitted must include the following statement signed by the firm's supervising attorney:

"I have personally examined this billing statement. All entries are in accordance with the Legal Services Agreement, are correct and reasonable

for the services performed and the costs incurred, and no item on this statement has been previously billed to the County.”

7. Non-Reimbursable Services. Attorney shall not be reimbursed for any of the following expenses:

- a. Travel expenses, except to the extent approved in accordance with Section 8 below.
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13. Insurance. With respect to performance of work under this Agreement, Attorney shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit B, which is attached hereto and incorporated herein, by this reference.

14. Indemnity. Attorney agrees to accept responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless, and release the County, its officers, agents, and employees, from and against any and all actions, claims, damages, liabilities, or expenses that may be asserted by any person or entity, including Attorney, arising out of or in connection with the negligent performance or willful misconduct of Attorney hereunder, but excluding liability due to the sole or active negligence or due to the willful misconduct of the County. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Attorney or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts. In addition, Attorney shall be liable to the County for any loss or damage to the County property arising from or in connection with Attorney's negligent performance or willful misconduct hereunder.

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Burke, Williams & Sorenson, LLP
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And when so addressed, shall be deemed given upon deposit in the United States mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills, and payments are to be given by giving notice pursuant to this paragraph.

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Dated: _____, 2014

Attorney:

By: _____
H. James Wulfsberg, Esq.

Dated: _____, 2014

County of Sonoma

By: _____
Chairman of the Board of Supervisors

APPROVED AS TO FORM FOR COUNTY:

Bruce Goldstein, County Counsel

Dated: _____

APPROVED AS TO FUNDS FOR COUNTY:

Jose Obregon, General Services Director

Dated: _____

CERTIFICATES OF INSURANCE ON FILE WITH AND
APPROVED AS TO SUBSTANCE BY DEPARTMENT:

By: _____
Jose Obregon, General Services Director

Dated: _____

**EXHIBIT A
RATES**

**BURKE, WILLIAMS & SORENSEN, LLP SCHEDULE OF CURRENT
PROFESSIONAL FEES (HOURLY RATES) FOR THE LEGAL SERVICES
AGREEMENT WITH THE COUNTY OF SONOMA**

Principal

H. James Wulfsberg \$385.00

Senior Attorney

Todd Wulfsberg \$240.00

Law Clerks

Senior Law Clerk \$ 140.00

Law Clerk \$ 125.00

Paralegals

\$ 125.00

Paralegal Assistants

\$ 90.00

Cost and Expenses

In-office photocopying \$.20 per page

In-office scanning/printing \$.20 per page

Mileage Current IRS approved reimbursable rate

EXHIBIT B

Insurance Requirements

With respect to performance of work under this Agreement, Attorney shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a *Waiver of Insurance Requirements*. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

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 - c. Employers' Liability with limits of \$ 1,000,000 per Accident; \$ 1,000,000 Disease per employee; \$ 1,000,000 Disease per policy.
 - d. Required Evidence of Coverage:
 - i. Certificate of Insurance.
 - e. If Attorney currently has no employees, Attorney agrees to obtain the above-specified Workers' Compensation and Employers' Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

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 - a. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
 - b. Minimum Limits: \$ 1,000,000 per Occurrence; \$ 2,000,000 General Aggregate; \$ 2,000,000 Products/Completed Operations Aggregate.
 - c. Attorney shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by the County. Attorney is responsible for any deductible or self-insured retention.
 - d. County, its officers, agents, and employees, shall be additional insured(s) for liability arising out of operations by or on behalf of the Attorney in the performance of this agreement.
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 - f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage including the "f" definition of insured contract in ISO form CG 00 01, or equivalent).
 - g. The policy shall cover inter-insured suits between County and Attorney and include a "separation of insured(s)" or "severability" clause which treats each insured separately.
 - h. Required Evidence of Coverage:

- i. Copy of the additional insured endorsement or policy language granting additional insured status, and
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 - c. Coverage shall apply to hired and non-owned autos.
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 - i. Certificate of Insurance.
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 - c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
 - d. Coverage applicable to the work performed under this Agreement shall be continued for two (2) years after completion of the work. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.
 - e. Required Evidence of Coverage:
 - i. Certificate of Insurance.
5. Standards for Insurance Companies
Insurers shall have an A.M. Best's rating of at least A:VII.
6. Documentation
 - a. The Certificate of Insurance must include the following reference: Fuel Cell Matter, Expert Consultant Retention and Potential Future Litigation.
 - b. All required Evidence of Coverage shall be submitted prior to the execution of this Agreement. Attorney agrees to maintain current Evidence of Coverage on file with County for the required period of insurance.
 - c. The name and address for Additional Insured endorsements and Certificates of Insurance is: Sonoma County, its officers, agents, and employees, County of Sonoma, Office of the County Counsel, 575 Administration Drive, Room 105A, Santa Rosa, CA 95403.

- d. Required Evidence of Coverage shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
- e. Attorney shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
- f. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.

7. Policy Obligations

Attorney's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

8. Material Breach

If Attorney fails to maintain insurance coverage which is required pursuant to this Agreement, it shall be deemed a material breach of this Agreement. County, at its sole option, may terminate this Agreement and obtain damages from Attorneys resulting from said breach. Alternatively, the County may purchase the required insurance coverage, and without further notice to Attorney, the County may deduct from sums due to Attorney any premium costs advanced by County for such insurance. These remedies shall be in addition to any other remedies available to County.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 20
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): General Services / Human Services

Staff Name and Phone Number:

José Obregón, General Services, 707-565-2977
Jerry Dunn, Human Services, 707-565-5855

Supervisorial District(s):

All

Title: Lease expansion for Human Services Department / CalFresh and Medi-Cal Eligibility Staff

Recommended Actions:

Authorize the General Services Director to execute a lease amendment with Parkway Properties 14, LLC, for the Human Services Department / CalFresh and Medi-Cal programs, for approximately 3,457 sq. ft., in the building located at 520 Mendocino Avenue, Santa Rosa, for an additional \$5,768 per month, or \$69,220 per year, for a term concurrent with the existing lease, to expire on October 31, 2020, with options to extend the term through October 31, 2029.

Executive Summary:

This matter involves a proposed lease expansion for the Human Services Department (HSD) Economic Assistance Service Center (EASC), which includes Medi-Cal Eligibility program and the HSD CalFresh program. These programs provide nearly 56,000 families and individuals in Sonoma County access to medical and food benefits. Additionally, EASC is a Call Center in collaboration with Covered California (ACA) for Sonoma County as well as 17 other counties in our consortium.

Original Lease:

Under the original lease, dated June 25, 2013 (the Lease) with Parkway Properties 14, LLC (Landlord), HSD occupied approximately 28,837 rentable sq. ft. of office space in the building located at 520 Mendocino Avenue, Santa Rosa (Premises). The Lease expires October 31, 2020, with three, 3-year options to extend the term through October 31, 2029.

First 2014 Expansion Space:

In April, 2014, your Board approved an expansion of the Premises to provide an additional 7,281 rentable sq. ft. (the First 2014 Expansion Space) for staff work space and conference rooms for the HSD Medi-Cal Eligibility and Hearings staff. (Please see attached Floor Plan.) The HSD Medi-Cal staff moved into Suite 302 (5,253 sq. ft.) of the First 2014 Expansion Space on June 20, 2014. The Hearings staff

moved into the remaining 2,028 sq. ft. of space in Suites 301A and 301B on July 14, 2014.

The total leased space now occupied by HSD after the completion of the First 2014 Expansion Space is 36,118 rentable square feet. The total lease rent per month after completion of the First Expansion Space is currently \$58,703.31. Rent is set to adjust on November 1, 2014 and the total lease rent is projected to increase (according to the Consumer Price Index) by approximately 3% to \$60,464.41.

The Second 2014 Expansion Space:

Pursuant to the terms of the current Lease, County has a right-of-first refusal to lease all or any part of the building at 520 Mendocino Avenue. On April 18, 2014, the Landlord notified the County of its intention to lease 3,457 rentable square feet on the third floor (the proposed Second 2014 Expansion Space). On April 29, 2014, County HSD exercised its right-of-first-refusal and notified the Landlord of its desire to lease the proposed Second 2014 Expansion Space and to amend the Lease to include the new premises.

HSD wishes to lease the Second 2014 Expansion Space for program services expansion to house CalFresh (formerly known as the Food Stamps program) and Medi-Cal Eligibility staff that have been added to support the growth of the Affordable Care Act subsidized health insurance programs and the CalFresh program. The proposed expansion space is necessary to provide additional workstations and offices for additional CalFresh staff and Medi-Cal staff, comprised of 10 new full-time employees (FTE) for the CalFresh program, 6 extra-help staff who have been converted to permanent FTE positions for the CalFresh and Medi-Cal programs, and 1 additional FTE section manager for CalFresh and 1 additional Medi-Cal supervisor. Medi-Cal Eligibility staff would occupy approximately 2,420 sq. ft.; and CalFresh staff would occupy approximately 1,037 sq. ft. of the proposed Second 2014 Expansion Space.

The total HSD leased premises after the addition of the Second 2014 Expansion Space would be approximately 39,575 rentable sq. ft. The General Services / Facilities Development & Management Planning staff has reviewed the floor area for the proposed HSD staff count. The area is within typical per-person square footage count, and conforms to the Comprehensive County Facilities Plan recommendations. The total lease rent per month and square footage, both before and after the incorporation of the Second 2014 Expansion Space to the Premises, is shown below:

PREMISES	sq. ft.	Current rent psf	Current rent per month	Rent psf beginning 11/01/14	Rent per month beginning 11/01/14
Original leased premises	28,837	\$ 1.62	\$ 46,715.94	\$ 1.67	\$ 48,117.42
First 2014 Expansion Space (completed):					
Suite 301a (office)	1,650	\$ 1.69	\$ 2,788.50	\$ 1.74	\$ 2,872.16
Suite 301b (restroom)	378	\$ 0.85	\$ 321.30	\$ 0.88	\$ 330.94
Suite 302	5,253	\$ 1.69	\$ 8,877.57	\$ 1.74	\$ 9,143.90
Total - First 2014 Expansion Space	7,281		\$ 11,987.37		\$ 12,346.99
Total leased Premises after First 2014 Expansion Space Completion	36,118		\$ 58,703.31		\$ 60,464.41
Second 2014 Expansion Space (proposed):	3,457	N/A	N/A	\$ 1.67	\$ 5,768.35
Total after Second 2014 Expansion Space Completion	39,575	N/A	N/A		\$ 66,232.76

Proposed Lease Amendment:

According to the terms of the proposed lease amendment, the occupancy date would occur on or about November 1, 2014, and the monthly rental rate for the Second 2014 Expansion Space will be at the same rent per square foot for the original leased space, or \$1.67 psf beginning November 1, 2014. The \$1.67 psf rent rate is within market rent for the area, which is between \$1.62 to \$1.75 psf for current available comparable office space for lease, within a 1-mile radius of the Premises, and for office space comprised of similar square footage or greater. The base rental rate for the Second 2014 Expansion Space would be annually adjusted concurrent with the original Lease, based on the change in the Consumer Price Index, but in no case would rent be increased by more than 4% per year. In addition, the Lease provides that the County be provided a tenant improvement allowance of approximately \$59,250 to prepare the Second 2014 Expansion Space for County occupancy. The tenant improvements would include opening the wall between the First 2014 Expansion Space and the proposed Second 2014 Expansion Space, the build-out of additional office space to accommodate the additional staff, and an expansion of the network server. Landlord would pay for all design and architectural services, completion of construction documents and permitting for the construction of the tenant improvements.

The terms for the proposed second amendment to the Lease are as follows:

Proposed Premises: Approximately 3,457 rentable square feet on the 3rd floor of 520 Mendocino Avenue, Santa Rosa

Additional Rent: \$5,768 per month, or \$1.67 per sq. ft. Rent would be adjusted annually based on the change in the Consumer Price Index, but in no event would the rent be increased by more than 4% per year.

Tenant Improvement Allowance: The landlord would provide County with a tenant improvement allowance of approximately \$59,250 for the landlord's completion of the tenant improvements.

Public Notice Requirement: Government Code Section 25350 requires the Board to publish a notice of its intent to enter into a lease valued in excess of \$50,000 for three (3) consecutive weeks prior to consummation of the proposed lease. The notice of intent for this transaction has been published for the required period pursuant to the Board's action of August 19, 2014.

Recommendation: Staff recommends that the Board authorize the General Services Director to execute a lease amendment with Parkway Properties 14, LLC, for approximately 3,457 sq. ft., in the building located at 520 Mendocino Avenue, Santa Rosa, for an additional \$5,768 per month, or \$69,220 per year, for a term concurrent with the existing lease, to expire on October 31, 2020, with options to extend the term through October 31, 2029.

Prior Board Actions:

- 08/19/14—Declared intent to enter into 2nd Amendment
- 04/08/14—Authorized the General Services Director to execute the 1st Amendment
- 03/11/14—Declared intent to enter into the 1st amendment
- 05/21/13—Authorized General Services Director to execute new lease of the Premises
- 04/23/13—Declared intent to enter into new lease

11/27/07—Authorized General Services Director, or his Deputy, to exercise option to extend lease term
 05/13/03—Authorized General Services Director to exercise option to extend lease term
 07/28/98—Authorized Chairman to execute lease
 06/28/98—Declared intent to enter into lease of the Premises
 12/16/97—Authorized General Services Director to secure additional space to implement SonomaWORKS program

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The proposed lease amendment for the Second 2014 Expansion Space allows HSD to provide space for additional program staff for its Economic Assistance Programs, Affordable Care Act programs, and the CalFresh program, within the same building HSD currently occupies. This space is centrally located in downtown Santa Rosa and close to public transportation.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 46,147		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 46,147
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 46,147	Total Sources	\$ 46,147

Narrative Explanation of Fiscal Impacts (If Required):

The proposed commencement date for the Second 2014 Expansion Space is anticipated to be November 1, 2014, with a resultant increase in monthly lease rent for the Premises in the amount of \$5,768 per month, or \$46,147 for FY2014-15 (for the period of November 1, 2014 through June 30, 2015). Proposed lease costs are included in the Fiscal Year 2014-2015 Budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

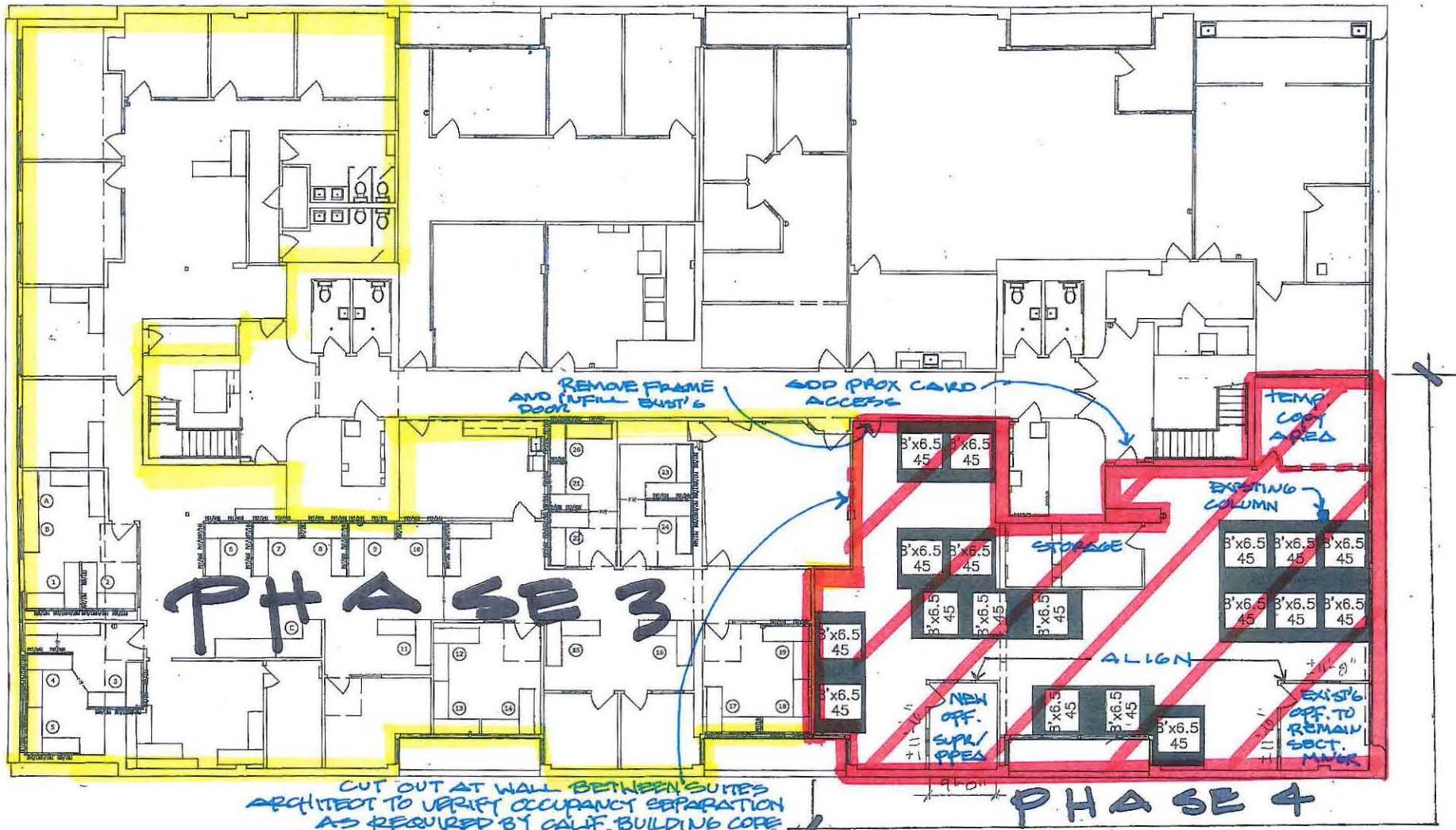
Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Attachment A: Floor Plan

Related Items "On File" with the Clerk of the Board:

Copy of proposed lease amendment



520 MENDOCINO AVE - 3RD FLOOR - PHASE 4

6/2/14

MEDI-CAL/CALFRESH - (2) EXISTING OFFICES, (1) NEW OFFICE, (10) WORKSTATIONS - OPTION #3



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 21
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): General Services Department; Probation Department

Staff Name and Phone Number:

General Services: Teryl Phillips 565-2143
Probation: David Koch 565-2168

Supervisorial District(s):

District 3

Title: Probation Day Reporting Program Lease Assignment and License to BI

Recommended Actions:

Authorize the Clerk to publish a notice pursuant to Government Code Section 6063 declaring the Board's intention to execute the Assignment and Amendment of a Commercial Lease ("Assignment") with B. I., Incorporated ("BI"), for County to assume the existing lease between BI (Tenant) and Southport Land and Commercial Company (Landlord) for approximately 5,840 sf of office space at 2400 County Center Drive, Suite A, Santa Rosa ("Premises") for the Day Reporting Center, with a monthly rent of \$6,815.28, plus the cost of utilities and common area maintenance estimated at \$1,100 per month. The term of the Assignment is scheduled to commence November 1, 2014, to expire January 31, 2016.

Executive Summary:

Purpose. General Services staff, in consultation with Probation Department staff, request Board consideration of the following: An agreement to assign ("Assignment") to the County the tenant rights and obligations that BI currently possesses under its lease with its landlord, Southport Land and Commercial Company, for the remaining portion of the term, consisting of November 1, 2014 through January 31, 2016. Approval of the Assignment will allow the Probation Department to provide uninterrupted service to clients enrolled in the Day Reporting Center Program after expiration of the BI contract with the County to provide those services at the site.

Staff also requests Board consideration of a short-duration License agreement with BI to allow BI to use 150 sf of the office space that will be leased to the County in accord with the Assignment. This will allow BI to continue delivery of services in support of the County's Electronic Monitoring Program for offenders. The License would be executed following Board authorization to execute the Assignment.

Probation Day Reporting Center Needs. The 2009 Sonoma County Criminal Justice Master Plan (CJMP) identified a Day Reporting Center (DRC) as a key component of a continuum of services for high- and moderate-risk clients of Probation. It was envisioned as complementary to a Community Corrections

Center (CCC), and the two programs along with other services would provide a coordinated system of behavior change, substance abuse, mental health, housing, and employment services shown to be effective in successfully reintegrating offenders into their communities. Absent the CCC, the DRC was envisioned as a hub of evidence based services for realigned offenders and other high-risk probation clients.

Under a professional services agreement executed in 2011, BI contracted with County Probation to provide a balanced set of programmatic and intervention services for AB 109 offenders and other high- and moderate-risk probation clients. BI was selected through a competitive process to operate the DRC and began services in 2012. Based on examination of program outcomes achieved to date, the Detention Alternatives Subcommittee of the Community Corrections Partnership recommended that the BI DRC contract in FY 14-15 not be renewed and the Community Corrections Partnership approved this change as part of the 2014/15 Plan.

Sonoma County's DRC has historically been operated by a contractor, even though the 2009 CJMP recommended that the DRC be operated by the Probation Department. Effective November 1, 2014, responsibility for operating the DRC will transition from the current contract provider (BI) to the Probation Department. The new program model will entail Probation partnering with the Sheriff's Office, Department of Health Services, Human Services Department, and the Sonoma County Office of Education, to operate a Day Reporting Center. The in-sourced DRC will be focused on seamless, offender-engaged reentry service coordination that begins in custody, continues through supervision, and transitions the offender to ongoing community-based supports and services when supervision ends. Case coordination within the center will be led by each offender's Probation Officer in collaboration with service partners. The Probation Department would staff the center, along with embedded staff from system partners and contractors as appropriate (e.g., for substance abuse treatment services). The in-sourced DRC will be staffed to serve an average daily population of 150-160 participants, 6 days per week. Use of the current facility used by BI is critical to ensuring a seamless transition to a DRC operated by Probation; hence the need for the proposed lease Assignment.

Lease Assignment and Amendment. The proposed lease Assignment contains the following key provisions:

1. Assignment of lease to County becomes effective as of November 1, 2014.
2. BI, as Assignor, will timely exercise the option for a one year extension of the lease term prior to County possession of the premises on November 1, 2014; otherwise, County will exercise the option following full execution of the Assignment and its effective date, but prior to the specified December 1, 2014 lease deadline.
3. Term to expire January 31, 2016, upon timely exercise of Tenant's option to extend prior to December 1, 2014. The County will not have rights to early termination of the lease.
4. The rented premises consists of approximately 5,840 sf of office space, with onsite parking.
5. Initial base rent rate of \$6,815.28 is applicable through November 30, 2014. Thereafter, monthly rent is adjusted as follows, based upon timely exercise of the option for term extension:
12/01/14 – 11/30/15: \$7,019.73 per month
12/01/15 – 01/31/16: \$7,230.32 per month
6. Utility and common maintenance area charges of approximately \$1,100 per month, to include 1/12th of annual building water and sewer costs, 1/24th of annual garbage collection costs, and

PG&E electrical and gas service costs.

7. The landlord's consent to County issuance of a license agreement to BI for ongoing use of a portion of the premises for the Electronic Monitoring Program.

The existing lease offers rent at good value to the County – a rate of approximately \$1.17 per sf. However, it should be noted that the lease also includes a variety of terms, including indemnification language, omission of early termination provisions, and other clauses that are less favorable to County than typical County leasing policy would allow. Staff recommends approval of the Assignment nonetheless, given the need to provide continuity of program services by Probation staff upon the impending October termination of the existing operating agreement with BI, and the relatively short term of the assignment.

License. The proposed License with BI is intended to run concurrently with the County's lease of the premises, and contains the following basic provisions:

1. BI will occupy approximately 150 sf of the County-leased premises for provision of professional electronic monitoring services in support of the Day Reporting Center Program, with premises subject to change by mutual written agreement.
2. Term of the agreement will generally coincide with County's occupancy, to commence November 1, 2014, and expiring January 31, 2016.
3. Either party may terminate the agreement upon thirty (30) days prior written notice to other party.
4. Use of the licensed premises is limited to office purposes associated with the professional services agreement executed April 1, 2014 between County and BI for the electronic monitoring program.
5. In accordance with Government Code Section 26227, no monetary rental will be paid by BI to County, since the County finds that the services provided by the Licensee to the population of Sonoma County are necessary to meet public needs, and the County does not need the licensed premises during the term of the License.
6. BI will supply its own furnishings and equipment for the licensed premises.

The License has been prepared pursuant to standard County form, and will be presented to the Board for approval concurrently with the second action for approval of the Assignment.

Project Scope and Schedule. Transition of the leased premises from BI to County will necessitate very limited tenant improvements. Upon Board approval of the lease Assignment and License agreements, Probation staff will purchase specific existing furnishings from the current tenant, in order to facilitate expeditious relocation and occupancy by County staff. Minor painting and repair work will be completed by the landlord prior to or within thirty (30) days of County possession.

Day Reporting Center Program operations and its clients will not be adversely impacted by the staff transition. A brief closure of the office is planned from October 17, 2014 to its reopening on November 1, 2014. During this time, clients involved in the DRC program will continue reporting to their assigned Probation Officer and resume involvement in behavioral intervention services November 1, 2014.

Procedural Authority. Pursuant to Government Code Section 25350, the Board of Supervisors may

enter into a lease agreement as a tenant for transactions exceeding a value of \$50,000 or for terms in excess of 3 years, following publication of a notice declaring the Board's intent for three successive weeks in accordance with Government Code Section 6063. Staff has prepared the attached notice for publication by the Clerk.

Pursuant to Government Code Section 26227, the Board may approve a license as landlord upon finding that the transaction/program is necessary to meet the social needs of the population of the county, including, but not limited to, the areas of health, law enforcement, public safety, rehabilitation, welfare, education, and legal services, and the needs of the physically, mentally and financially handicapped persons and aged persons. The Board must also find that the property will not be needed by the county. No public notice is required prior to execution of the license.

Staff will return to obtain Board authorization to execute the Assignment and License following conclusion of the required notice period for the Assignment.

Prior Board Actions:

- 1) 6/17/2014: The Board approved the CCP's FY 14-15 Realignment Plan, which included transferring operational and budget authority for operating the Day Reporting Center from BI to the Probation Department.
- 2) 3/25/2014: The Board approved the Adult Electronic Monitoring Program contract.
- 3) 6/04/2013: The Board approved the CCP's FY 13-14 Realignment Plan.
- 4) 7/31/2012: The Board approved the CCP's FY 12-13 Realignment Plan and associated budget.
- 5) 11/15/2011: The Board approved a Professional Services Agreement with BI to provide Day Reporting Center services.
- 6) 11/1/2011: The Board approved the CCP's FY 11-12 Interim Realignment Plan and budget.
- 7) 8/16/2011: The Board approved initial amendments to both the Sheriff's and Probation's position allocation lists to add staff in anticipation of Realignment.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The lease Assignment and License will serve to promote the Board's 2014 Work Priorities and further goals to increase public confidence in County safety and justice services, through more efficient and effective delivery of Day Reporting Program services, allowing more direct staff involvement with its clients, offering seamless transition from custody to community supervision and access to services, and improving offender outcomes.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 1,656,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 1,656,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 1,656,000	Total Sources	\$ 1,656,000
Narrative Explanation of Fiscal Impacts (If Required):			
Of the total \$1,656,000 allocated for DRC operations in FY 14-15, \$64,753 (\$55,953 for rent including adjustments, plus \$8,800 for common area maintenance charges for water, sewer, and garbage services, and PG&E gas/electric utilities), is earmarked for facility lease and related expenses.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Board approval of the CCP's FY 14-15 Realignment Plan on 6/17/2014 authorized creation of nine (9) additional positions in Probation for operation of the DRC.			
Attachments:			
Attachment A: Public Notice			
Related Items "On File" with the Clerk of the Board:			
Lease Assignment with BI; License with BI			

Clerk of the Board: Please first publish the notice below on Saturday, September 13, 2014.

**PUBLIC NOTICE
OF INTENT OF COUNTY
TO LEASE REAL PROPERTY**

NOTICE IS GIVEN that the Sonoma County Board of Supervisors intends to authorize the Director of the Department of General Services, or his Deputy, to execute an Assignment and Amendment of a Commercial Lease ("Assignment") with B. I., Incorporated ("BI"), for County acceptance of the rights and obligations under the existing lease between BI (tenant) and Southport Land and Commercial Company (landlord) for approximately 5,840 sf of office space at 2400 County Center Drive, Suite A, Santa Rosa ("Premises"), with a monthly rent of \$6,815.28 plus the cost of utilities and common area maintenance estimated at \$1,100 per month. The term of the Assignment is scheduled to commence November 1, 2014 and to expire January 31, 2016. The Premises will be utilized for ongoing operation of the County's Day Reporting Center program by County Probation Department staff.

Additional information regarding the proposed Assignment is available for public review at the Sonoma County General Services Department, 2300 County Center Drive, Suite A200, Santa Rosa, California 95403. The Board of Supervisors will meet on or after October 7, 2014 at 8:30 a.m. at the Sonoma County Administration Building, Room 102A, 575 Administration Drive, Santa Rosa, California to consummate the lease.

Clerk of the Board of Supervisors

Public notice of the County's intention to lease the Property shall be published once a week for three successive weeks in accordance with Government Code Section 25350 and 6063.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 22
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Departments of Health Services and Transportation and Public Works

Staff Name and Phone Number:

Rita Scardaci, x7876; Susan Klassen, x2440

Supervisorial District(s):

Countywide

Title: Sonoma County Safe Routes to School Program

Recommended Actions:

Authorize the Director of Health Services to execute a grant agreement with Kaiser Foundation Hospitals to accept \$20,000 in grant revenue to continue implementation of the Sonoma County Safe Routes to School Program for the period of July 1, 2014 through June 30, 2015.

Authorize the Director of Health Services to execute the second amendment to an agreement with Sonoma County Bicycle Coalition to continue implementation of bicycle and pedestrian education and support services for elementary and middle schools as part of the Sonoma County Safe Routes to School Program, increasing the contract by \$44,200 resulting in a new total not to exceed amount of \$600,200, and extending the term end date from September 30, 2014 to January 31, 2015.

Adopt a Resolution of Local Support authorizing the Director of Transportation and Public Works to submit an application to the Metropolitan Transportation Commission for \$872,000 in funding from the Federal Active Transportation Program to implement the Sonoma County Safe Routes to School High School Pilot Program.

Executive Summary:

This item requests approval of several actions related to the Sonoma County Safe Routes to School Program, which strives to improve the health and well-being of children and youth by enabling and encouraging them to walk and bike to school.

In Sonoma County, approximately 43 percent of low-income children ages 5-11 are overweight. Among Sonoma County 9th graders, 31 percent are currently overweight or obese, with rates among socioeconomically disadvantaged students and Latinos hovering around 40 percent. Factors contributing to this issue include poor diet and physical inactivity. Recent data points to youth not getting enough physical activity. In Sonoma County, only 22 percent of youth report engaging in physical activity for one hour or more at least three or more days per week. Data from California's 2011-2012 physical fitness test shows that approximately 35 percent of Sonoma County 5th and 9th graders do not meet the Healthy Fitness Zone (HFZ) standards for aerobic capacity, a measurement of personal fitness.

Economically disadvantaged students, comprised largely of Latinos, were significantly less likely to meet the HFZ standards for body composition than their non-economically disadvantaged counterparts. Additionally, fewer school children walk or bicycle to school today than 50 years ago, a shift that has led in part to less active children and increased traffic around schools, both of which may be negatively impacting the long-term health of children.

Since 2007, the Department of Health Services (DHS), along with a collaborative of residents, community-based organizations, and local government agencies, has worked to develop a comprehensive, sustainable Countywide Safe Routes to School (SRTS) Program. The SRTS Program seeks to implement sustainable SRTS education, encouragement, enforcement, engineering, and evaluation programs at a geographically diverse group of elementary, middle, and high schools throughout Sonoma County. Goals of the SRTS Program are to: 1) increase the number of youth bicycling, walking, carpooling, and taking the bus or public transportation to and from school; 2) improve air quality by reducing greenhouse gas emissions; 3) improve infrastructure around schools; and 4) improve safety around schools. Over the past four years, 23 elementary and middle schools have participated in the program, reaching over 7,500 students and their families.

Kaiser Foundation Hospitals Grant

Kaiser Foundation Hospitals provides grant funding to organizations performing work that examines social determinants of health and addresses the elimination of health disparities and inequities. For the past three years, DHS has applied for and received \$20,000 grants from Kaiser Foundation Hospitals' Community Benefit Program of the Marin/Sonoma Area to support the SRTS Program as matching funds for the three-year \$1,034,000 federal Congestion Mitigation and Air Quality Program grant received in October 2011. In May 2014, DHS was awarded an additional matching grant from Kaiser totaling \$20,000 to support the SRTS Program from July 1, 2014 to June 30, 2015 and is now seeking authorization to execute the grant agreement to accept grant funds. Grant funding will support continued implementation of the SRTS Programs in FY 14-15 in at least 11 schools in Cloverdale, Healdsburg, Rohnert Park, Santa Rosa, and Sebastopol.

Sonoma County Bicycle Coalition

Pursuant to a competitive process in 2011, DHS entered into a two-and-a half-year contract with Sonoma County Bicycle Coalition (SCBC). Under the SRTS Program, SCBC provides safe routes to school education and support to 23 elementary and middle schools located in all nine municipalities and unincorporated Sonoma County. SCBC has succeeded in building strong relationships with schools in the SRTS Program and played an integral role in helping schools to implement education and encouragement activities on campus. As a result of the support provided the schools by SCBC, there has been a six percent (morning) and three percent (afternoon) aggregate increase in active transportation (e.g., walking, biking) at the schools since 2011.

Based on SCBC's successful performance on the contract, the Department desires to extend the contract term for four additional months, to January 31, 2015, and increase the contract total by \$44,200.

Additional funding will allow SCBC to continue providing services to the schools through the fall semester of the 2014-15 school year, at which time a new competitive process will be administered for future funding requests.

Sonoma County SRTS High School Pilot Project

The Sonoma County Transportation and Public Works Department (TPW) and DHS seek Board

authorization to submit an application to the Metropolitan Transportation Commission for \$872,000 in federal Active Transportation Program funding. Funds will be used to expand the SRTS Program to high schools through implementation of the Sonoma County Safe Routes to School High School Pilot Program through September 30, 2017. The SRTS High School Program will be implemented at each of the 12 Sonoma County high schools that agreed to participate the program. These schools are located in Cloverdale, Geyserville, Healdsburg, Santa Rosa, Forestville, and Windsor. The program will provide teens with leadership development training and mentoring, the skills from which they will use to develop a School SRTS Plan and implement and evaluate SRTS education and encouragement activities on campus. Supporting these efforts will be strategic enforcement activities, engineering activities (i.e., walking audits), and community (resident) engagement efforts aimed at improving traffic safety and infrastructure and identifying safer routes to school and various destinations within two miles of each school. The data collected through the walking audits and engagement efforts will inform any future infrastructure grant opportunities that may arise. There is no local match required for this specific grant. Due to the existing funding agreement in place with Caltrans, TPW partners with DHS and other County departments to assist with administration of a variety of grants. A Memorandum of Understanding is under development at this time and will be executed should the grant funding be awarded. DHS and TPW have successfully partnered for two other SRTS grants in the last several years.

Prior Board Actions:

In June 2013, the Board approved execution of a grant agreement with Kaiser Foundation Hospitals to support implementation of the Sonoma County Safe Routes to School program for the period October 1, 2013 through September 30, 2014 in the amount of \$20,000.

In February 2012, the Board authorized the Director of Health Services to execute a contract with Sonoma County Bicycle Coalition for safe bicycle and walking education services as part of the Sonoma County Safe Routes to School Program, for the term February 8, 2012 to September 30, 2014, for a contract maximum of \$556,000.

In October 2011, the Board authorized the Director of Transportation and Public Works to accept the California Department of Transportation's Authorization to Proceed with the implementation of Sonoma County Safe Routes to School for the period October 1, 2011 through September 30, 2014 in the amount of \$1,034,000.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The work to be performed under these agreements supports a safe, healthy, and caring community by 1) promoting sustainable SRTS institutional policy, systems and environmental changes to promote health and 2) empowering and enabling youth and families to increase physical activity and reduce greenhouse gases through alternative transportation to and from school.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 64,200	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 44,200
	\$	Fees/Other	\$ 20,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 64,200	Total Sources	\$ 64,200
Narrative Explanation of Fiscal Impacts (If Required):			
The FY 14-15 budget includes the \$20,000 grant from Kaiser Foundation Hospitals and the \$44,200 for the Sonoma County Bicycle Coalition agreement.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
Kaiser Foundation Hospitals grant, Sonoma County Bicycle Coalition agreement, Resolution of Local Support			
Related Items "On File" with the Clerk of the Board:			
None			



County of Sonoma

State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing The Filing Of An Application For Funding Assigned To the Metropolitan Transportation Commission And Committing Any Necessary Matching Funds And Stating The Assurance To Complete The Project.

Whereas, County of Sonoma (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$872,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Sonoma County Safe Routes to School High School Pilot Program (herein referred to as PROJECT) for the Active Transportation Program (herein referred to as PROGRAM);

Whereas, the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213);

Whereas, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA);

Whereas, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP);

Whereas, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region;

Resolution #

Date: September 9, 2014

Page 2

Whereas, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING;

Whereas, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING;

Whereas, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

1. the commitment of any required matching funds;
2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING;
3. that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised);
4. the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP);
5. that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application;
6. that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM;
7. that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT;
8. in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region;
9. in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects;
10. in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency;

Whereas, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT;

Whereas, there is no legal impediment to APPLICANT making applications for the funds;

Resolution #

Date: September 9, 2014

Page 3

Whereas, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT;

Whereas, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

Whereas, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

Now, Therefore, Be It Resolved that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 or continued funding;

Be It Further Resolved that APPLICANT will provide any required matching funds;

Be It Further Resolved that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING;

Be It Further Resolved that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT;

Be It Further Resolved that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP;

Be It Further Resolved that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application;

Be It Further Resolved that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM;

Be It Further Resolved that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised;

Be It Further Resolved that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104;

Be It Further Resolved that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency;

Be It Further Resolved that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects;

Be It Further Resolved that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT;

Be It Further Resolved that there is no legal impediment to APPLICANT making applications for the funds;

Be It Further Resolved that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT;

Be It Further Resolved that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution;

Be It Further Resolved that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

Be It Further Resolved that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

Supervisors:

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.



Community Benefit Programs
Marin Sonoma Area
401 Bicentennial Way, 3550 RB Ste 114
Santa Rosa, CA 95403

April 21, 2014

Mr. Anthony Taylor
Health Program Mnager
County of Sonoma, Department of Health Services
490 Mendocino Ave. Suite 202
Santa Rosa, CA ~~95401-6393~~ 95404

Re: Grant Award Letter for Grant Number 20638838

Dear Mr. Taylor:

Kaiser Foundation Hospitals ("KFH"), Northern California Community Benefit Programs Division, is pleased to advise you that its Community Investment Team] has approved a grant in the amount of \$20,000.00 for County of Sonoma, Department of Health Services ("Grantee"), in support of Sonoma Safe Routes to School, as described in [the grant proposal or revision submitted on 3/28/14 (the "Grant"). The Grant period (or term of the Grant) shall be: 7/1/2014 through 6/30/2015.

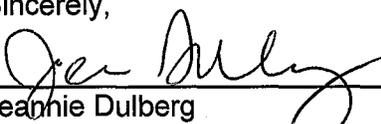
All grant awards by KFH are subject to the policies and priorities established by KFH in the Northern California Region. In accepting these funds, Grantee agrees to all of the terms and conditions described in the attached Northern California Region General Grant Terms Agreement. To indicate your agreement, please sign both copies of this Grant Award Letter and the attached Northern California Region General Grant Terms Agreement. **Please keep one original copy and return one in the enclosed envelope to:**

Shan Magnuson
Kaiser Permanente
Community Benefit Manager
401 Bicentennial Way 3550 RB Ste 114
Santa Rosa, CA 95403

In accepting these funds, you agree to submit two (2) progress reports during the period of the agreement, one mid-way through the agreement and one at the completion of the agreement.

Kaiser Permanente Community Benefit is pleased to support this effort to improve community health. If at any time you have questions or concerns, please do not hesitate to contact Jeannie Dulberg at 707-566-5430.

Sincerely,



Jeannie Dulberg
Community Benefit Manager Marin Sonoma

4/22/14

Date



Carl Campbell
Public Affairs Director Marin Sonoma

4-29-14

Date

ACCEPTED AND AGREED

Ms. Rita Scardaci
Director

Date

20638838

Kaiser Foundation Hospitals, Northern California Region
- Grant Agreement -

In addition to the specific terms of the Grant Award Letter for Grant Number 20638838, Kaiser Foundation Hospital's ("KFH") award of this Grant, managed by the KFH Northern California Community Benefit Programs Division, is contingent upon Grantee's compliance with the following terms and conditions, and Grantee agrees to all these terms and conditions. Together, the Grant Award Letter and these terms and conditions are "the Agreement."

1. Tax-Exempt Status

Grantee is a (i) tax-exempt organization currently recognized by the Internal Revenue Service ("IRS") as a public charity described in section 501(c)(3), (8), (10) or (19) or 501(k) or 509(a)(1), (2), or (3) of the Internal Revenue Code of 1986, as amended (the "Code") or (ii) a local, state or federal government agency. If Grantee is a public charity as described in (i), then Grantee represents and warrants that

- Grantee's tax-exempt status under the Code has not been revoked or modified since the issuance of the IRS determination letter provided to KFH and shall not be revoked or modified during the term of this Grant; and
- there is no issue presently pending before any office of the IRS that could result in any proposed changes to Grantees' tax-exempt status under the Code; and
- Grantee shall immediately notify KFH if Grantee's tax-exempt status is revoked, suspended or modified during the term of this Grant.

2. Expenditure of Funds

This Grant must be used for the project identified in the Grant Award Letter, as described in the Grantee's proposal and related correspondence, and may not be expended for any other purposes without KFH's prior written approval. If the Grant is intended to support a specific project or to provide general support for a specific period, any portion of the Grant unexpended at the completion of the project at the end of the period shall be returned immediately to KFH, unless otherwise agreed by KFH in writing. Grantee may not expend any Grant funds for any purpose that is not charitable or educational, for any political or lobbying activity, or for any purpose other than one specified in Section 170(c)(2)(b) of the Code. Grantee must obtain prior written approval from KFH for changes to budgetary allocations that amount to 10% or more of the total budget of the Grant award or for changes to the Grant period.

Grantee may not use any portion of this grant in connection with the enrollment of individuals in any Qualified Health Plan or non-Qualified Health Plan. If Grantee serves as a Certified Enrollment Entity or Navigator funded by the California Health Benefit Exchange (Covered California), Grantee will fully comply with any applicable state and federal statutes, regulations, and sub-regulatory guidance requiring disclosure of receipt of this funding to Covered California and consumers receiving application assistance from Grantee's personnel.

- Grant Agreement -

3. No Assignment or Delegation

Grantee may not assign, or otherwise transfer, its rights or delegate any of its obligations under this Grant without prior written approval from KFH.

4. Records and Reports

Grantee is required to keep a record of all receipts and expenditures relating to this Grant and to provide KFH with written reports summarizing the progress made, as detailed on KFH's reporting requirements outline. KFH may also require additional interim reports. Grantee's reports should describe its progress in achieving the purposes of the Grant and include a detailed accounting of the uses or expenditure of all Grant funds. Grantee also agrees to provide any other information reasonably requested by KFH. If Grantee obtains any audited financial statements covering any part of the Grant period, Grantee shall provide a copy to KFH as well. Grantee is required to keep the financial records with respect to this Grant, along with copies of any reports submitted to KFH, for at least four years following the year in which all Grant funds are fully expended.

5. Required Notification

Grantee is required to provide KFH with immediate written notification of: (1) any changes in its tax-exempt status; (2) its inability to expend the Grant for the purposes described in the Grant Award Letter; (3) any expenditure from this Grant made for any purpose other than those for which the Grant was intended; (4) any modification of the budget, Scope of Work or timeline; and (5) any significant changes in Grantee's leadership or staffing.

6. Reasonable Access for Evaluation

Grantee is expected to actively participate in the evaluation of Kaiser Permanente's Community Benefit Program, including KFH's evaluation of Grantee's project within that program. At KFH's request, Grantee will permit KFH and its representatives to conduct site visits and have reasonable access during regular business hours to Grantee's files, records, accounts, personnel and clients or other beneficiaries for the purpose of making financial audits, verifications or program evaluations as KFH deems necessary or appropriate concerning this Grant award.

7. Publicity

Whenever possible, Grantee shall obtain KFH's prior written or oral consent of any proposed publicity concerning this Grant prior to the release of such publicity. When acknowledging this Grant, Grantee will incorporate the following text: "*The project is supported by Kaiser Permanente Northern California Community Benefit Programs.*"

KFH may include information regarding this Grant, including the amount and purpose, photographs provided by Grantee, Grantee's logo or trademark, or other

- Grant Agreement -

information or materials about Grantee's organization and activities, in KFH's periodic public reports, newsletters, online channels, and news releases.

8. Right to Modify or Revoke Payments

Payments made under this Grant are contingent upon Grantee's compliance with the terms of this Agreement. KFH reserves the right to discontinue, modify or withhold any payments to be made under this Grant award or to require a total or partial refund of any Grant funds if, in KFH's sole discretion, such action is necessary: (i) because Grantee has not fully complied with the terms and conditions of this Grant, including without limitation, Grantee's loss of tax-exempt status or Grantee's use of Grant funds for purposes other than those designated; (ii) to protect the purpose and objectives of the Grant or any other charitable activities of KFH or the Kaiser Permanente Medical Care Program; or (iii) to comply with the requirement of any law, regulation, or regulatory agency policy applicable to Grantee, KFH or this Grant.

9. Termination

KFH may terminate this Grant for convenience upon 30 days' written notice to Grantee and may terminate this Grant immediately for the reasons specified in Section 8 or for Grantee's engagement in willful misconduct or negligence.

10. Independent Contractors

With respect to administration of this Grant, the parties understand and agree that each is at all times acting and performing as an independent contractor with respect to the other. Except as expressly set forth in this Agreement, neither party, nor any of its employees, shall be construed to be the agent, employee or representative of the other for any purpose, or liable for any acts or omissions of the other.

11. Compliance

Grantee shall (i) maintain, in full force and effect, all required governmental or professional licenses and credentials for itself, its facilities and its employees and all other persons engaged in work in conjunction with this Grant, and (ii) perform its duties and obligations under this Agreement according to industry standards and in compliance with all applicable laws. As an organization with numerous contracts with the federal government, KFH and its affiliates are subject to various federal laws, executive orders and regulations regarding equal opportunity and affirmative action. This Section constitutes notice that Grantee may be required to comply with the following Federal Acquisition Regulations (each a "FAR") at 48 CFR Part 52, which are incorporated herein by reference: (a) Equal Opportunity (April 2002) at FAR 52.222-26; (b) Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Sept. 2006) at FAR 52.222-35; (c) Affirmative Action for Workers with Disabilities (June 1998) at FAR 52.222-36, and (d) Utilization of Small Business Concerns (May 2004) at FAR 52.219-8. In addition, Executive Order 13495 concerning the obligations of federal contractors and

**Kaiser Foundation Hospitals, Northern California Region
- Grant Agreement -**

subcontractors to provide notice to employees about their rights under Federal labor laws, or its successor, shall be incorporated herein by reference.

12. Miscellaneous

This Agreement shall be governed by the laws of the State of California. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be one and the same instrument. Grantee may not assign any right, duty or obligation under this Agreement without prior written approval from KFH. Any change of ownership or control of Grantee shall be deemed an assignment. This Agreement shall be binding upon and inure to the benefit of the parties and their respective, permitted successors and assigns. This Agreement, including any exhibits and attachments (all of which are incorporated into this Agreement by this reference), is the entire agreement of the parties with respect to the subject matter herein, and supersedes any and all other agreements, promises, negotiations or representations, whether oral or written. This Agreement, including exhibits and attachments, may not be amended except in a writing signed by each party.

ACCEPTED AND AGREED by duly authorized officers of KFH and Grantee:

KFH

Grantee:

Kaiser Foundation Hospitals
Marin

County of Sonoma, Department of Health
Services

By:



Campbell, Carl

By:

Ms. Rita Scardaci

Title: Public Affairs Director

Title: Director

Date: Monday, April 28, 2014

Date: _____

Kaiser Foundation Hospitals, Northern California Region
– Communications Guidelines –

Congratulations on your Kaiser Permanente Northern California Region grant. We appreciate the opportunity to partner with you and to help others learn about your important work. Please review the information below concerning communications and publicity and contact your grant manager if you have any questions.

How to acknowledge your grant. To make it easy to communicate about your grant, we have prepared language describing our partnership. This language can be used for newsletters, websites, or other communications. *Please use this description when acknowledging your Kaiser Permanente grant.* You can also find this text on our grantee website at kp.org/communitybenefit/ncal/forgrantees.

Short credit:

The project is supported by Kaiser Permanente Northern California Community Benefit Programs.

Longer credit:

About the Kaiser Permanente Northern California Community Benefit Grants Program

Kaiser Permanente's community involvement uniquely pairs grant funding with 65 years of clinical expertise, medical research, and volunteerism to support prevention-focused, evidence-based programs that are expanding access to care and creating healthy environments. Kaiser Permanente recently awarded LifeLong Medical Care a \$85,000.00 grant that will help more people in this community get access to the resources they need to lead a healthy life. For more information about Kaiser Permanente's work in the community, visit www.kp.org/communitybenefit/ncal.

Logo. If you would like to use a Kaiser Permanente logo, please contact your grant manager. Tell them your preferred file type (JPEG or EPS) and color (blue or black). As a nonprofit organization, the Kaiser Permanente logo cannot be used on materials that imply endorsement of legislation or a candidate.

Promoting your Kaiser Permanente grant. Your new grant is an excellent time to tell the story of your important work—to your partners, the community, and the media. There are many ways to communicate, including via a press release, newsletter, Web site, social media, and donor communications. If you are interested in doing outreach or promotion, our communications team may be available to help. Please contact your grant manager to discuss this further.

Collecting stories about your work. Personal stories and testimonials are particularly effective ways to illustrate the value of your work—for fundraising, donor and board communications, and grant reports. The reporting requirements for this grant include capturing and relaying at least one story about your work, but we also appreciate your sharing stories with us at any point.

Free online training resources. At www.kp.org/communitybenefit/ncal/forgrantees you will find a "story capture sheet" and storytelling tips. This special website for our grantees has many other useful resources, including trainings and resource lists on storytelling, messaging, social media, and more.

Questions? For further information or questions, please contact your grant manager or send an email inquiry to: Denice.Y.Alexander@kp.org.

Supplemental Signature Page

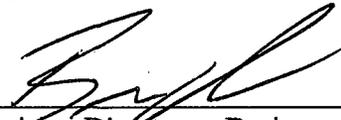
Kaiser Foundation Hospitals, Northern California Community Benefit Programs Division

Grant No. 20638838

Term: July1, 2014 – June 30, 2015

DHS Contract Number: 2014-0280-A00

Approved as to Substance:



Division Director or Designee

Dated 8/20/14

Approved as to Form:



County Counsel

Dated 8/13/14

**MODIFICATION NUMBER TWO OF AGREEMENT FOR SERVICES BETWEEN
COUNTY OF SONOMA AND SONOMA COUNTY BICYCLE COALITION**

On February 25, 2012, the County of Sonoma, a political subdivision of the State of California (hereinafter referred to as "County"), and Sonoma County Bicycle Coalition, a non-profit corporation (hereinafter referred to as "Contractor"), entered into a services agreement, modified by the parties effective November 2, 2012 as Modification Number One (Agreement).

Pursuant to Section 13.7 (Merger) of the Agreement, the parties hereby evidence their intent and desire to modify the Agreement as follows:

1. Provision 2, Payment, is hereby revised to read as follows:

2. Payment

For all services and incidental costs required hereunder, Contractor shall be paid in accordance with the following terms:

2.1 Payment for Services

Contractor shall be paid on a time-and-material/expense basis in accordance with the budget set forth in Exhibit B (Budget), attached hereto and incorporated herein by this reference (hereinafter "Exhibit B"). Any balance remaining at the end of federal fiscal years 2012, 2013, and 2014 shall automatically be carried forward to the subsequent federal fiscal year. Contractor shall submit its bills in arrears on a monthly basis in a form approved by County's Auditor and the Head of County department receiving the services. The bills shall show or include: (i) the task(s) performed, (ii) the time in quarter hours devoted to the task(s), (iii) the hourly rate(s) of the person(s) performing the task(s), and (iv) copies of receipts for reimbursable materials/expenses, if any. Expenses not expressly authorized by the Agreement shall not be reimbursed.

Unless otherwise noted in this agreement, payments shall be made within the normal course of County business after presentation of an invoice in a form approved by County for services performed. Payments shall be made only upon the satisfactory completion of the services as determined by County.

2.2 Maximum Payment Obligation

In no event shall County be obligated to pay Contractor more than the total sum of six hundred thousand two hundred dollars (\$600,200) under the terms and conditions of this Agreement.

2.3 California Franchise Tax Withhold

Pursuant to California Revenue and Taxation Code (R&TC) Section 18662, County shall withhold seven percent of the income paid to Contractor for services performed within the State of California under this agreement for payment and reporting to the California Franchise Tax Board if Contractor does not qualify as any of the following: (1) a corporation with its principal place of business in California, (2) an LLC or Partnership with a permanent place of business in California, (3) a corporation/LLC or Partnership qualified to do business in California by the Secretary of State, or (4) an individual with a permanent residence in the State of California.

If Contractor does not qualify, County requires that a completed and signed California Form 587 be provided by Contractor in order for payments to be made. If Contractor does qualify, then County requires a completed California Form 590. California Forms 587 and 590 remain valid for the duration of the Agreement provided there is no material change in their facts. By signing either form, Contractor agrees to promptly notify County of any changes in the facts. Forms should be sent to County pursuant to Article 12 (Method and Place of Giving Notice, Submitting Bills, and Making Payments). To reduce the amount withheld, Contractor has the option to provide County with either a full or partial waiver from the State of California.

2.4 Overpayment

If County overpays Contractor for any reason, Contractor agrees to return the amount of such overpayment to County, or at County's option, permit County to offset the amount of such overpayment against future payments owed to Contractor under this Agreement or any other agreement.

2.5 Federal Funding

This Section 2.5 is applicable if all or part of this Agreement will be paid with Federal awards.

2.5.1 Required Information.

As a pass-through entity, County is required to provide certain information regarding Federal award(s) to Contractor as a subrecipient. In signing this Agreement, Contractor acknowledges receipt of the following information regarding Federal award(s) that will be used to pay this Agreement:

- a. CFDA Number:
- b. CFDA Title:
- c. Federal Agency:
- d. Award Name:
- e. Federal Award(s) Amount:

2.5.2 OMB Circular A-133.

As a subrecipient of Federal awards, Contractor is subject to the provisions of U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (hereinafter "OMB Circular A-133"). In signing this Agreement, Contractor acknowledges that it understands and will comply with the provisions of OMB Circular A-133. One provision of OMB Circular A-133 requires a subrecipient that expends \$500,000 in Federal awards during its fiscal year to have an audit performed in accordance with OMB Circular A-133. If such an audit is required, Contractor agrees to provide County with a copy of the audit report within 9 months of Contractor's fiscal year-end. Questions regarding OMB Circular A-133 can be directed to the Sonoma County Auditor-Controller-Treasurer-Tax Collector's Office – General Accounting Division.

2.5.3 Audits

Contractor agrees that all expenditures of State and Federal funds furnished to the Contractor pursuant to this Agreement are subject to audit by County, State agencies,

and/or Federal agencies. Contractor warrants that it shall comply with the audit requirements as set forth in Office of Management and Budget (OMB) Circular A-133 entitled "Audits of States, Local Governments, and Non-Profit Organizations". County agrees to provide 14-days notice of intent of County to audit Contractor. Contractors subject to the Single Audit Act of 1984 and Single Audit Act Amendments of 1996 shall annually submit an independent audit conforming to OMB Circular A-133, which applies to non-profit organizations.

2.5.4 Copy of Audit

Contractor agrees that a copy of audits performed shall be submitted to County no later than 30 days after completion of the audit report, or no later than 9 months after the end of Contractor's fiscal year, whichever comes first. The Contractor's agreement(s) with audit firms shall have a clause to permit access by County, State agencies, and/or Federal agencies to the working papers of the external independent auditor.

2.5.5 Retention of Audit Report

Contractor agrees that audit reports and work papers shall be retained for a minimum of 7 years from the date of the audit report, unless the auditor is notified in writing by County, a State agency, and/or a Federal agency to extend the retention period.

2.5.6 Repayment

Contractor is responsible for the repayment of all audit exceptions and disallowances taken by County, State agencies, and/or Federal agencies related to services provided by Contractor under this Agreement. Where allowable costs have been claimed and reimbursed, they will be refunded to the program that reimbursed the unallowable cost either by cash refund or by offset to subsequent claims.

2. Provision 3, Term of Agreement, is hereby revised to read as follows:

3. Term of Agreement

The term of this Agreement shall be from February 8, 2012 to January 31, 2015 unless terminated earlier in accordance with the provisions of Article 4 (Termination) below.

3. Provision 4.6, Obligations After Termination, is hereby revised to read as follows:

4.6 Obligations After Termination

The following shall remain in full force and effect after termination of this Agreement: (1) Section 2.5 (Federal Funding), (2) Article 5 (Indemnification), (3) Section 9.4 (Records Maintenance), (4) Section 9.4.1 (Right to Audit, Inspect, and Copy Records), (5) Section 9.14 (Confidentiality), and (6) Section 13.5 (Applicable Law and Forum).

4. Section 13.10 (Counterparts and Electronic Copies) is hereby added to the Agreement as follows:

13.10 Counterparts and Electronic Copies

The parties agree that, where applicable, this Agreement may be executed in counterparts, together which when executed by the requisite parties shall be deemed to be a complete original agreement. An electronic copy, including facsimile copy, email, or

scanned copy of the executed Agreement or counterpart, shall be deemed, and shall have the same legal force and effect as, an original document.

5. The attached Exhibit A (Scope of Work) replaces Exhibit A (Scope of Work) in its entirety.

6. The attached Exhibit B (Budget) replaces Exhibit B (Budget) in its entirety.

Except as expressly modified herein, all terms and conditions of Agreement shall remain in full force and effect.

§ The remainder of this page has intentionally been left blank. §

IN WITNESS WHEREOF, the parties have caused this modification to be duly executed by their authorized representatives this _____ day of _____, 20_____.

CONTRACTOR:

Gary Helfrich, Executive Director
Sonoma County Bicycle Coalition

Dated

COUNTY OF SONOMA:
Certificate of Insurance on File with County:

Rita Scardaci, MPH, Director
Department of Health Services

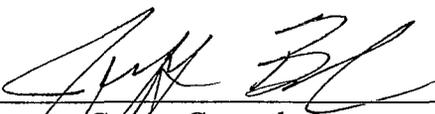
Dated

Approved as to Substance:

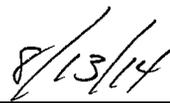
Division Director or Designee

Dated

Approved as to Form:



Sonoma County Counsel



Dated

Scope of Work

Safe Routes to School (SRTS) Goals:

- Increase the number of children safely walking and bicycling to school
- Increase health and safety of children and community
- Reduce traffic congestion around schools and pollution
- Create safer, calmer streets and neighborhoods in Sonoma County
- Develop a sustainable Sonoma County Safe Routes to School program

Contract Requirements:

- Reporting: Contractor is responsible for completing and submitting quarterly progress reports, as required by the County, concerning all activities, results and evaluation measures included in the above Scope of Work. A progress report form and instructions will be provided to the Contractor.
- Education and Promotional Materials Attribution Language: all materials developed using CMAQ funds must contain the following: “Funding for this project was provided by a grant from the Federal Safe Routes to School in partnership with Sonoma County Departments of Transportation and Public Works and Health Services.”
- Measure M Logo: The Measure M log must be displayed on all materials developed using CMAQ funds.

Objective 1: To develop and implement a Sonoma County Safe Routes to School Education Program.				
Strategies	Activities	Person Responsible	Timeline	Deliverables
1. Orient teachers to and track use of the K-6 Safe Routes to School “Standard Stroll” Curriculum, conformed to state standards and objectives for academic subject areas, as well as best practices for SRTS instruction.	1a. Build a K-6 SRTS “Standard Stroll” Education binder, including purchasing and/or creating corresponding materials (e.g. videos, blackline masters, props) for each participating SRTS school.	1a. SCBC/SRTS Program Director and assistant	September 2014	Contents of education binder on file
	1b. Coordinate with school administration and staff to provide overview of SRTS K-6 lessons and encourage use.	SCBC/SRTS Program Director and assistant (with cooperation from School principal, participating K-6 teachers)	February 2012-December 2014	List of staff presentations.
	1c. Track the use and evaluate teacher experience of the “Standard Stroll” Education binder at each school.	SCBC/SRTS Program Director and assistant (with cooperation from School principal, participating K-6 teachers)	February 2012-December 2014	Number of participating teachers provided to DHS. Teacher evaluation forms.

Objective 1: To develop and implement a Sonoma County Safe Routes to School Education Program.				
Strategies	Activities	Person Responsible	Timeline	Deliverables
2. Coordinate and implement in-classroom education at the 2 nd /3 rd grade, 4 th grade, and 5 th /6 th grade levels.	2a. Coordinate with each school principal and school staff to schedule and deliver SRTS in-classroom education (2-3 pedestrian safety/benefits of walking lessons for 2 nd or 3 rd grade, 2-3 walking/bicycle safety and benefits lessons for 4 th grade, and 3-4 bicycle safety lessons for 5 th or 6 th grade).	SCBC/SRTS Program Director and assistant (with cooperation from School principal, participating K-6 teachers)	Ongoing	Schedule of in-classroom education sessions
	2b. Coordinate the delivery of parent education materials to be sent home in coordination with student education to reinforce lessons learned.	SCBC/SRTS Program Director and assistant (with cooperation from School principal, participating K-6 teachers)	Ongoing	Copy of parent education materials
	2c. Collect teacher evaluation forms from observation of in-classroom education.	SCBC/SRTS Program Director and assistant (with cooperation from School principal, participating K-6 teachers)	Ongoing	Teacher evaluation forms.
3. Develop and coordinate the implementation of an SRTS education assembly at each school.	3a. Develop a sub-contract to create and deliver a bicycle and pedestrian safety assembly.	SCBC/SRTS Program Director	October 2014	3a. Executed contract
	3b. Coordinate with each school principal and appropriate partner agencies (i.e. SRPD, Sheriff, Climate Protection Group, etc.) to schedule and deliver an SRTS assembly	SCBC/SRTS Program Director, Assistant, school team volunteers	Fall 2012, Fall 2013, and Fall 2014	List of sites and dates when assembly is scheduled and conducted
4. Work with each school to hold annual 4 th grade bicycle rodeos on school campuses in order to educate about the safety aspects of riding a bicycle on streets and roads	4a. Purchase equipment, helmets and other materials, as needed, to update rodeo kits.	SCBC/SRTS Program Director or Assistant	February 2012- November 2014	Equipment purchased
	4b. Coordinate with school principals and staff to schedule bicycle safety rodeos.	SCBC/SRTS Program Director	February 2012 -October 2014	Dates when rodeos are scheduled number of 4 th grade classes that participated
	4c. Staff bicycle safety rodeo, including coordination of volunteers and with local bike shops to provide bicycle safety checks.	SCBC School team leader, SCBC Assistant, local bicycle shop	Ongoing	List of staff, bicycle shop, and volunteer names who attended
	4d. Coordinate with local agencies (i.e. Safe Kids Sonoma County, police departments, etc.) and volunteers to provide and fit free or low cost bicycle helmets.	SCBC/SRTS Director or Assistant	Ongoing	Helmet bank application

Objective 1: To develop and implement a Sonoma County Safe Routes to School Education Program.				
Strategies	Activities	Person Responsible	Timeline	Deliverables
	4e. Lay out and set up course and lead education program at rodeo event.	SCBC/SRTS Program Manager, Assistant	Ongoing	Course layout/set-up and training materials on file
5. Public Safety Awareness Campaign: Inform and educate key individuals and population groups on bike/pedestrian safety and/or SRTS through targeted outreach activities	5a. Develop English/Spanish Bike/Pedestrian safety and SRTS educational materials with input from DHS staff and Countywide SRTS Workgroup	SCBC/SRTS Director	May 2012 and ongoing	Copy of materials
	5b. Identify opportunities and inform public to advance bike/ped safety and SRTS-related education and encouragement campaigns and events - Interviews and educational pieces to local newspapers - Community based newsletters - Select events to attend and invite press as necessary SRTS presentations to school groups such as parent clubs, staff, site and wellness council, community groups, etc. - Community bike/pedestrian safety workshops	SCBC/SRTS Director, DHS Project Coordinator, South Santa Rosa SRTS Task Force, school team members	Ongoing	Press releases, media coverage on file, number/record of presentations to school and community groups, invitations to community/bike-ped safety workshops
	5c. Coordinate participation in at least eighteen school health fairs, back to school nights, school open houses, and community events and distribute SRTS educational materials	SCBC/SRTS Director, SRTS Assistant	May 2012-ongoing	List of events attended, list of volunteers in attendance
	5d. Maintain and update the Safe Routes to School website (www.sonomasaferoutes.org) providing SRTS education resources and information for parents, teachers, and other community members.	SCBC/SRTS Director and Assistant	Ongoing	SRTS website online

Objective 2: To develop and implement a Sonoma County Safe Routes to School Encouragement Program				
Strategies	Activities	Person Responsible	Timeline	Deliverables
1. Provide resources to support school team leaders in leading SRTS encouragement program at each school	Provide a team-leader binder that includes a description of team leader responsibilities, contact information for staff and other team leaders, a list and description of each encouragement program options, contest guidebooks, a walk to school day checklist, sample calendar, team leader worksheet, and sample flyers.	SCBC/SRTS Program Director and Assistant	February 2012	Team leader binder
2. School Team Technical Support: Collaborate with school principal and school team leader to support the development of an SRTS school team and, eventually, an SRTS Encouragement travel plan for each site.	2a. Coordinate the attendance at a minimum of one event at each school site early in the school year (preferably Back to School Night, a PTA meeting, International Walk and Roll to School Day) to inform about SRTS encouragement activities and recruit parent volunteers. Presenters could include DHS staff, school team members, and SRTS Task Force volunteers.	SCBC/ SRTS Program Director, Assistant	September 2012, 2013 & September-November 2014	Number and type of event attended, list of volunteers signed
	2b. Provide technical support and resources to school team leader in order to help him/her recruit additional volunteers.	SCBC/ SRTS Program Director, Assistant	Annually ongoing	List of volunteers maintained by team leader and provided to SCBC once per semester
	2c. Provide SRTS encouragement technical support and leadership at monthly school team meetings at each school site.	SCBC/ SRTS Program Director, Assistant	Feb 2012-Dec 2014	Meeting agendas, attendance and minutes kept on file.
	2d. Develop SRTS Encouragement Travel (i.e. sustainability) plan for each school site in collaboration with school principals and district superintendents.	SCBC/ SRTS Program Director, Assistant	July 2012-Dec 2014	Plan on file
3. Organize and promote an annual International Walk and Roll to School Day at each school site, with cooperation/ collaboration of principal, school team leader and Task Force, and provide ongoing	3a. Purchase or obtain donations for vinyl banners for each school to promote International Walk and Roll to School Day (IWalk).	SCBC/ SRTS Program Director or DHS project coordinator	Sept-Oct 2012& yearly	Banners stored
	3b. Prepare printed information/flyer template for IWalk that may be used by each school team.	SCBC/ SRTS Program Director or Assistant	Sept-Oct 2012& yearly	Flyer on file
	3c. Develop & provide IWalk checklist to each school team leader (in team leader binder)	SCBC/ SRTS Program Director or Assistant	Sept-Oct 2012& yearly	Checklist on file
	3d. Obtain donations for, select, and purchase incentive prizes for IWalk.	SCBC/ SRTS Program Director, Assistant and school teams	Sept-Oct 2012& yearly	Incentives purchased, donations tracked

Objective 2: To develop and implement a Sonoma County Safe Routes to School Encouragement Program				
Strategies	Activities	Person Responsible	Timeline	Deliverables
technical support for activities which encourage regular walking and bicycling, such as “Walking Wednesdays”	3e. Organize and obtain donations for healthy snacks at each school for IWalk.	SRTS Task Force and/or school teams	Sept-Oct 2012& yearly	Donations tracked
	3f. Organize, coordinate, and recruit volunteers for morning IWalk activities and ongoing Walk/Roll Wednesday activities at each school site.	SRTS School team leader and school teams	Sept-Oct 2012& yearly	Names of volunteers
	3g. Organize participation of high-level stakeholders, public officials, law enforcement on morning of IWalk.	SCBC/ SRTS Task Force, DHS Project Coordinator	Sept-Oct 2012& yearly	Names of participating stakeholders
	3h. Write press release, coordinate media promotion for IWalk.	DHS Project Coordinator	Sept-Oct 2012 & yearly	Copy of press release, media coverage on file.
4. Promote and help organize annual incentives and contests, such as the Golden sneaker Award, Frequent Rider Miles, and Fire Up Your Feet – with cooperation and collaboration of school principal and school team.	4a. Distribute contest guidebooks and printed materials (i.e. frequent rider cards, flyer templates, parent letter/teacher instructions, etc.) as part of the Team Leader Binder.	4a. SCBC/ SRTS Director, Assistant	Redistribute yearly	4a. Guidebooks on file (In Team Leader Binder)
	4b. Purchase incentive prizes for contest.	SCBC/ SRTS Director	February 2012 & yearly	Incentive Prizes
	4c. Obtain donations for incentive prizes	SCBC/ SRTS School team	May 2012 & yearly	List of donated prizes/sponsors
	4d. Provide technical support for organizing and conducting contests.	SCBC/ SRTS Director or Assistant	Ongoing	School team meeting agendas and minutes kept on file
	4e. Organize, distribute, and coordinate necessary materials and volunteers for contests at school site	School team leaders and school teams	Ongoing	Evaluation of implementation provided by school team leader to SRTS Director.
5. Provide technical support for formation of walking school buses and bicycle trains.	5a. Prepare printed information and training regarding formation of walking school buses/bike trains to assist in the development of buses by school teams and the SRTS Task Force	SCBC/ SRTS Director and Assistant	Ongoing	Guidebooks on file
	5b. Provide technical support to school team and SRTS Task Force in designating satellite drop-off and pick-up zones	SCBC/ SRTS Director	Ongoing as needed	Meeting minutes

Budget

Personnel	Feb 8, 2012- Sep 30, 2012		Oct 1, 2012- Sep 30, 2013		Oct 1, 2013- Sep 30, 2014			Oct 1, 2014 - Jan 31, 2015			Total
	Hrs	Amount (\$)	Hrs	Amount (\$)	Salary (\$)	Hrs	Amount (\$)	Salary (\$)	Hrs	Amount (\$)	(\$)
SRTS Director	874.0	35,287	677.6	27,974	43.75	502.9	22,000	43.75	120	5,250	90,511
SRTS Assistant 1	222.7	5,471	15.5	472	32.85	539.5	17,722	32.85	240	7,884	31,549
SRTS Assistant 2	924.2	27,720	0		34.06	0		34.06	0		27,720
SRTS Assistant 3	764.5	19,956	1186	92,100	35.27	3118.8	110,000	35.27	780	27,511	249,567
SRTS Assistant 4	0.0		279.8	664	36.48	0		36.48	0		664
Total Personnel Costs		88,434		121,210			149,722			40,645	400,011
Operating Expenses						Miles			Miles		
Travel		4,023		3,388		7079.6	4,000		1500	840	12,251
Office Supplies And Storage		389		820			1,800			100	3,109
Printing/Duplication		827		2,228			5,000			1,200	9,255
Incentives		13,231		10,432							23,663
Promotional Materials				11,487			24,000				35,487
Equipment		2,730		2,164			4,836			200	9,930
Educational Materials		3,187		239			4,400			100	7,926
Education Contractors		22,815		22,095			29,426			515	74,851
Performance Contractors				5,550			7,800			600	13,950
Other Contractors		1,245		4,103			4,419				9,767
Total Operating Expenses		48,447		62,506			85,681			3,555	200,189
Total Budget		136,881		183,716			235,403			44,200	600,200

Budget Justification

February 8, 2012 - January 31, 2015
PERSONNEL
<p>SRTS Director will oversee the education/encouragement program, including with management of scope of work, program budget, invoices, contract, and program implementation, including recruiting, hiring, and supervising program staff and contractors. Director will also provide technical support and assistance to school sites as needed and is the key liaison between SCBC and DHS.</p> <p>SRTS Assistants will provide technical support to school sites in the field, and assist the Director with development of materials, schedules, supervision of contractors, and invoicing. The cost of providing staff-support for school sites varies depending on the unique needs of the school, however, for the purpose of calculating budget, we calculate an average cost of \$5000-\$6000 per site, or between 150-200 staff hours.</p> <ul style="list-style-type: none"> • Year 1: 16 schools, therefore the personnel budget is \$85,680, averaging \$5,300 per site. • Year 2: 18 schools, therefore the personnel budget is \$108,640, averaging approximately \$6,000 per site. • Year 3, 23 schools and the contract was extended through December 2014, incorporating three months of a new school year, therefore the per site personnel budget increased because the “year” is 15 months instead of 12. • Potential salary increases for SRTS Assistants are accounted for in year 3. Furthermore, in years 2 & 3, the SRTS Director hours/salary is offset slightly more by Measure M funds than in year 1.
NON-PERSONNEL / OPERATING EXPENSES
<p>Travel: Travel is calculated at an average rate of approximately \$320.00 per site, but will vary widely based on distance and number of site visits. \$320.00 per site is based on an average of 1-2 visits to each site, each month. Travel is reimbursed at the federal mileage reimbursement rate, thus the reimbursement rate may change as needed. As of 7/2014, the rate is 55 cents a mile.</p>
<p>Office Supplies, Storage: Office supplies include any supplies purchased by staff to provide support for the program, such as paper/pens/binder clips, etc. for documents brought to meetings & other meeting supplies. The postage budget is also rolled into office supplies. Office supplies also include any office equipment purchased specifically to support the SRTS program, including hardware or necessary software for program implementation. Storage includes the cost of storing SRTS materials, such as bicycles, incentive prizes, helmets, and other required program supplies. Costs will vary from site to site, but the office supplies / equipment/storage budget is calculated at an allocation of approximately \$100.00 per school site.</p>
<p>Printing/Duplication: In-office and outside vendor printing of documents that schools are unable to print themselves, such as newsletters, banners, frequent walk/roll cards, posters, curriculum materials (i.e. lesson plans & worksheets utilized during in-class education), meeting supplies (agendas & other documentation, etc). It also includes the cost of paper and toner for printing or utilization of educational or encouragement materials in-house, including butcher paper or chart paper. Costs may vary per site, but estimates are based on an allocation of approximately \$350.00 per site.</p>
<p>Incentives: Incentive materials for all encouragement programs, includes prizes (pencils, stickers, gift cards, bicycles, and more), certificates, fruit/ice for the bicycle blender encouragement activity, etc. Incentive Costs are based on an allocation/estimate of approximately \$1000.00 per school site, per year. Costs may vary per site, depending on their specific encouragement program.</p>
<p>Promotional Materials: Line item created based on new Federal funding guidelines released in 2012/2013 school year. Promotional materials for all encouragement programs, includes materials to promote the program (pencils, stickers, bicycles, and more), certificates, etc. Costs are based on an allocation/estimate of materials distributed per student enrollment numbers and school participation level. Costs may vary per site, depending on their specific encouragement program.</p>

All outreach and marketing materials will include an educational/encouragement message, be of minimal value, will not be used as a reward or compensatory item. Unit cost for one item will not exceed \$50 which will be a "reasonable" cost justified by small procurement procedures (Section 10.9 of Caltrans Local Assistance Procedures Manual).

Equipment: Purchase of any equipment necessary for SRTS implementation at school sites. Includes the cost of bicycle education equipment (i.e. bicycles, parts, helmets, tools, chalk, tape, bins, etc), walking school bus equipment (ropes, vests, first aid kits, signs), and other SRTS safety equipment (signs, safety banners, etc.), and other equipment used in the SRTS education or encouragement program (i.e. bins for encouragement supplies, bicycle blenders or parts, projectors for in-class education, CD-ROMS, etc.) Costs will vary per site, but budget is based on an estimate/allocation of approximately \$160 per site.

Unit cost for one item will not exceed \$50, which will be a "reasonable" cost justified by small procurement procedures (Section 10.9 of Caltrans Local Assistance Procedures Manual).

Costs also include transport for bicycle rodeos (i.e. truck rental and fuel), which will be a "reasonable" cost justified by a price comparison process and but not limited to \$50.

Educational Materials: Purchase of educational materials, brochures and curriculum for distribution to students, parents and teachers; educational materials for classroom lessons and curriculum binders (such as jeopardy board, egg-drop kit, demonstration helmets, overhead sheets, videos, binders, binder tabs, laminating sheets, etc). Costs will vary per site, but budget based on an estimated average of approximately \$500.00 per site.

Unit cost for one item will not exceed \$50, which will be a "reasonable" cost justified by small procurement procedures (Section 10.9 of Caltrans Local Assistance Procedures Manual).

Postage: We have eliminated postage as a line item from our budget because postage is rarely necessary for our program, and is utilized so infrequently that it makes more sense to absorb those costs into the office supply line item.

OTHER COSTS – SUBCONTRACTS/CONSULTANTS

Education Contractors: Individual contractors with education & active transportation expertise utilized for implementation of in-class and on-bicycle curriculum as well as education outreach & instruction at school and community events. Additional contractors are recruited & hired when/if turnover occurs. The estimated cost of contractor-implemented in-class and on bicycle education in year 1 is \$22, 285, year 2 \$22,095, and year 3 \$29,940.53 Per site costs for in-class and bicycle education vary widely because they are dependent on the number of classrooms at each site. Current contractors as of 7/2014: Danielle McElwee, Adrian Palanchar, Mark Strozyck, Forrest Smith, Nancy Cummings, Richard Robinson and Kurt West.

Performance contractors: for delivery of an SRTS Assembly. Contract established with Imaginist Theater Group, a non-profit organization, in 2012, for the grant term. Our agreement with the Imaginist Theater group is \$600 per assembly. The Imaginists are to serve as many of the contract schools each year as schedule and budget allows, with the intention of providing the Imaginist Assembly to each CMAQ site at least one time during the course of the three year program. If CMAQ sites decline the Imaginist Assembly, their assembly slot may be offered to other qualified Sonoma County site.

Other Contractors: Other contractors also may be hired, as needed and as budget allows, for translation, design services, or bicycle and equipment maintenance & loading services (including contracting with a local bicycle shop to provide bicycle maintenance service at in-school bicycle rodeos). These services are established on an as-needed basis with a variety of appropriate contractors. Bicycle maintenance contractors are local bicycle shops and/or individual certified bicycle mechanics. Equipment maintenance and loading contractors are individuals with expertise in the appropriate area.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 23
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of the County of Sonoma
Board of Directors of the Sonoma County Water Agency
Board of Directors of the Sonoma County Agricultural Preservation and Open Space District
Board of Commissioners of the Community Development Commission
Board of Directors of the Northern Sonoma County Air Pollution Control District

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Marcia Chadbourne, (707) 565-2473

Supervisorial District(s):

All

Title: Agreement for Consulting Services Amendment No. 02 with Pacific ADA Center/Center on Disability at the Public Health Institute

Recommended Actions:

Authorize the Director of Human Resources to execute Amendment No. 02 to the Agreement for Consulting Services with Pacific ADA Center/Center on Disability at the Public Health Institute, for website remediation services including training for ADA compliance, increasing the contract maximum from \$25,000 to \$100,000 and extending the term of the agreement through June 30, 2016.

Executive Summary:

The requested board action authorizes the Director of Human Resources to execute Amendment No. 02 to the Agreement for Consulting Services with Pacific ADA Center/Center on Disability at the Public Health Institute (Pacific ADA Center.) Pacific ADA Center provides staff training and remediation services to comply with the Federal Americans with Disabilities Act (ADA), and the County's adopted Web Site Accessibility Policy (Administrative Policy 9-3).

Additionally, the Department of Justice has proposed advanced rule making for web sites that is expected to set more stringent standards for government web sites. Expanding the services provided under this Agreement will enable the County to offer additional training and to develop additional remediation resources for all County departments and agencies.

Pacific ADA Center was selected through a Request for Proposal process in 2010 to provide specialized training and document remediation in the area of web accessibility as required by the ADA, and the 1998 amendment to the Rehabilitation Act of 1973 (Section 508). Pacific ADA Center has provided training, remediation services, and advises on best management practices to comply with complex

regulations and rapidly changing technology, and has assisted the County in remediation of important financial documents, including the County Annual Budget and the Comprehensive Annual Financial Report.

The County has been satisfied with the services of Pacific ADA Center and spent on average approximately \$15,000 annually over the last two fiscal years. While the term of the current agreement was recently amended for an additional one year period through June 15, 2015, upon further analysis and interest expressed by County departments, increasing the amount and extending the term of the agreement best meets the services needs.

As the County expands its use of the internet to inform County residents of services and provides vital information to the public, additional training and support is necessary to successfully meet compliance objectives and to create resources for a growing number of document authors publishing web content.

Prior Board Actions:

6/15/2010: Web Site Accessibility Policy adopted.

Strategic Plan Alignment Goal 3: Invest in the Future

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 100,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 100,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 100,000	Total Sources	\$ 100,000

Narrative Explanation of Fiscal Impacts (If Required):

Sufficient appropriation have been budgeted within the ADA Program budget, Dept. 2301100

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

None.

Related Items "On File" with the Clerk of the Board:

Amendment No. 02 to the Agreement for Consulting Services with Pacific ADA Center dated 8/12/2014.
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County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 24
(This Section for use by Clerk of the Board Only.)

To: County of Sonoma Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Employees' Retirement Association

Staff Name and Phone Number:

Julie Wyne, 707.565.8103

Supervisorial District(s):

Title: Regulations to Maintain Retirement System Tax Qualified Plan Status

Recommended Actions:

Authorize the approval of regulations to maintain the retirement system's IRS tax qualified plan status as adopted by the Sonoma County Employees' Retirement Association (SCERA) Board of Retirement, pursuant to Government Code Section 31525.

Executive Summary:

The Sonoma County Employees' Retirement Association (SCERA) is a tax qualified governmental retirement system plan under Internal Revenue Code (IRC) section 401(a). This allows contributions to be made into the plan trust fund and earnings on the trust fund to be federal income tax deferred until they are paid out in the form of benefits under the plan.

To maintain that tax qualified status, SCERA must operate in accordance with Internal Revenue Service (IRS) statutes and regulations. In conjunction with a SCERA requested IRS tax qualified plan determination letter confirming SCERA compliance, the IRS requested that certain procedures not explicitly addressed in the County Employees Retirement Law of 1937 (CERL) be adopted by the Retirement Board and the Board of Supervisors in the form of regulations (as allowed by Government Code section 31525). Other CERL systems are also pursuing the same clarification strategy.

The regulations presented to the Board of Supervisors, which were adopted by the SCERA Board of Retirement on August 21, 2014, are the result of recommendations by SCERA's tax counsel after discussions with the IRS. They reflect current operational procedures, with one clarification and one rarely applicable exception, which are discussed respectively in the first two regulation summaries below.

IRC §401(a) Benefit Distribution Restrictions – To receive a benefit from a qualified retirement system, a member who is less than normal retirement age (addressed later) must have a bona fide termination from service. One indication of that is a definite period of time after retirement during which the retiree is prohibited from returning to work. Sonoma County, on advice of tax counsel, previously adopted a 60 day break in service requirement for County retirees who are less than normal retirement age. This regulation clarifies that administratively, a 60 day break in service is required before a less than normal retirement age SCERA retiree from any SCERA employer (County, Courts or Valley of the Moon) returns to work for any SCERA employer. In addition, recent pension

reform legislation has a 180 day break in service requirement for all retirees, under most circumstances. This regulation does not change that statutory requirement.

IRC §401(a)(9) Minimum Distribution Rules – The IRC contains certain minimum distribution requirements that have been applied by SCERA. However, in very rare circumstances, there is an applicable requirement that can limit the amount of a life-time annuity a non-spousal beneficiary can receive if the beneficiary is more than 10 years younger than the retirement system member. Although the CERL doesn't contain the same restriction, the CERL (Government Code section 31485.14) does require that the form of distribution of benefits must comply with IRC section 401(a)(9). As a result, this minimum distribution regulation provides for the IRS limitation to be met while honoring the terms of the CERL, by providing for a lump sum to be paid on the death of the member, based on the benefit amount over the annuity limitation, actuarially reduced to present value. This lump sum payment, which differs from SCERA's current practice, is acceptable to the IRS as being in compliance with IRC section 401(a)(9). There is no actuarial cost to the system of this conforming regulation.

IRC §401(a)(17) Compensation Limit – The IRC provides, and SCERA has always recognized, a limit on the amount of compensation that can be recognized for pension purposes. Compensation received in excess of the limit is not counted in the member's benefit calculation and contributions to the retirement system are not made by the member or the employer on compensation in excess of the limit. This regulation simply restates the IRC compensation limit already being recognized by SCERA. That limit, which is adjusted by the IRS each year for inflation, is \$260,000 in 2014. That IRC limit would cap the amount of compensation used for benefit calculation purposes of any SCERA member whose compensation exceeded the limit. For SCERA members who are new employees since January 1, 2013, the pensionable compensation limits established by recent pension reform legislation are much less (\$115,064 in 2014 for employees also covered by Social Security). This regulation doesn't change those lower limits, so those new employees are definitely not impacted by the much higher IRC limit.

IRC §401(a)(31) & 402(c) Rollovers – This regulation covers rollovers from other qualified plans into SCERA (for example, to purchase prior military service time) and out of SCERA (for example, if an employee terminates without qualifying for a SCERA benefit, to allow transfer of the employee contributions into another qualified plan). SCERA has always followed the IRC restrictions on rollovers; this regulation just formalizes the procedure already followed.

IRC §401(a)(36) Normal Retirement Age – This regulation changes nothing for SCERA operationally; it is a written reflection of current practice. Normal retirement age must be established by the retirement system based on the experience of the system. The normal retirement age reflected in this regulation was set by SCERA Board of Retirement Resolution on February 17, 2011, based on actuarial analysis. Normal retirement age is a tax law concept significant primarily because retirees who have achieved or surpassed normal retirement age are not subject to the IRC return to work restrictions (they are, however, still subject to the pension reform legislation return to work restrictions).

IRC § 415 Annual Benefit Limits – IRC section 415(b) limits the amount of benefits that can be paid by SCERA (\$210,000 at age 62 in 2014; less for younger ages; adjusted by the IRS each year for inflation). These limits are being applied currently by SCERA; this formalizes the practice. Amounts in excess of the IRS limit, but required by the CERL, are paid through the County's excess benefits plan (as allowed by the IRS and the CERL, Government Code section 31899, et seq).

Prior Board Actions:

6-21-11 – Established a policy of 60 day minimum separation for certain retired employees returning for extra-help work

Strategic Plan Alignment Not Applicable			
Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0
Narrative Explanation of Fiscal Impacts (If Required):			
There will be no fiscal impact from approval.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
None			
Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
Regulations: Attachment A -- IRC §401(a) Benefit Distribution Restrictions Attachment B -- IRC §401(a)(9) Minimum Distribution Rules Attachment C -- IRC §401(a)(17) Compensation Limit Attachment D -- IRC §401(a)(31) & 402(c) Rollovers Attachment E -- IRC §401(a)(36) Normal Retirement Age Attachment F -- IRC § 415 Annual Benefit Limits			
Related Items "On File" with the Clerk of the Board:			

**SONOMA COUNTY EMPLOYEES' RETIREMENT
ASSOCIATION**

**REGULATIONS FOR
IRC CODE § 401(a)
DISTRIBUTION RESTRICTIONS**

**REGULATIONS FOR IRC SECTION 401(a)
RETURN TO WORK AND SEPARATION FROM SERVICE**

SECTION I. PURPOSE AND SCOPE

In accordance with section 31525 of the California Government Code, the regulations set forth herein are effective as of January 1, 2015, and reaffirm and clarify the existing practices of the Sonoma County Employees' Retirement Association (the "Association") with respect to the return to work of retired Members and a bona fide separation from service prior to such return to work applicable for the Association in accordance with the Internal Revenue Code (the "Code"). For these regulations, Code includes the Treasury regulations issued under the Code.

These regulations are intended to be in accordance with the Code and the applicable Treasury regulations. To the extent there is a conflict between these regulations and the Code and Treasury regulations, the applicable federal law will govern.

The Association may establish any reasonable procedures dealing with the return to work of Members following retirement under the Association and the requirement for a bona fide separation of service that it deems necessary or desirable for complying with applicable tax laws or for administrative purposes.

Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. RETURN TO WORK AND BONA FIDE SEPARATION FROM SERVICE

For purposes of employment with the County or a participating agency after retirement for service, a Member who has not attained normal retirement age (as established by the Association) shall have a bona fide separation from service to the extent required by section 401(a) of Title 26 of the United States Code. A bona fide separation from service is defined as follows:

1. The Member has not entered into any predetermined agreement (either written or unwritten) with the County or any other entity that is a participating agency in the Association prior to retirement to return to work after retirement, regardless of the length of the separation.
2. Prior to entering into an agreement to return or returning to employment with the County or any other entity that is a participating agency in the Association while retired, the Member must have a separation from service of at least the greater of (a) any required separation from service prior to return to work required under the terms of the California Public Employees' Pension Reform Act of 2013 or (b) a 60 calendar day separation from service.

3. The Member may be employed by the County or any other entity that is a participating agency in the Association prior to the time in sections 1 and 2 above for emergency situations as defined in Government Code section 8558.

**SONOMA COUNTY EMPLOYEES' RETIREMENT
ASSOCIATION**

REGULATIONS FOR IRC CODE § 401(a)(9)

REQUIRED MINIMUM DISTRIBUTION RULES

**REGULATIONS FOR IRC SECTION 401(a)(9)
MINIMUM REQUIRED DISTRIBUTIONS**

SECTION I. GENERAL RULES

A. Purpose and Effective Date

In accordance with sections 31485.14, 31525 and 31706 of the California Government Code, the regulations set forth herein are effective as of January 1, 2015 and reaffirm and clarify the existing practices of the Sonoma County Employees Retirement Association (the "Association") with respect to the minimum distribution requirements under section 401(a)(9) of the Internal Revenue Code (the "Code").

These regulations are intended to be in accordance with the Code and the applicable Treasury regulations. To the extent there is a conflict between these regulations and the Code and Treasury regulations, the applicable federal law will govern.

The Association may establish reasonable procedures for complying with the minimum distribution requirements under section 401(a)(9) of the Code that it deems necessary or desirable to comply with applicable tax laws or for administrative purposes.

B. Reasonable Good Faith Interpretation of Code

In accordance with section 823 of the Pension Protection Act of 2006 ("PPA"), these regulations are promulgated in accordance with a reasonable good faith interpretation of section 401(a)(9) of the Code, and the Treasury regulations thereunder, as applicable to a governmental plan within the meaning of section 414(d) of the Code. For purposes of section 401(a)(9), Code means the Code and applicable Treasury regulations as they apply under a reasonable good faith interpretation of section 401(a)(9).

C. Elections Under TEFRA § 242(b)(2)

Notwithstanding the other requirements of this regulation to the contrary, distributions may be made under a designation made before January 1, 1984, in accordance with section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act.

Capitalized terms used in this Regulation are defined in Section VI. Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. TIME AND MANNER OF DISTRIBUTION**A. Required Beginning Date**

The Member's entire interest will be distributed, or begin to be distributed, no later than the Member's Required Beginning Date.

B. Forms of Distribution**1. Periodic And Other Forms Of Payments**

A Member's entire interest in the Association shall be distributed in the form of RMD Annuity payments that meet the requirements of paragraph 2 of this subsection or in the form of a single sum or an insurance company annuity contract that meets the requirements of paragraph 3.a of this subsection. Payments may be made in a combination of these forms of payment and may include lump sum refunds or withdrawals of Member contributions or death benefits as provided in the CERL provided that these forms comply with a reasonable good faith interpretation of Code section 401(a)(9).

2. General Rules Regarding RMD Annuities

If the Member's interest is to be paid in the form of an RMD Annuity, the RMD Annuity must meet the following requirements:

a. Periodic

RMD Annuities must be paid over equal payment intervals which may not be longer than one year.

b. Distribution Period

RMD Annuities will be paid over the life or lives of the Member and a beneficiary or over a period certain that does not exceed the maximum length of the period described in Section III or Section IV of this regulation.

c. Increases

RMD Annuities may not increase over time except in accordance with the rules in Section V.A.

d. Change in Period Paid

The period over which an RMD Annuity is paid can be changed only in accordance with Q&A-13 of section 1.401(a)(9)-6 of the Treasury regulations.

e. Commencement

Payment of the RMD Annuity must start no later than the Required Beginning Date.

3. Other Forms

a. Annuity Contract

If the Member's interest is distributed in the form of an annuity contract purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code.

b. Individual Account

Any part of the Member's interest which is in the form of an individual account described in section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code that apply to individual accounts.

C. Amount Required to be Distributed by Required Beginning Date and Later Payment Intervals.

The amount that must be distributed on or before the Member's Required Beginning Date is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. All of the Member's benefit accruals as of the last day of the first Distribution Calendar Year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Member's Required Beginning Date. If the Member dies before distributions begin, the same rules apply with reference to the date distributions are required to begin under section IV.A.1 or IV.A.2.

SECTION III. RMD ANNUITY DISTRIBUTIONS BEGINNING DURING MEMBER'S LIFE

The following rules must be met to comply with the requirements of the Code and this regulation for RMD Annuities that begin during the Member's lifetime.

A. Single Life RMD Annuity

An RMD Annuity that begins no later than the Required Beginning Date and is paid for the Member's lifetime only, with no benefits paid to any other person, meets the requirements of the Code and this regulation.

B. Joint and Survivor RMD Annuity - Death of Member After Benefits Begin

If Member dies after RMD Annuity payments have commenced to the Member, then distributions must continue to be made over the remaining period over which distributions commenced in accordance with the schedule of payments made to the Member. Reasonable delay for administration may occur, but in this case payments

that should have been made in accordance with the original payment schedule must be made with the first resumed payment.

C. Joint and Survivor RMD Annuity With Spouse as the Sole Beneficiary

An RMD Annuity that begins no later than the Required Beginning Date and is paid for the Member's lifetime and the lifetime of the Member's surviving Spouse, with no benefits paid to any other person, meets the requirements of the Code and this regulation regardless of the difference in age of the Member and the Member's Spouse.

D. Joint and Survivor RMD Annuity When the Sole Beneficiary Is Not the Member's Spouse

1. Limit on Percentage of Member's RMD Annuity Paid to Non-Spouse Beneficiary

The survivor annuity percentage of an RMD Annuity that begins no later than the Required Beginning Date and is paid for the Member's lifetime and the lifetime of a beneficiary other than the Member's surviving Spouse must not at any time exceed the applicable percentage of the RMD Annuity payment during the Member's lifetime, using the table set forth in Treasury regulation section 1.401(a)(9)-6, Q&A-2(c)(2), as determined in the manner described in Q&A-2(c)(1). This Treasury Regulation requires that the RMD Annuity payable to the Member's beneficiary after the Member's death not exceed the percentage of the RMD Annuity payable to the Member during the Member's life specified in the table if the adjusted age difference between the Member and the beneficiary is more than 10 years.

2. Rule Regarding Children of Member

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b), and taking into account the vested rights in retirement benefits created by the California Constitution, if a survivor benefit is payable to a surviving child of the Member for a limited period of time (such as until the child reaches the age of 22), the survivor benefit shall be treated as payable solely to the surviving Spouse of the Member.

3. Rule Regarding Other Beneficiaries

Solely to the extent required by section 401(a)(9) of Title 26 of the United States Code and under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(c) and taking into account the vested rights in retirement benefits created by the California Constitution, if a survivor benefit is payable to a person other than a surviving Spouse of the Member (or surviving child under paragraph 2 of this subsection D), then the present value (if any) of any benefit that would be in excess of the amount that can be paid in accordance with such regulation shall be paid to such person in a lump sum payment no later than one year after such person becomes entitled to survivor benefits.

E. Period Certain RMD Annuity1. Spouse is the Sole Beneficiary

If the Member's sole beneficiary is the Member's surviving Spouse, and the form of distribution is a period certain with no life annuity, the period certain may not exceed the joint life and last survivor expectancy of the Member and Spouse as determined in accordance with the Joint and Last Survivor Table set forth in section 1.401(a)(9)–9, Q&A-3, of the Treasury Regulations, using the Member's and Spouse's ages as of the Member's and Spouse's birthdays in the calendar year that contains the Annuity Starting Date.

2. Spouse is Not the Sole Beneficiary

When the Member's surviving Spouse is not the sole beneficiary then the period certain may not exceed the period established under the Uniform Lifetime Table in Q&A-2 of Treasury regulations section 1.401(a)(9)-9 for the calendar year that contains the Annuity Starting Date. If the Member is younger than age 70 in that year, then the distribution period for the Member is the distribution period for age 70 increased by the difference between 70 and the age of the Member in the year of the Annuity Starting Date. Also see below regarding Designated Beneficiaries.

3. Rule Regarding Children of Member

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b), and taking into account the vested rights in retirement benefits created by the California Constitution, the period certain distribution rules shall not apply to survivor benefits payable to children of the Member but the rules of section III.D above shall apply.

4. Rule Regarding Other Beneficiaries

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b), and taking into account the vested rights in retirement benefits created by the California Constitution, if a period certain survivor benefit is payable to a person other than a surviving Spouse of the Member, then the present value (if any) of any benefit that would be in excess of the amount that can be paid in accordance with such regulation shall be paid to such person in a lump sum payment no later than one year after such person becomes entitled to a survivor benefit.

SECTION IV. DISTRIBUTIONS WHEN MEMBER DIES BEFORE BENEFITS BEGIN

If a Member dies before distributions begin, distributions after the death of the Member must meet the following requirements:

A. When Distributions Must Begin1. Spouse is the Sole Designated Beneficiary

If the Member's sole Designated Beneficiary is the Member's surviving Spouse, then, except as provided in paragraph 5 of this subsection A, distributions to the surviving Spouse must begin by December 31 of the calendar year immediately following the calendar year in which the Member died or, if later, by December 31 of the calendar year in which the Member would have reached age 70 1/2.

2. Spouse is not the Sole Designated Beneficiary

If the Member's sole Designated Beneficiary is not the Member's surviving Spouse, then, except as provided in paragraph 5 of this subsection A, distributions to the Designated Beneficiary must begin by December 31 of the calendar year immediately following the calendar year in which the Member died.

3. No Designated Beneficiary

If there is no Designated Beneficiary as of September 30 of the year following the year of the Member's death, then distributions of the Member's entire interest must be completed by December 31 of the calendar year that contains the fifth anniversary of the Member's death.

4. Death of Surviving Spouse Who Is the Sole Designated Beneficiary

If the Member's surviving Spouse is the Member's sole Designated Beneficiary and the surviving Spouse dies after the Member but before distributions to the surviving Spouse are required to begin, then this section IV.A, other than section IV.A.1 applies as if the surviving Spouse were the Member.

5. Election of Five Year Rule

A Designated Beneficiary may elect, at the time and in the manner determined by the Association, to have the five year rule of section IV.A.3 apply, but solely to the extent that the Designated Beneficiary may elect, under the CERL, a benefit which will be paid in the required time period.

B. When Distributions Are Considered to Begin

For purposes of this Section IV, unless Section IV.A.4 applies, distributions are considered to begin on the Member's Required Beginning Date. If Section IV.A.4 applies, distributions are considered to begin on the date distributions are required to begin to the surviving Spouse under Section IV.A.1. If distributions under an RMD Annuity meeting the requirements of this regulation commence to the Member before the Member's Required Beginning Date (or to the Member's surviving Spouse before the date distributions are required to begin to the surviving Spouse under Section IV.A.1), the date distributions are considered to begin is the date distributions actually commence.

C. Length of Distribution Period

1. Member Is Survived by a Designated Beneficiary

a. General Rule

If the Member is survived by a Designated Beneficiary, the Member's entire interest in the Association shall be distributed over the life of the Designated Beneficiary or over a period certain that meets the requirement of A.5. and does not exceed the period specified in C.1.b.

b. Period Certain

The period certain in C.1.a may not exceed the Designated Beneficiary's life expectancy determined using the Single Life Table in Treasury regulations section 1.401(a)(9)-9, Q&A-1. If the Annuity Starting Date is in the first Distribution Calendar Year, the life expectancy shall be determined using the Designated Beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the Member's death. If the Annuity Starting Date is before the first Distribution Calendar Year, then the life expectancy is determined using the Designated Beneficiary's age in the calendar year that contains the Annuity Starting Date.

2. No Designated Beneficiary

If there is no Designated Beneficiary as of the September 30 of the year following the year of the Member's death, distribution of the Member's entire interest must be completed by December 31 of the calendar year containing the fifth anniversary of the Member's death.

3. Death of Surviving Spouse Before Distributions To Spouse Begin

If the Member's surviving Spouse is the Member's sole Designated Beneficiary, and the surviving Spouse dies before distributions to the surviving Spouse begin, this Section IV.C shall apply as if the surviving Spouse were the Member, except that the time that distributions are required to begin is determined without regard to Section IV.A.1.

SECTION V. SPECIAL RULES

This regulation does not increase the benefit allowed by statute, made applicable to the Association by the Sonoma County Board of Supervisors, as necessary. Provisions concerning benefit terms not currently in effect are included for comprehensiveness only.

A. RMD Annuity Payment Increases

RMD Annuity payments will either not increase over time or increase only as follows:

1. Cost of Living Adjustments

a. Annual COLA Increases

RMD Annuity payments may increase by an annual percentage that does not exceed the percentage increase in an eligible cost-of-living index, as defined in Q&A-14(b) of section 1.401(a)(9)-6 of the Treasury regulations, for a 12-month period ending in the year during which the increase occurs or a prior year.

b. Cumulative COLA Increases

RMD Annuity payments may increase by a percentage increase that occurs at specified times and does not exceed the cumulative total of annual percentage increases in an eligible cost-of-living index, as defined in the preceding paragraph since the Annuity Starting Date, or if later, the date of the most recent percentage increase.

c. Additional COLA Increases

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b) and taking into account the vested rights in retirement benefits created by the California Constitution, RMD Annuity payments may increase by a percentage or amount that is determined by the Association, in accordance with the CERL, to represent an appropriate amount to take account of cost of living increases affecting retirees or beneficiaries.

2. "Pop-Up's"

RMD Annuity Payments may increase to the extent of the reduction in the amount of the Member's payments to provide for a survivor benefit, but only if there is no longer a survivor benefit because the beneficiary whose life was being used to determine the distribution period dies or is no longer the Member's beneficiary pursuant to a domestic relations order under applicable state law.

3. Single Sum Distribution

RMD Annuity Payments may increase to the extent necessary to allow a beneficiary to convert the survivor portion of a joint and survivor annuity into a single sum distribution upon the Member's death or under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-14(a)(5) and taking into account the vested rights in retirement benefits created by the California Constitution, to allow a beneficiary to select a lump

sum distribution of all or part of the Member's interest under the Association as provided in the CERL.

4. Plan Amendment

Benefits may increase if they result from an amendment to, or interpretation of, the County Employees Retirement Law, the California Government Code or any other applicable law governing benefits for Members or from an ordinance, resolution or regulation pursuant to such law.

5. Other Benefits

Benefits may increase (i) to the extent increases are permitted in accordance with paragraph (c) or (d) of Q&A-14 of section 1.401(a)(9)-6 of the Treasury regulations dealing with additional permitted increases for annuity payments under annuity contracts purchased from an insurance company and additional permitted increases for annuity payments from a qualified trust; (ii) pursuant to Article 5.5 of the CERL dealing with the Supplemental Retiree Benefit Reserve; (iii) pursuant to Section 31691.1 of the CERL; and (iv) pursuant to sections 31681.1 et. seq., and 31739 et. seq. of the CERL.

B. Additional Accruals After First Distribution Calendar Year

Any additional benefits accruing to the Member in a calendar year after the first Distribution Calendar Year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such benefit accrues.

C. Domestic Relations Orders

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b), and taking into account the vested rights in retirement benefits created by the California Constitution, if Article 8.4 of the CERL applies (relating to the establishment of separate accounts under domestic relations orders), then both the Member and the Member's former Spouse shall be deemed to be separate Members of the Association for purposes of these regulations and section 401(a)(9) of the Code.

D. Reciprocal Member

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b), and taking into account the vested rights in retirement benefits created by the California Constitution, if a deferred Member is a current employee and a member of another retirement system with which the Association has reciprocity under California law, then for purposes of determining the Required Beginning Date under the Association the Member shall be treated as a current employee of the Association and as such, as if he or she had not retired, even if he or she has attained age 70½.

E. Public Safety Member Killed In Line of Duty

Under a good faith interpretation of the Code and Treasury regulations section 1.401(a)(9)-6, Q&A-2(b), and taking into account the vested rights in retirement benefits created by the California Constitution, any additional retirement benefits paid under CERL section 31787.5 to the surviving Spouse of a public safety Member killed in the line of duty shall not be limited by Code section 401(a)(9) because they shall be treated as incidental death benefits.

F. Rollovers

Amounts that are required minimum distributions cannot be rolled over to another qualified retirement plan or other tax-favored vehicle. The amount that cannot be rolled over shall be determined in accordance with Treasury regulations section 1.402(c)-2, Q&A-7.

SECTION VI DEFINITIONS**A. Annuity Starting Date**

"Annuity Starting Date" means the first day of the first period for which a retirement benefit is payable as an RMD Annuity or, in the case of a retirement benefit not payable in the form of an RMD Annuity, the first day on which all events have occurred which entitle the Member to payment.

B. Designated Beneficiary

"Designated Beneficiary" means the individual who is designated by the Member as the beneficiary of the Member's interest under the Association (or the Member's surviving Spouse or children who are statutorily designated) and who is the designated beneficiary under section 401(a)(9) of the Code and section 1.401(a)(9)-4 of the Treasury regulations. Accordingly, entities other than individuals, such as the Member's estate or a trust, cannot be a Designated Beneficiary of a Member's interest in the Association. However, the individuals who are beneficiaries under a designated trust shall be treated as Designated Beneficiaries for purposes of determining the distribution period under this regulation and Code section 401(a)(9) if all of the applicable requirements of Treasury regulation section 1.401(a)(9)-4, Q&A-5(b) are met. If all of such applicable requirements are not met, then the distribution of the Member's entire interest must be completed by December 31 of the calendar year containing the fifth anniversary of the Member's death.

C. Distribution Calendar Year

"Distribution Calendar Year" means a calendar year for which a minimum distribution is required. For distributions beginning before the Member's death, the first Distribution Calendar Year is the calendar year immediately preceding the calendar year which contains the Member's Required Beginning Date. For distributions beginning after the Member's death, the first Distribution Calendar Year

is the calendar year in which distributions are required to begin pursuant to Section IV.A of this regulation.

D. Required Beginning Date

“Required Beginning Date” means April 1 of the calendar year following the later of the calendar year in which the Member attains age 70½ or the calendar year in which the Member retires.

E. RMD Annuity

“RMD Annuity” means, for purposes of the required minimum distribution rules in section 401(a)(9) of the Code, a distribution form providing for periodic payments for a specified period of time.

F. Spouse

Effective June 26, 2013, consistent with Federal tax rules, the term “Spouse” means a person who is lawfully married under California law, including marriages recognized under California Family Code section 308 that were entered into in another jurisdiction (another state, the District of Columbia, a United States territory or a foreign jurisdiction) which also include marriages of same-sex individuals that were validly entered into in another jurisdiction whose laws authorize the marriage of two individuals of the same sex even if the married couple is domiciled in a jurisdiction that does not recognize the validity of same-sex marriage. In accordance with Federal tax rules, the term “Spouse” does not include individuals who have entered into a registered domestic partnership, civil union, or other similar formal relationship recognized under the law of another jurisdiction that is not denominated as a marriage under the laws of that state (whether opposite-sex or same-sex relationships).

**SONOMA COUNTY EMPLOYEES' RETIREMENT
ASSOCIATION**

**REGULATIONS FOR
IRC CODE § 401(a)(17)
COMPENSATION LIMIT**

**REGULATIONS FOR IRC SECTION 401(a)(17)
COMPENSATION LIMIT****SECTION I. PURPOSE AND SCOPE**

In accordance with section 31525 and section 31671 of the California Government Code, the regulations set forth herein are effective as of January 1, 2015, and reaffirm and clarify the existing practices of the Sonoma County Employees' Retirement Association (the "Association") with respect to the limit on annual compensation under section 401(a)(17) of the Internal Revenue Code (the "Code"). For these regulations, the Code includes Treasury regulations issued under section 401(a)(17).

These regulations are intended to be in accordance with the Code and the applicable Treasury regulations. To the extent there is a conflict between these regulations and the Code and Treasury regulations, the applicable federal law will govern.

The Association may establish reasonable procedures for complying with the limit on annual compensation under section 401(a)(17) of the Code that it deems necessary or desirable to comply with applicable tax laws or for administrative purposes.

Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. LIMITATION ON ANNUAL COMPENSATION EARNABLE**A. In General****1. Annual Compensation Earnable Limit**

The annual amount of compensation that is taken into account in determining all benefits provided by the Association to affected Members for any year, which is referred to in the County Employees' Retirement Law of 1937 and in these Regulations as "Compensation Earnable", shall in no event be greater than the amount allowed by Code section 401(a)(17) adjusted in accordance with the Code for increases in the cost of living. This limit has been increased by cost of living adjustments to \$260,000 for 2014. This limit is called the Annual Compensation Earnable Limit in these regulations. (Certain Members may also be subject to the limitation on Compensation Earnable under Government Code Section 7522.10(c) and (d) which would produce a lower limit than the limit under section 401(a)(17) of the Code.)

2. Members Affected By the Annual Limit**a. Not Applicable to Pre-January 1, 1996 for Association Members**

The Annual Compensation Earnable Limit does not apply to any individual who first became a Member of the Association prior to January 1, 1996.

b. Applies to New Members of the Association On and After January 1, 1996

In accordance with Government Code section 31671, the Annual Compensation Earnable Limit shall apply to all individuals who first become Members of the Association on or after January 1, 1996.

c. Date First Becomes a Member

An individual first becomes a Member on the date that a Member first became a Member in the Association, regardless of whether the Member terminated and resumed participation in the Association at a later date.

B. Operational Rules, In General

This section applies to members who are not grandfathered under section A.2.a.

1. Limited Compensation Earnable

All Compensation Earnable that would be taken into account for determining benefits provided by the Association without regard to these regulations is subject to the Annual Compensation Earnable Limit. Such Compensation Earnable is not limited to salary or to base salary.

2. Benefits Affected by the Limit

The Annual Compensation Earnable Limit applies to the determination of all benefits provided by the Association including pensions, annuities, retirement allowances, death benefits, disability benefits, refunds and withdrawals that are determined by member contributions (including such contributions that are or may have been in the past "picked up" by the employer) and earnings thereon.

3. Compensation Earnable from More Than One Employer

If Compensation Earnable from more than one employer that participates in the Association is taken into account in determining a Member's benefits, the Annual Compensation Earnable Limit shall apply separately to the Compensation Earnable from each employer. For example, if the Compensation Earnable Limit is \$260,000 for the year and the Member has Compensation Earnable of \$200,000 from one participating employer and \$100,000 from another participating employer, the unreduced total Compensation Earnable from each employer may be taken into account. The Annual Compensation Earnable Limit does not apply to the aggregate of Compensation Earnable earned from all employers that participate in the Association.

4. Reciprocity and New Membership in the Association

An individual who becomes a Member of the Association on or after January 1, 1996, and who has reciprocity with another public sector retirement plan nevertheless is a new Member of the Association. Membership before January 1, 1996 in another retirement plan with which the Association has reciprocity does not create pre-January 1, 1996 Association membership for purposes of the Annual Compensation Earnable Limit.

5. Reciprocity and Prior Membership In the Association

A person who was a grandfathered Member of the Association prior to January 1, 1996 under section A.2.a, who terminated employment with an employer that participated in the Association, remains a Member of the Association prior to January 1, 1996. Therefore, if the Member established reciprocity between another public sector retirement plan and the Association, any higher Compensation Earnable that is earned under the other plan shall be taken into account by the Association in accordance with the rules of reciprocity and that Compensation Earnable shall not be limited by the Annual Compensation Earnable Limit.

6. Relationship Between Section 415 Limit and Compensation Earnable Limit

The limits of Code section 415 and Code section 401(a)(17) are separate and independent. Each limit is operated according to its own rules and applies separately. Therefore, the Annual Compensation Earnable Limit may apply to a Member and the Code section 415 limit may not apply. Similarly, the Code section 415 limit may apply to a Member and the Annual Compensation Earnable Limit may not apply. Also, both of these limits may apply to the same Member.

7. Clarification Concerning Member Contributions

Because Member contributions are the basis for benefits provided by the Association, Member contributions shall not be made by taking into account Compensation Earnable in excess of the Annual Compensation Earnable Limit in a plan year (calendar year). To the extent the provisions of the California Public Employees' Pension Reform Act of 2013 ("PEPRA"), including Government Code Section 7522.10(h) include greater limitations on the manner in which Member contributions may be calculated, such limits shall apply to the calculation of Member contributions.

8. General Plan Year Rule for Determining the Limit

If Compensation Earnable for any prior plan year is taken into account in determining a Member's benefits for the current plan year, the Compensation Earnable for such prior plan year is subject to the applicable Annual Compensation Earnable Limit in effect for that prior

plan year. In addition, in determining benefits for plan years beginning on or after January 1, 2002, the Annual Compensation Earnable Limit in effect for plan years beginning before that date is \$200,000.

SECTION III. PLAN YEAR AND COST OF LIVING ADJUSTMENTS

A. Annual Adjustment for Cost-of-Living Increases

The Annual Compensation Earnable Limit may be adjusted annually by the Internal Revenue Service for cost of living changes in accordance with the Code.

B. General Rule--Application of Limit to a Plan Year

In general, the Annual Compensation Earnable Limit is applied to the Compensation Earnable for the plan year on which accruals of benefits from the Association are based.

C. Plan Year Compensation Earnable

1. General Rule

To the extent that the Association determines Compensation Earnable for benefit accruals for a plan year based on Compensation Earnable for the plan year, then the Annual Compensation Earnable Limit that applies for that plan year is the limit in effect for the calendar year in which the plan year begins. Since the Association's plan year corresponds to the calendar year, the Compensation Earnable used to determine all benefit accruals for each plan year is limited to the Annual Compensation Earnable Limit in effect as of January 1 of the calendar year that coincides with that plan year.

2. Member Contributions

Since the Association's plan year corresponds to the calendar year, the Compensation Earnable used to determine Member contributions for each plan year shall be limited to the Annual Compensation Earnable Limit in effect as of January 1 of the calendar year that coincides with the plan year.

D. Examples

1. Example - Retirement Allowance

The retirement allowance provided by the Association for certain Members is based on the highest 12 consecutive months of Compensation Earnable ending within the plan year. The Annual Compensation Earnable Limit was \$250,000 for the 2012 calendar year

and \$255,000 for the 2013 calendar year. A Member retires in May, 2013. The Member's highest 12 consecutive months of Compensation Earnable is for the period May 1, 2012 through April 30, 2013. The annual Compensation Earnable used to for determining this Member's benefits for the 2013 year is limited to \$250,000, not \$255,000, because this is the limit in effect for the calendar year in which the 12-consecutive month period began.

For some Members of the Association, including Members subject to the requirements enacted under the Public Employees' Pension Reform Act of 2013 ("PEPRA"), the retirement allowance provided by the Association is based on the highest 36 consecutive months of Compensation Earnable ending within the plan year. The Annual Compensation Earnable Limit was \$245,000 for 2011, \$250,000 for 2012, and \$255,000 for 2013. A Member retires in May 2014. The Member has \$300,000 per year (\$25,000 per month) of Compensation Earnable during the Member's highest 36 consecutive months of Compensation Earnable for the period May 1, 2011 through April 30, 2014. The Association may not base the Member's benefits for 2014 on annual Compensation Earnable in excess of \$250,000, the average of the limits in effect for each of the three 12-consecutive month periods: the May 1, 2011 through April 30, 2012 period is capped at \$245,000, the 2011 limit; the May 1, 2012 through April 30, 2013 is capped at \$250,000, the 2012 limit; and the May 1, 2013 through April 30, 2014 is capped at \$255,000, the 2013 limit. The average of these capped amounts is the Annual Compensation Earnable Limit for determining benefits for the 2014 plan year for a member who retires in May, 2014 because that is the limit for the calendar year in which the member's average compensation earnable begins.

2. Example: Member Contributions

The refund or withdrawal benefits from Member contributions are accrued on an annual basis. The Annual Compensation Earnable Limit was \$245,000 for the 2011 calendar year; \$250,000 for the 2012 calendar year; and \$255,000 for the 2013 calendar year.

Since the Association's plan year corresponds to the calendar year, the Annual Compensation Earnable Limit for Member contributions was \$245,000 for the 2011 plan year; \$250,000 for the 2012 plan year; and \$255,000 for the 2013 plan year.

**SONOMA COUNTY EMPLOYEES' RETIREMENT
ASSOCIATION**

**REGULATIONS FOR
IRC CODE § 401(a)(31) & 402(c)
ROLLOVERS**

REGULATIONS FOR IRC SECTION 402(c) ROLLOVERS

SECTION I. PURPOSE AND SCOPE

In accordance with section 31485.15 and section 31525 of the California Government Code, the regulations set forth herein are effective as of January 1, 2015, and reaffirm and clarify the existing practices of the Sonoma County Employees' Retirement Association (the "Association") with respect to rollovers into and out of the Association in accordance with the Internal Revenue Code (the "Code"). For these regulations, Code includes the Treasury regulations issued under the Code.

These regulations are intended to be in accordance with the Code and the applicable Treasury regulations. To the extent there is a conflict between these regulations and the Code and Treasury regulations, the applicable federal law will govern.

The Association may establish any reasonable procedures for paying rollover distributions or accepting rollover contributions that it deems necessary or desirable for complying with applicable tax laws or for administrative purposes.

Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. ROLLOVER DISTRIBUTIONS FROM THE ASSOCIATION

A. Rollovers

1. Direct Rollover

A "Direct Rollover" is that portion of an Eligible Rollover Distribution that the Association pays directly to an Eligible Retirement Plan, and may also be referred to as a trustee-to-trustee transfer to an Eligible Retirement Plan, at the direction of an Eligible Individual.

2. Indirect Rollover

An "Indirect Rollover" is that portion of an Eligible Rollover Distribution that the Association pays directly to an Eligible Individual.

B. Eligible Individuals

1. Eligible Individual

Only an "Eligible Individual" may elect a Direct Rollover. An "Eligible Individual" is:

a. Terminated From Employment

A Member who has terminated employment from the County (or other agency covered by the Association) and who is eligible to withdraw his or her accumulated Member contributions under the Association;

b. Surviving Spouse

A deceased Member's surviving Spouse;

c. Alternate Payee

A Member's or former Member's Spouse or former Spouse who is the alternate payee under a domestic relations order, as defined in Code section 414(p), with regard to the interest of the Spouse or former Spouse; and

d. Non-Spouse Beneficiary

A deceased Member's non-spouse beneficiary who is a "designated beneficiary" under Code section 401(a)(9)(E), subject to the non-spouse beneficiary provisions in Section II.G.

2. Spouse

Effective June 26, 2013, consistent with Federal tax rules, the term "Spouse" means a person who is lawfully married under California law, including marriages recognized under California Family Code section 308 that were entered into in another jurisdiction (another state, the District of Columbia, a United States territory or a foreign jurisdiction) which also include marriages of same-sex individuals that were validly entered into in another jurisdiction whose laws authorize the marriage of two individuals of the same sex even if the married couple is domiciled in a jurisdiction that does not recognize the validity of same-sex marriage. In accordance with Federal tax rules, the term "Spouse" does not include individuals who have entered into a registered domestic partnership, civil union, or other similar formal relationship recognized under the law of another jurisdiction that is not denominated as a marriage under the laws of that state (whether opposite-sex or same-sex relationships).

C. Payments that Can and Cannot be Rolled Over

1. Eligible Rollover Distribution Required

The Association will pay a Direct Rollover on behalf of an Eligible Individual only if the payment is an "Eligible Rollover Distribution."

2. Eligible Rollover Distribution Defined

An "Eligible Rollover Distribution" is any distribution to an Eligible Individual of all or any portion of the amount credited to the Eligible Individual under the Association. These amounts may include (a) refunds of Member contributions plus accumulated interest, or (b) one-time lump sum death benefit payments.

3. After-Tax Portion

The portion of a distribution that consists of after-tax Member contributions may be rolled over if the after-tax funds are transferred in a direct trustee-to-trustee transfer to (a) a qualified trust or (b) an annuity contract described in Code Section 403(b). After-tax Member contributions may also be rolled over to an individual retirement account or annuity described in Code Section 408(a) or (b). The qualified trust or annuity contract must separately account for the transferred after-tax amounts, and must also separately account for the earnings on the after-tax amounts.

4. Exclusions From Eligible Rollover Distributions

An Eligible Rollover Distribution does not include the following kinds of payments:

a. Periodic Payments

Payments that are part of a series of substantially equal periodic payments (i) made at least once per year over the life (or life expectancy) of the Eligible Individual or the life (or life expectancy) of the Eligible Individual and his or her designated beneficiary, or (ii) made for a period of 10 years or more; or

b. Required Distributions

Payments that are "required minimum distributions" under Code Section 401(a)(9).

D. **Eligible Retirement Plans**

1. Payment to Eligible Retirement Plan

The Association will pay an Eligible Rollover Distribution directly to an "Eligible Retirement Plan."

2. Eligible Retirement Plan Defined

An "Eligible Retirement Plan" is:

- a. An annuity plan described in Code Section 403(a);
- b. An annuity contract described in Code Section 403(b);
- c. A governmental eligible deferred compensation plan described in Code Section 457(b) that agrees to separately account for amounts transferred into such plan from the System;
- d. An individual retirement annuity described in Code Section 408(a);
- e. An individual retirement account described in Code Section 408(b);

- f. A Roth IRA described in Code Section 408A; or
- g. A qualified trust described in Code section 401(a) (including defined benefit pension plans and defined contribution plans such as 401(k) plans, profit sharing plans, and money purchase plans).

3. Certain Exclusions

An Eligible Retirement Plan does not include, and a rollover cannot be made to, a SIMPLE IRA or a Coverdell Education Savings Account.

E. Direct Rollovers

1. Withholding and Direct Rollovers

The Association will not withhold any federal or state income taxes from a Direct Rollover. The only exception is that the Association will withhold federal or state income taxes from a Direct Rollover to a Roth IRA if the Eligible Individual requests that withholding on a form and in the manner prescribed by the Association.

2. Administrative Requirements, In General

An Eligible Individual who requests a Direct Rollover must complete a distribution form in the manner and form that the Association prescribes. The Association may require the Eligible Individual to provide any reasonable information and/or documentation for purposes of administering the Direct Rollover in accordance with the Code.

3. Rollover Check

The Eligible Individual must provide the Association with the name of the Eligible Retirement Plan to which the rollover check will be made payable for his or her benefit. If the Eligible Individual so chooses, the Association will provide this rollover check directly to the Eligible Individual who will be responsible for delivering the check to the recipient IRA or plan.

4. Eligible Individual's Responsibility Re Recipient Plan

The Eligible Individual is responsible for ensuring that any Eligible Retirement Plan that he or she has designated to receive the Eligible Individual's distribution from the Association in a Direct Rollover is an Eligible Retirement Plan that will accept and receive the rollover on his or her behalf in accordance with the applicable tax rules.

5. Time of Payment

The Association will pay a Direct Rollover on behalf of an Eligible Individual as soon as is reasonably and administratively practicable in accordance with its withdrawal and/or death benefit payment processes.

F. Indirect Rollovers**1. Choice of Indirect Rollover**

An Eligible Individual, other than a non-Spouse beneficiary, may also choose to receive a rollover payment as an Indirect Rollover.

2. Indirect Rollover Withholding

An Indirect Rollover is subject to 20% federal income tax withholding and any applicable state withholding. The Association will withhold and deduct these taxes on behalf of the Eligible Individual as prescribed by federal and applicable state law.

3. Eligible Individual's Responsibility Regarding Recipient Plan

It is the responsibility of the Eligible Individual to roll over all or some portion of his or her Indirect Rollover payment to an IRA or eligible employer plan within 60 days if he or she wants the payment to qualify as a rollover for tax purposes. If an Eligible Individual wants to roll over 100% of the payment, the Eligible Individual must replace the 20% that was withheld for federal income taxes (and any applicable state withholding) with other money.

G. Direct Rollover of a Non-Spousal Distribution**1. Trustee-To-Trustee Transfer Required**

A rollover on behalf of a non-Spouse beneficiary must be a direct or trustee-to-trustee transfer and may not be paid in the form of an Indirect Rollover.

2. Non-Spouse Beneficiaries Who May Rollover and Rollover to Inherited IRA Only

A non-Spouse beneficiary who is a "designated beneficiary" under Code Section 401(a)(9)(E) may roll over all or any portion of the non-Spouse beneficiary's Eligible Rollover Distribution to an IRA that is established by the non-Spouse beneficiary for purposes of receiving the distribution and that is treated as an "inherited IRA" under the Code. The IRA must be established in a manner that identifies it as an IRA with respect to a deceased individual and it must identify the deceased individual and the beneficiary (for example, "Tom Smith as beneficiary of John Smith").

3. Trust as Beneficiary

If the non-Spouse beneficiary is a trust, the Association may make a Direct Rollover to an IRA on behalf of the trust, provided the beneficiaries of the trust satisfy the requirements to be designated beneficiaries within the meaning of Code Section 401(a)(9)(E). The IRA on behalf of the trust must be established in a manner that identifies it as an IRA with respect to a deceased

individual and it must identify the deceased individual and the trust beneficiary (for example, "The Smith Family Trust as beneficiary of John Smith").

H. **Notice Requirements**

1. 402(f) Notice From the Association

The Association will provide the tax notice required under Code Section 402(f) to each Eligible Individual who requests a withdrawal from the Association.

2. Time Periods

The Association will not process any withdrawals from the Association until 30 days after the date such notice is received by the Eligible Individual requesting the withdrawal. If, however, the Eligible Individual waives this 30-day period on a form and in the manner prescribed by the Association, the Association may process the withdrawal before the 30-day period expires.

SECTION III. ROLLOVER CONTRIBUTIONS TO THE ASSOCIATION

Adoption of regulations providing for the acceptance of certain rollover contributions as determined below does not create any continuing entitlement for Eligible Members to make rollover contributions to the Association in the future and the right to make rollover contributions to the Association may be amended or terminated at any time and for any reason.

If the Association has determined to permit any rollover contributions, the Association will permit Eligible Members to make a rollover contribution to the Association subject to the limitations and conditions described in this Section III.

A. **General Rules**

1. Eligible Member

An "Eligible Member" is (1) an active Member of the Association, or (2) a Member of the Association that has elected a deferred retirement.

2. Rollovers Allowed

The Association will permit an Eligible Member to make a rollover contribution to the Association for (a) a purchase of service credit (to the extent a purchase of service credit is not prohibited under the California Public Employees' Pension Reform Act of 2013 ("PEPRA")), or (b) a redeposit of previously withdrawn funds plus accumulated interest.

3. Separate Accounting

The Association will separately account for all rollover contributions.

4. Certification to the Association By Member

Only eligible rollover distributions as defined by Code Section 402(c)(4) can be contributed to the Association. In addition to any requirements under subsections B, C, and D below, each Eligible Member making a rollover contribution to the Association must certify in writing the source of the rollover funds and that the rollover contribution is an eligible rollover distribution under the Code. The Association will not accept rollovers of any after-tax contributions, amounts attributable to designated Roth contributions, amounts that represent minimum required contributions, or any rollover that is an indirect rollover.

5. Elections and Association Discretion

An Eligible Member must make an election to purchase service credit or redeposit previously withdrawn contributions with a rollover contribution in the manner and form that is prescribed by the Association. The Association has final discretionary authority to determine whether any required information or documentation is satisfactory, whether a purchase of service credit would be prohibited under PEPRA, and whether the Association will accept an Eligible Member's rollover contribution.

6. Correction of Errors

If the Association accepts a rollover contribution that it later determines was not eligible to be rolled over to the Association, the Association will distribute, as soon as administratively possible, the amount of the rollover contribution back to the Eligible Member, plus accumulated regular interest.

B. Rollovers from Qualified Plans

1. Acceptance of Rollover

The Association may accept a rollover from another plan that is qualified under Code Section 401(a) and exempt from tax under Code Section 501(a).

2. Required Due Diligence Procedure

The Association will take reasonable steps to confirm the sending plan's tax-qualified status and that the rollover contribution is valid. The Association may rely on IRS guidance such as that provided in Revenue Ruling 2014-9 and any successor guidance with respect to simplified due diligence processes that may be allowed by the Internal Revenue Service.

a. Eligible Member Certification

The Eligible Member must provide the following additional information to the Association:

(i) A statement signed under penalty of perjury by the Eligible Member certifying that the rollover contribution is from a Code section 401(a) qualified plan, contains no after-tax or designated Roth contributions or earnings, or

any amounts representing a required minimum distribution under Code section 401(a)(9); or

(ii) A signed certification from the transferring plan's administrator that the rollover contribution contains no after-tax or designated Roth contributions or earnings, nor any amounts representing a required minimum distribution under Code section 401(a)(9).

If an Eligible Member does not provide such evidence, the Association will not accept the rollover.

b. Association Verification of Payment Source

The Association will take reasonable steps to verify that the payment source (on the incoming check or wire transfer) is the former 401(a) plan of the Eligible Member as represented by the Eligible Member on his or her request to make a rollover.

c. Association Verification That the Plan is a Tax-Qualified Plan

The Association will take reasonable steps to verify that the rollover will be from a tax-qualified plan which can include the following or any other methods allowed in guidance issued by the Internal Revenue Service.

(i) The Association may look up the transferring plan's latest Form 5500 filing, if any, in the Department of Labor's EFAST2 database for assurance that the plan is intended to be a qualified plan. The Association will check the entry on the line for characteristics indicating that the plan is intended to be a qualified plan (e.g. examining line 8a on the current Form 5500 or line 9a on Form 5500-SF). If Code 3C is not entered on these lines, the Association may reasonably conclude that the plan is qualified, unless the Association has any direct evidence to the contrary.

(ii) If the qualified plan is not required to file Form 5500 or Form 5500-SF, then the Eligible Member must provide one of the following to the Association demonstrating that the source of the rollover contribution is a qualified plan: (a) a copy of the plan's most recent favorable determination letter from the Internal Revenue Service stating that the plan is tax-qualified and a written certification from the plan's administrator that the plan continues to be tax-qualified, or (b) a written and signed certification from the plan's administrator that the source of the eligible rollover distribution is a qualified plan under Code Section 401(a).

C. Rollovers from an IRA

1. Acceptance of Rollover

The Association may accept a rollover from an individual retirement account or annuity (IRA) described in Code Section 408(a) or Code Section 408(b).

2. Required Due Diligence Procedure

The Association will take reasonable steps to confirm the IRA's status and that the rollover contribution is valid. The Association may rely on IRS guidance such as that provided in Revenue Ruling 2014-9 and any successor guidance with respect to simplified due diligence processes that may be allowed by the Internal Revenue Service.

a. Eligible Member Certification

The Eligible Member must provide the following additional information to the Association:

(i) A statement signed under penalty of perjury by the Eligible Member certifying that the rollover contribution is from his or her IRA and contains no after-tax or designated Roth contributions or earnings, nor any amounts representing a required minimum distribution under Code section 401(a)(9) or ; or

(ii) If the Eligible Member cannot certify, with respect to the after-tax or designated Roth contributions, a signed certification from an accountant or tax advisor or the IRA trustee/custodian providing the amount of pre-tax contributions and after-tax or designated Roth contributions in the IRA .

The Association will only accept a rollover contribution from the IRA in the amount of the pre-tax contributions and earnings. If an Eligible Member does not provide such evidence, the Association will not accept the rollover.

b. Association Verification of Payment Source

The Association will take reasonable steps to verify that the payment source (on the incoming check or wire transfer) is the IRA of the Eligible Member as represented by the Eligible Member on his or her request to make a rollover.

If the above verification cannot be made, the Association will not accept the rollover.

D. Rollovers from Other Plans: 457(b) and 403(b)

1. Acceptance of Rollover

The Association may accept rollover contributions from an eligible plan under Code section 457(b) that is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state (a "governmental 457(b) plan"), and an annuity contract described in Code section 403(b).

2. Required Due Diligence Procedure

The Association will take reasonable steps to confirm the sending plan's status as an eligible 457(b) plan or an eligible Code section 403(b) annuity or custodial account and that the rollover contribution is valid. The Association may rely on IRS guidance such as that provided in Revenue Ruling 2014-9 and any

successor guidance with respect to simplified due diligence processes that may be allowed by the Internal Revenue Service.

a. Eligible Member Certification

The Eligible Member must provide the following additional information to the Association:

(i) A statement signed under penalty of perjury by the Eligible Member certifying that the rollover contribution is from an eligible 457(b) or 403(b) plan and contains no after-tax or designated Roth contributions or earnings; or

(ii) A signed certification from the transferring plan's administrator that the rollover contribution contains no after-tax or designated Roth contributions or earnings.

If an Eligible Member does not provide such evidence, the Association will not accept the rollover.

b. Association Verification of Payment Source

The Association will take steps to verify that the payment source (on the incoming check or wire transfer) is the former eligible 457(b) or 403(b) plan of the Eligible Member as represented by the Eligible Member on his or her request to make a rollover.

c. Association Verification That the Plan is an Eligible Plan

The Association will take reasonable steps to verify that the rollover will be from an eligible 457(b) plan or 403(b) plan which can include the following or any other methods allowed in guidance issued by the Internal Revenue Service.

(i) The Association may look up the transferring plan's latest Form 5500 filing, if any, in the Department of Labor's EFAST2 database for assurance that the plan is intended to be a qualified plan. The Association will check the entry on the line for characteristics indicating the plan is intended to be an eligible 457(b) or 403(b) plan (e.g., examining line 8a on the current Form 5500 or line 9a on Form 5500-SF). If Code 3C is not entered on these lines, the Association may reasonably conclude that the plan is an eligible plan, unless the Association has any direct evidence to the contrary.

(ii) If the 457(b) or 403(b) plan is not required to file Form 5500 or Form 5500-SF, then the Eligible Member must provide one of the following to the Association demonstrating that the source of the rollover contribution is an eligible governmental 457(b) plan or a Code section 403(b) plan: (a) a copy of the transferring plan's most recent private letter ruling from the Internal Revenue Service stating that the transferring plan qualifies as an eligible governmental 457(b) plan or a Code section 403(b) plan, as applicable, and a signed certification from the transferring plan's administrator that the transferring plan continues to be so qualified, or (b) a signed certification from

the transferring plan's administrator that the rollover distribution source is an eligible governmental 457(b) plan or a Code section 403(b) plan, as applicable.

If the above verification cannot be made, the Association will not accept the rollover.

**SONOMA COUNTY EMPLOYEES' RETIREMENT
ASSOCIATION**

CODE § 401(a)(36)

NORMAL RETIREMENT AGE

REGULATIONS FOR IRC SECTION 401(a)**NORMAL RETIREMENT AGE****SECTION I. PURPOSE AND SCOPE**

In accordance with section 31485.15 and section 31525 of the California Government Code, the regulations set forth herein are effective as of January 1, 2015, and reaffirm and clarify the existing practices of the Sonoma County Employees' Retirement Association (the "Association") with respect to the normal retirement age applicable for the Association in accordance with the Internal Revenue Code (the "Code"). For these regulations, Code includes the Treasury regulations issued under the Code.

These regulations are intended to be in accordance with the Code and the applicable Treasury regulations. To the extent there is a conflict between these regulations and the Code and Treasury regulations, the applicable federal law will govern.

The Association may establish any reasonable procedures for determining and applying the normal retirement age requirements that it deems necessary or desirable for complying with applicable tax laws or for administrative purposes.

Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. NORMAL RETIREMENT AGE

1. Normal Retirement Age for general members is age 58 years, or if later, the date at which a Member vests in his or her right to receive a monthly retirement allowance from the Association. In accordance with the County Employees Retirement Law, normal retirement age is not later than age 70 years.
2. Normal Retirement Age for safety members is age 50 years, or if later, the date at which a Member vests in his or her right to receive a monthly retirement allowance from the Association. In accordance with the County Employees Retirement Law, normal retirement age is not later than age 70 years.
3. The normal retirement age for safety Members is based on safe harbor provisions in Treasury Regulation Section 1.401(a)-1(b)(2)(v) applicable to for qualified public safety employees. The normal retirement age for general Members is based on data provided by the Association's actuary finding that the most typical retirement age for general Members of the Association is age 58 years.
4. The Board of Retirement for the Association may change the normal retirement age determined herein to the extent required to comply with section 401(a) of

Title 26 of the United States Code or for any other reasons determined by the Board. The normal retirement age determined herein does not create any "vested rights" under California or federal law including but not limited to the contracts clause of the California Constitution.

**SONOMA COUNTY EMPLOYEES' RETIREMENT
ASSOCIATION**

REGULATIONS FOR

IRC CODE § 415

ANNUAL LIMITS

REGULATIONS FOR IRC SECTION 415(b)**LIMITS ON ANNUAL BENEFITS****SECTION I. PURPOSE AND SCOPE**

In accordance with section 31525 and section 31899 et. seq. of the California Government Code, the regulations set forth herein are effective as of January 1, 2015, and reaffirm and clarify the existing practices of the Sonoma County Employees' Retirement Association (the "Association") with respect to the limits on benefits under section 415(b) of the Internal Revenue Code (the "Code"). For these regulations, the Code includes Treasury regulations issued under section 415(b). To the extent there is a conflict between these regulations and the Code, the Code governs.

The Association may establish reasonable procedures for complying with the limits on benefits under section 415(b) of the Code that it deems necessary or advisable for complying with applicable tax laws or for administrative purposes.

Capitalized terms used in this Regulation are defined in Section VII. Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. ANNUAL BENEFIT LIMIT**A. Annual Benefit Limit, In General**1. Annual Limit

Unless the alternative limit described in subsection E of this Section applies, the Annual Benefit payable to a Member under the Association at any time shall not exceed \$210,000 (for 2014) or such other dollar limit specified under section 415(b)(1)(A) of the Code), automatically adjusted under § 415(d) of the Code, effective January 1 of each year, as provided by the Internal Revenue Service

2. Maximum Payment

If the benefit the Member would otherwise be paid in a Limitation Year would be in excess of the limit in A.1., the benefit shall be limited to a benefit that does not exceed the limit.

3. COLA Adjustment

In the case of a Member who has had a severance from employment with the Employer, the Annual Benefit Limit applicable to the Member in any Limitation Year beginning after the date of severance shall be automatically adjusted under § 415(d) of the Code.

4. Multiple Annuity Starting Dates

- a. For a Member who has or will have distributions commencing at more than one Annuity Starting Date, the Annual Benefit shall be determined as of each such Annuity Starting Date (and shall satisfy the limitations of these regulations as of each such date), actuarially adjusting for past and future distributions of benefits commencing at the other Annuity Starting Dates.
- b. For this purpose, the determination of whether a new starting date has occurred shall be made in accordance with section 1.415(b)-1(b)(1)(iii)(B) and (C) of the Treasury regulations.

5. Actuarial Adjustment For Forms Of Benefit

Except as provided in paragraph 6 of this Section II.A., if the Member's benefit is payable in a form other than a Straight Life Annuity, then solely for purposes of applying the limits of Code section 415 and of this regulation, the actuarially equivalent Straight Life Annuity shall be determined in accordance with paragraph a or b below, whichever is applicable.

- a. Annuities. If the Member's benefit is payable in the form of a non-decreasing life annuity or other form of benefit described in Treasury regulation section 1.417(e)-1(d)(6) (e.g., other than a lump sum, installments, a decreasing annuity or a term certain), then the actuarially equivalent Straight Life Annuity is determined using the greater of:
 - i. The Straight Life Annuity (if any) payable to the Member under the Association commencing at the same annuity starting date as the form of benefit payable to the member, or
 - ii. The annual amount of the Straight Life Annuity commencing at the same annuity starting date that has the same actuarial present value as the form of benefit payable to the member computed using:
 - A. A 5% interest assumption and;
 - B. The Applicable Mortality Table.
- b. Lump sums, installments, etc. If the Member's benefit is payable in the form of a lump sum, installments, a decreasing annuity, term certain or other form of benefit not described in Treasury regulations section 1.417(e)-1(d)(6), then the Straight Life Annuity that is actuarially equivalent to the Member's form of benefit is equal to the greatest of:

- i. The annual amount of the Straight Life Annuity commencing at the same annuity starting date that has the same actuarial present value as the form of benefit payable to the Member computed using the interest rate and the mortality table specified in the Plan for adjusting benefits in the same form;
- ii. The annual amount of the Straight Life Annuity commencing at the same annuity starting date that has the same actuarial present value as the form of benefit payable to the Member computed using a 5.5 percent interest rate and the Applicable Mortality Table; or
- iii. The annual amount of the Straight Life Annuity commencing at the same annuity starting date that has the same actuarial present value as the form of benefit payable to the Member computed using the Applicable Interest Rate and the Applicable Mortality Table divided by 1.05.

6. No Actuarial Adjustment (Or Limitation) Required For Certain Benefits.

In determining the Annual Benefit, no actuarial adjustment to the benefit shall be made for the following benefits or benefit forms:

- a. Qualified joint and survivor annuity. Survivor benefits payable to a surviving Spouse under a joint and survivor annuity that would qualify as a qualified joint and survivor annuity defined in section 417(b) of the Code. If benefits are paid partly in the form of a qualified joint and survivor annuity and partly in some other form (such as a single sum distribution), the rule of this paragraph applies only to the survivor annuity payments under the portion of the benefit that is paid in the form of a qualified joint and survivor annuity.
- b. Benefits that are not "retirement benefits". Benefits that are not directly related to retirement benefits (such as pre-retirement qualified disability benefits, preretirement incidental death benefits, and postretirement medical benefits). Additionally, these benefits shall not be subject to the Annual Benefit Limit.
- c. Certain automatic benefit increases. Benefits that meet the following requirements: (i) the Association provides for automatic periodic increases such as a form of benefit that automatically increases the benefit paid according to a specified percentage or objective index (but not a benefit that is increased on an ad hoc basis or a basis that is separately determined by action of the Association's Board of Retirement or the County's Board of Supervisors) and (ii) the form of benefit complies with Code section 415(b) without regard to the automatic benefit increase.

In no event shall the amount payable to the Member under the form of benefit in any Limitation Year be greater than the Annual Benefit Limit applicable at the Annuity Starting Date increased by the amounts provided in Code section 415(d). Also if the form of benefit without regard to the automatic benefit increase is not a Straight Life Annuity, then the Annual Benefit at the Annuity Starting Date is determined by converting the form of benefit to an actuarially equivalent Straight Life Annuity, as provided in section II.B.1 of this regulation.

7. Rules for Determining Annual Benefit.

- a. Social Security Supplements, Etc. The determination of the Annual Benefit shall take into account social security supplements described in § 411(a)(9) of the Code and benefits transferred from another defined benefit plan, other than transfers of distributable benefits pursuant § 1.411(d)-4, Q&A-3(c), of the Treasury regulations.
- b. Member Contributions. The determination of the Annual Benefit shall disregard benefits attributable to Member contributions or rollover contributions. Benefits attributable to Member contributions do not include any benefits that are made on a pre-tax basis such as pickups under Code section 414(h)(2) or such as Member contributions that are actually paid by the Member's employer.
- c. Rollovers. The amount of any benefits attributable to Member contributions and to rollover contributions shall be determined in accordance with Code section 415.
- d. Voluntary Contributions. Member contributions that are defined as "voluntary" contributions under Code section 415 (such as certain contribution under California Government Code section 31627) are not subject to the limits of this regulation but are subject to the limits of Code section 415(c) concerning defined contribution plans.

B. Reduction for Less Than 10 Years of Participation

1. Reduction

If the Member has less than 10 Years of Participation in the Association, the Annual Benefit Limit shall be multiplied by a fraction -- (i) the numerator of which is the number of years (or part thereof, but not less than one year) of participation in the Association, and (ii) the denominator of which is 10.

2. Counting Years of Participation

The Member is credited with a Year of Participation (computed to fractional parts of a year) for each accrual computation period for which the following

conditions are met: (i) the Member is credited with at least the number of hours of service or period of service for benefit accrual purposes, required under the terms of the Association in order to accrue a benefit for the accrual computation period, and (ii) the Member is included as a Member under the eligibility provisions of the Association for at least one day of the accrual computation period. If these two conditions are met, the portion of a Year of Participation credited to the Member shall equal the portion of a year of benefit accrual service credited to the Member for such accrual computation period. A Member who is permanently and totally disabled within the meaning of § 415(c)(3)(C)(i) of the Code for an accrual computation period shall receive a Year of Participation with respect to that period. In no event shall more than one Year of Participation be credited for any 12-month period. For example, if under the Association, a Member receives 1/10 of a year of benefit accrual service for an accrual computation period for each 200 hours of service, and the Member is credited with 1,000 hours of service for the period, the Member is credited with 1/2 year of participation for purposes of this subsection.

3. Disability and Death Benefits

The reduction described in paragraph 1 of this subsection shall not apply to disability benefits or death benefits as provided in the Code.

C. Reduction for Commencement Before Age 62 For Certain Members

1. No Reduction For Certain Safety Members

The adjustment described in this subsection shall not apply if the Member's benefit is based on at least 15 years as a full-time employee of any police or fire department of an Employer that maintains the Association or as a member of the armed forces of the United States. Such police or fire department must be organized to provide police protection, firefighting services or emergency medical services for any area within the jurisdiction of such Employer.

2. Reduction For Benefits Commencing Before Age 62

If the Member's benefits commence before the Member attains age 62, the Annual Benefit Limit is equal to the lesser of:

- a. The Annual Benefit Limit reduced in accordance with Code section 415(b) to its actuarial equivalent using:
 - i. The Applicable Mortality Table; and
 - ii. A 5% interest rate; or
- b. The Annual Benefit Limit multiplied by the ratio of the immediately commencing Straight Life Annuity under the Association at the Member's Annuity Starting Date to the annual amount of the Straight Life Annuity under the Association commencing at age

62, both determined without applying the limitations of this regulation.

3. Probability of Death

No adjustment will be made to the annual benefit limit to reflect the probability of death between the Annuity Starting Date and age 62 unless the Member's benefit is forfeited at death before the Annuity Starting Date.

4. Death and Disability

The adjustment described in paragraph 1 of this subsection shall not apply to disability benefits or death benefits.

D. Increase for Commencement After Age 65

1. Increase For Benefits Commencing After 65

If the Member's benefits commence after the Member attains age 65, the Annual Benefit Limit is equal to the lesser of:

- a. The Annual Benefit Limit increased in accordance with Code section 415(b) to its actuarial equivalent using:
 - i. The Applicable Mortality Table; and
 - ii. A 5% interest rate; or
- b. The Annual Benefit Limit multiplied by the ratio of the annual amount of the adjusted immediately commencing Straight Life Annuity under the Association at the Member's Annuity Starting Date to the annual amount of the adjusted immediately commencing Straight Life Annuity under the Association at age 65, both determined without applying the limitations of this regulation. For this purpose, the adjusted immediately commencing Straight Life Annuity under the Association at the Member's Annuity Starting Date is the annual amount of such annuity payable to the Member, computed disregarding the Member's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing Straight Life Annuity under the Association at age 65 is the annual amount of such annuity that would be payable under the Association to a hypothetical Member who is age 65 and has the same accrued benefit as the Member.

2. Probability of Death

No adjustment will be made to the Annual Benefit Limit to reflect the probability of death between age 65 and the Annuity Starting Date unless the Member's benefit is forfeited at death before the Annuity Starting Date.

E. Minimum Benefit Permitted

The benefit otherwise accrued or payable to a Member under the Association is treated as not exceeding the Annual Benefit Limit if:

1. Minimum Benefit Limit Allowed

The sum of the retirement benefits payable under any form of benefit with respect to the Member for the Limitation Year or for any prior Limitation Year under the Association and all other defined benefit plans (without regard to whether a plan has been terminated) ever maintained by the Member's Employer does not exceed \$10,000 multiplied by a fraction – (i) the numerator of which is the Member's number of years (or part thereof, but not less than one year) of service (not to exceed 10) with the Member's Employer or an Affiliated Employer, and (ii) the denominator of which is 10; and

2. Condition

The Member has never participated in any qualified defined contribution plan maintained by the Member's Employer or an Affiliated Employer.

SECTION III. PARTICIPATION IN MULTIPLE DEFINED BENEFIT PLANS**A. Application of Limit to Aggregate Benefits**

If the Member is, or has ever been, a participant in another qualified defined benefit plan (without regard to whether the plan has been terminated) maintained by the Member's Employer, the sum of the participant's Annual Benefits from all such plans may not exceed the Annual Benefit Limit.

B. Multiple Plan Benefit Limit Coordination

Where the Member's employer-provided benefits under all such defined benefit plans (determined as of the same age) would exceed the Annual Benefit Limit applicable at that age, the benefits accrued under all such other plans shall be reduced first in order to avoid exceeding the limit and shall be reduced under the Association only to the extent that the reduction under such other plans is insufficient to avoid exceeding the limit.

SECTION IV. MULTIPLE EMPLOYER PLAN

Benefits attributable to the Member attributable to all of the Employers participating in the Association are taken into account for purposes of applying the Annual Benefit Limit.

SECTION V. GRANDFATHER RULES**A. Annual Benefit Limit Equals Accrued Benefit**

Notwithstanding anything herein to the contrary, the Annual Benefit Limit with respect to a Qualified Member shall not be less than the accrued benefit of the Qualified Member under the Association determined without regard to any amendment made after October 14, 1987.

B. Qualified Participant

For purposes of this section, the term "Qualified Member" means a Member who first became a Member in the Association before January 1, 1990.

C. Election

Pursuant to Section 31899 et. seq. of the California Government Code, the election has been made to have this Section apply.

SECTION VI. PURCHASE OF PERMISSIVE SERVICE CREDIT**A. General Rule**

To the extent a Member is not prohibited by the California Public Employees' Pension Reform Act of 2013 ("PEPRA"), if a Member makes one or more contributions to the Association to purchase Permissive Service Credit under the Association, then the requirements of this regulation will be treated as met only if:

1. The requirements of this regulation are met, determined by treating the accrued benefit derived from all such contributions as an Annual Benefit for purposes of this regulation; or
2. The requirements of the Association's regulation governing the limits on annual additions applicable to defined contribution plans are met by treating all such contributions as annual additions.

B. Permissive Service Credit**1. Permissive Service Credit Defined**

For purposes of this Section, "Permissive Service Credit" means credit:

- a. recognized by the Association for purposes of calculating a Member's benefit under the Association;
- b. which such Member has not received under the Association; and
- c. which the Member may receive only by making a voluntary additional contribution in an amount determined under the Association, which does not exceed the amount necessary to fund the benefit attributable to the service credit purchased.

Permissive Service Credit also includes service credit for periods for which there is no performance of service and, notwithstanding subparagraph b of this paragraph, may include service credited in order to provide an increased benefit for service credit which a Member is receiving under the Association, but only to the extent permitted by the statutes applicable to the Association and not prohibited by PEPRA.

2. Limitation on Nonqualified Service Credit

The Association does not allow the purchase of Nonqualified Service Credit.

3. Nonqualified Service Credit

For purposes of paragraph 2 of this subsection, the term "Nonqualified Service Credit" means permissive service credit other than that allowed with respect to:

- a. Service (including parental, medical, sabbatical, and similar leave) as an employee of the government of the United States, an State or political subdivision thereof, or any agency or instrumentality of any of the foregoing (other than military service or service for credit which was obtained as a result of repayment described in subsection C of this Section);
- b. Service (including parental, medical, sabbatical, and similar leave) as an employee (other than as an employee described in subparagraph (a) of this paragraph) of an educational organization described in Code section 170(b)(1)(A)(ii) which is a public, private, or sectarian school which provides elementary or secondary education (through grade 12), or a comparable level of education, as determined under the applicable law of the jurisdiction in which the service was performed,
- c. Service as an employee of an association of employees who are described in subparagraph (a) of this paragraph; or
- d. military service (other than qualified military service under Code section 414(u)) recognized by the Association.

In the case of service described in subparagraphs a, b or c of this paragraph, such service will be nonqualified service if recognition of such service would cause a Member to receive a retirement benefit for the same period of service under more than one plan.

Even if any proposed service credit purchase meets the above requirements, to the extent such proposed service credit purchase is prohibited under the terms of PEPRA, the Association will not process such service credit purchase.

4. Trustee-to-Trustee Transfers

In the case of a trustee-to-trustee transfer to the Association to which Code section 403(b)(13)(A) or 457(e)(17)(A) applies, (without regard to whether the transfer is made from a plan that is maintained by the same Employer): the distribution rules applicable under the Code to the Association shall apply to such amounts and any benefits attributable to such amounts.

C. Repayment of Cashouts

In the case of any repayment of contributions (including interest) to the Association with respect to an amount previously refunded upon a forfeiture of service credit under the Association or under another governmental plan maintained by a state or local government employer with in the State of California, any such repayment shall not be taken into account for purposes of this regulation.

SECTION VII. DEFINITIONS

A. Annual Benefit

“Annual Benefit” means a benefit that is payable annually in the form of a Straight Life Annuity. Except as provided in Section II.A.5, where a benefit is payable in a form other than a Straight Life Annuity, the benefit shall be adjusted (solely for purposes of applying the limits of Code section 415 and of this regulation) pursuant to Section II.A.7 to an actuarially equivalent Straight Life Annuity that begins at the same time as such other form of benefit and is payable on the first day of each month.

B. Annual Benefit Limit

“Annual Benefit Limit” means the limit described in Section II.A.1 of this regulation.

C. Annuity

“Annuity” for purposes of this regulation does **not** mean “annuity” as defined in the County Employees Retirement Law but instead means a retirement benefit that is payable by the Association, as provided in section 415 of the Code.

D. Annuity Starting Date

“Annuity Starting Date” means the first day of the first period for which a retirement benefit is payable as an annuity or, in the case of a retirement benefit not payable in the form of an annuity, the first day on which all events have occurred which entitle the Member to payment under the Association.

E. Applicable Interest Rate

“Applicable Interest Rate” means the “applicable interest rate” defined in section 417(e)(3)(C) of the Code and shall be such rate of interest determined as of the

first month preceding the stability period, which shall be the month containing the Annuity Starting Date for the distribution and for which the Applicable Interest Rate shall remain constant.

F. Applicable Mortality Table

“Applicable Mortality Table” means the “applicable mortality table” defined in section 417(e)(3)(B) of the Code.

G. Employer

“Employer” means the participating County or agency that employs the Member. The term “Employer” also includes any Affiliated Employer. Solely to the extent provided in the Code with respect to public agencies, the term “Affiliated Employer” means all members of a controlled group of an Employer.

H. Limitation Year

“Limitation Year” means the calendar year.

I. Spouse

Effective June 26, 2013, consistent with Federal tax rules, the term “Spouse” means a person who is lawfully married under California law, including marriages recognized under California Family Code section 308 that were entered into in another jurisdiction (another state, the District of Columbia, a United States territory or a foreign jurisdiction) which also include marriages of same-sex individuals that were validly entered into in another jurisdiction whose laws authorize the marriage of two individuals of the same sex even if the married couple is domiciled in a jurisdiction that does not recognize the validity of same-sex marriage. In accordance with Federal tax rules, the term “Spouse” does not include individuals who have entered into a registered domestic partnership, civil union, or other similar formal relationship recognized under the law of another jurisdiction that is not denominated as a marriage under the laws of that state (whether opposite-sex or same-sex relationships).

J. Straight Life Annuity

“Straight Life Annuity” means an Annuity payable in equal installments for the life of the member and terminating on the Member’s death.

REGULATIONS FOR IRC SECTION 415(c)**DEFINED CONTRIBUTION LIMITS****SECTION I. PURPOSE AND SCOPE**

In accordance with section 31525 and section 31899 et. seq. of the California Government Code, the regulations set forth herein are effective as of January 1, 2015, and reaffirm and clarify the existing practices of the Sonoma County Employees' Retirement Association (the "Association") with respect to the limits on annual additions under section 415(c) of the Internal Revenue Code (the "Code"). For these regulations, the Code includes Treasury regulations issued under section 415(c). To the extent there is a conflict between these regulations and the Code, the Code governs.

The Association may establish reasonable procedures for complying with the limits on annual additions under section 415(c) of the Code that it deems necessary or advisable for complying with applicable tax laws or for administrative purposes.

Capitalized terms used in this Regulation are defined in Section III. Terms defined in the County Employees Retirement Law apply here unless otherwise stated.

SECTION II. ANNUAL ADDITIONS LIMITATION**A. Annual Additions Limit, In General**

Notwithstanding anything to the contrary contained in the Association, the total Annual Additions allocated to a Member's Account under the Association, when added to the Annual Additions allocated to the Member's accounts under all other Aggregated Plans maintained by the Employer or an Affiliate for any Limitation Year, shall not exceed the Maximum Permissible Amount; provided, however, that the limit described in III.G.2 shall not apply to an individual medical benefit account (as defined in section 415(l) of the Code).

SECTION III. DEFINITIONS

Solely for purposes of this regulation, the following definitions shall apply:

A. Account

"Account" means the separate Member account provided under the Association for benefits that are separate and apart from the retirement benefits (annuity and pension) otherwise provided under the County Employees Retirement Law.

B. Affiliate

Solely to the extent provided in the Code with respect to public agencies, the term "Affiliate" means all members of a controlled group of an Employer.

C. Aggregated Plan

“Aggregated Plan” means any defined contribution plan which is aggregated with the Association pursuant to Section IV of this regulation.

D. Annual Additions

“Annual Additions” means the sum of the following amounts credited to a Member’s Accounts under the Association and any Aggregated Plans for the Limitation Year:

1. Employer contributions allocated to the Member’s Account that is separate and apart from any pension or annuity benefits provided under the County Employees Retirement Law.
2. Employee contributions (after-tax), including mandatory contributions (as defined in section 411(c)(2)(C) of the Code and Treasury regulations issued thereunder), as well as voluntary employee contributions used to purchase permissive service credit (as defined in Code section 415(n)(3)), to the extent such service credit purchase is permitted by the statutes applicable to the Association and not prohibited under PEPRA, if an election is made to treat those amounts as Annual Additions in the year contributed pursuant to Code section 415(n)(1).
3. Forfeitures.

The term “Annual Additions” excludes:

1. Repayments of cash-outs as described in Code section 415(k)(3) (for example, to purchase restoration of an accrued benefit that was lost when employee contributions were previously cashed out) for the limitation year in which the restoration occurs;
2. Catch-up contributions made in accordance with Code section 414(v);
3. Restorative payment described in Treasury regulations section 1.415(c)-1(b)(2)(ii)(C);
4. Excess deferrals that are distributed in accordance with Treasury regulations section 1.402(g)-1(e)(2) or (3);
5. Rollover contributions (as described in Sections 401(a)(31), 402(c)(1), 403(a)(4), 403(b)(8), 408(d) and 457(e)(16) of the Code);
6. Loan repayments;
7. Employee contributions to a qualified cost-of-living arrangement described in Code section 415(k)(2)(B);
8. Employee contributions picked up by the Employer under Code section 414(h)(2);

9. Make-up contributions attributable to a period of qualified military service, as defined in Code section 414(u), with respect to the year in which the contribution is made (but not with respect to the year to which the contribution relates); and
10. Employee contributions to purchase permissive service credit (as defined in Code section 415(n)(3)) to the extent such service credit purchase is allowed under PEPRA and if an election is made to treat the accrued benefit derived from all such contributions as an annual benefit subject to the limits of Code section 415(b).

E. Employer

“Employer” means the participating County or district that employs the Member.

F. Limitation Year

“Limitation Year” means the calendar year.

G. Maximum Permissible Amount

“Maximum Permissible Amount” means the lesser of:

1. \$52,000 (for 2014), as adjusted for increases in the cost-of-living under section 415(d) of the Code; or
2. 100 percent of the Member’s Total Compensation for the Limitation Year.

H. Severance From Employment

“Severance From Employment” means the Member ceases to be an employee of the Employer. A Member does not have a Severance From Employment if, in connection with a change of employment, the Member’s new employer maintains the Association with respect to the Member.

I. Total Compensation

“Total Compensation” means all items of remuneration described in paragraph (1) and excludes all items of remuneration described in paragraph (2), below.

1. Items Included

Total Compensation includes all of the following items of remuneration for services:

- a. A Member’s wages, salaries, fees for professional services, and other amounts received (without regard to whether or not an amount is paid in cash) for personal services actually rendered in the course of employment with the Employer and any Affiliate to the extent that the amounts are includible in gross income (or to the extent that amounts would have been includible in gross

income but for an election under Code section 125(a), 132(f)(4), 402(e)(3), 402(h)(1)(B), 402(k), or 457(b)). These amounts include, but are not limited to, bonuses, fringe benefits, and reimbursements, or other expense allowances under a non-accountable plan, as described in Treasury regulations section 1.62-2(c);

- b. Amounts described in Code section 104(a)(3), 105(a), or 105(h), but only to the extent that these amounts are includible in the gross income of the Member;
- c. Amounts paid or reimbursed by the Employer or an Affiliate for moving expenses incurred by a Member, but only to the extent that at the time of the payment it is reasonable to believe that these amounts are not deductible by the Member under Code section 217;
- d. The amount includible in the gross income of an Member upon making the election described in Code section 83(b);
- e. Amounts that are includible in the gross income of a Member under the rules of Code section 409A or Code section 457(f)(1)(A), or because the amounts are constructively received by the Member; and
- f. An amount that is excludable under Code section 106 that is not available to a Member in cash in lieu of group health coverage because the Member is unable to certify that he or she has other health coverage; provided, however, that the Employer does not request or collect information regarding the Member's other health coverage as part of the enrollment process for the health plan.

2. Items Excluded

The following items are excluded from Total Compensation:

- a. Employer contributions (other than elective contributions described in Code section 402(e)(3), 408(k)(6), 408(p)(2)(A)(i), or 457(b)) to a deferred compensation plan (including a simplified employee pension described in Code section 408(k) or a simple retirement account described in Code section 408(p), and whether or not qualified) to the extent such contributions are not includable in the Member's gross income for the taxable year in which contributed, and any distributions (whether or not includible in gross income when distributed) from a deferred compensation plan (whether or not qualified) other than amounts received during the year by a Member pursuant to a nonqualified unfunded deferred compensation plan to the extent includible in gross income;

- b. Other amounts that receive special tax benefits, such as premiums for group term life insurance (but only to the extent that the premiums are excludible from the gross income of the Member, and are not salary reduction amounts that are described in Code section 125);
- c. Other items of remuneration that are similar to any of the items listed in a and b, above.

3. Timing

- a. In order to be taken into account for a Limitation Year, Total Compensation must be paid or made available (or, if earlier, includible in the gross income of the Member) during the Limitation Year. For this purpose, compensation is treated as paid on a date if it is actually paid on that date or it would have been paid on that date but for an election under Code section 125, 132(f)(4), 401(k), 403(b), 408(k), 408(p)(2)(A)(i), or 457(b)).
- b. In order to be taken into account for a Limitation Year, Total Compensation must be paid or treated as paid to the Member prior to the Member's Severance From Employment with the Employer; provided, however, that Total Compensation includes amounts paid to the Member by the later of 2½ months after Severance From Employment or the end of the Limitation Year if the amounts are regular compensation for services during the Member's regular working hours, compensation for services outside the Member's regular working hours (such as overtime or shift differential), commissions, bonuses, or other similar compensation that absent a Severance From Employment would have been paid to the Member while the Member continued in employment with the Employer.
- c. Total Compensation does not include amounts paid after Severance From Employment that are severance pay, unfunded nonqualified deferred compensation, or any other payment that is not described in the preceding paragraph, even if paid within 2½ months, except for:
 - i. Payments to an individual who does not currently perform services for the Employer by reason of Qualified Military Service to the extent that these payments do not exceed the amounts that the individual would have received if the individual had continued to perform services for the Employer rather than entering Qualified Military Service; and
 - ii. Payments to a Member who is permanently and totally disabled; provided, however that salary continuation applies to all Members who are permanently and totally disabled for a fixed or determinable period. For this

purpose, a Member is permanently and totally disabled only if the Member is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted, or can be expected to last, for a continuous period of not less than 12 months.

4. Limit

A Member's Total Compensation shall not include compensation in excess of the limitation of Code section 401(a)(17) that is in effect for the calendar year in which such Limitation Year begins.

SECTION IV. AGGREGATION WITH OTHER DEFINED CONTRIBUTION PLANS

All defined contribution plans (as defined in section 1.415(c)-1(a)(2) of the Treasury regulations and whether or not terminated) maintained by the Employer or an Affiliate shall be aggregated with the Association, and all plans so aggregated shall be considered as one plan in applying the limitations of this regulation.

SECTION V. COORDINATION WITH OTHER DEFINED CONTRIBUTION PLANS

In the event that a Member participates in another defined contribution plan of the Employer or of an Affiliate that is a tax-qualified defined contribution plan, contributions or allocations that would otherwise be made on behalf of the Member to the Association shall be reduced to the extent necessary to avoid exceeding the limitations of this regulation when contributions are aggregated as described above.

SECTION VI. CORRECTION

Any excess Annual Additions shall be corrected using the methods specified in guidance promulgated by the Secretary of the Treasury describing the procedures for correcting excess Annual Additions under the Employee Plans Compliance Resolution System ("EPCRS") or its successor.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 25
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen (707) 565-2231

Supervisorial District(s):

Fifth District

Title: Adopt a resolution establishing all-way stop controls at the intersection of Westside Road (#8001) and Westside Road (#80146)

Recommended Actions:

Adopt a resolution establishing all-way stop controls at the intersection of Westside Road (#8001) and Westside Road (#80146).

Executive Summary:

The Transportation and Public Works Department is recommending establishing all-way stop controls at the intersection of Westside Road (#8001) and Westside Road (#80146) pursuant to California Vehicle Code Sections 21354 and 21355, granting local agencies the authority to identify appropriate locations and erect stop signs. Section 32 of the California Vehicle Code allows the County to take this action by resolution.

This intersection is currently only stop controlled for northbound traffic on Westside Road (#80146), while cross traffic along Westside Road (#8001) does not stop. Westside Road (#80146) is the main access to the Hacienda Community north of River Road from River Road. The narrow streets, slope banks, and vegetation restricts sight distance for vehicles northbound on Westside Road (#80146) wishing to turn left onto Westside Road (#8001) and access development in the Hacienda Community north of River Road. The area is used by residents and visitors to access recreational facilities on the Russian River.

With the adoption of this resolution all vehicles traveling on Westside Road (#8001) and Westside Road (#80146) shall stop prior to proceeding through the intersection of Westside Road and Westside Road. This action will improve sight distance issues at the intersection for local residents of the Hacienda Community and visitors wishing to access recreational uses on the Russian River.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community			
Improve vehicle, bicycle and pedestrian safety at the intersection.			
Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 500		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 500
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 500	Total Sources	\$ 500
Narrative Explanation of Fiscal Impacts (If Required):			
There are adequate funds to install two stop signs, legends and stop bars within the TPW Road Maintenance budget.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None.			
Attachments:			
1. Resolution 2. Location Map			
Related Items "On File" with the Clerk of the Board:			
None.			



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, establishing all-way stop controls at the intersection of Westside Road (#8001) and Westside Road (#80146), Hacienda, California.

Whereas, pursuant to California Vehicle Code Sections 21354 and 21355, local agencies may identify appropriate locations and erect stop signs;

Whereas, Section 32 of the California Vehicle Code states that, whenever local authorities are given the power to take action by ordinance in pursuant to Division 11 or Division 15 of the California Vehicle Code, they shall also have the power to take such action by resolution; and

Whereas, the Department of Transportation and Operations has concluded that all-way stop controls are appropriate at the intersection of Westside Road and Westside Road;

Now, Therefore, Be It Resolved that all vehicles on Westside Road (#8001) and Westside Road (#80146) shall stop prior to proceeding through the intersection of Westside Road and Westside Road.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

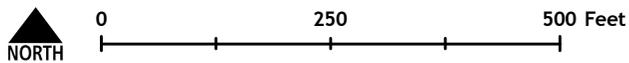
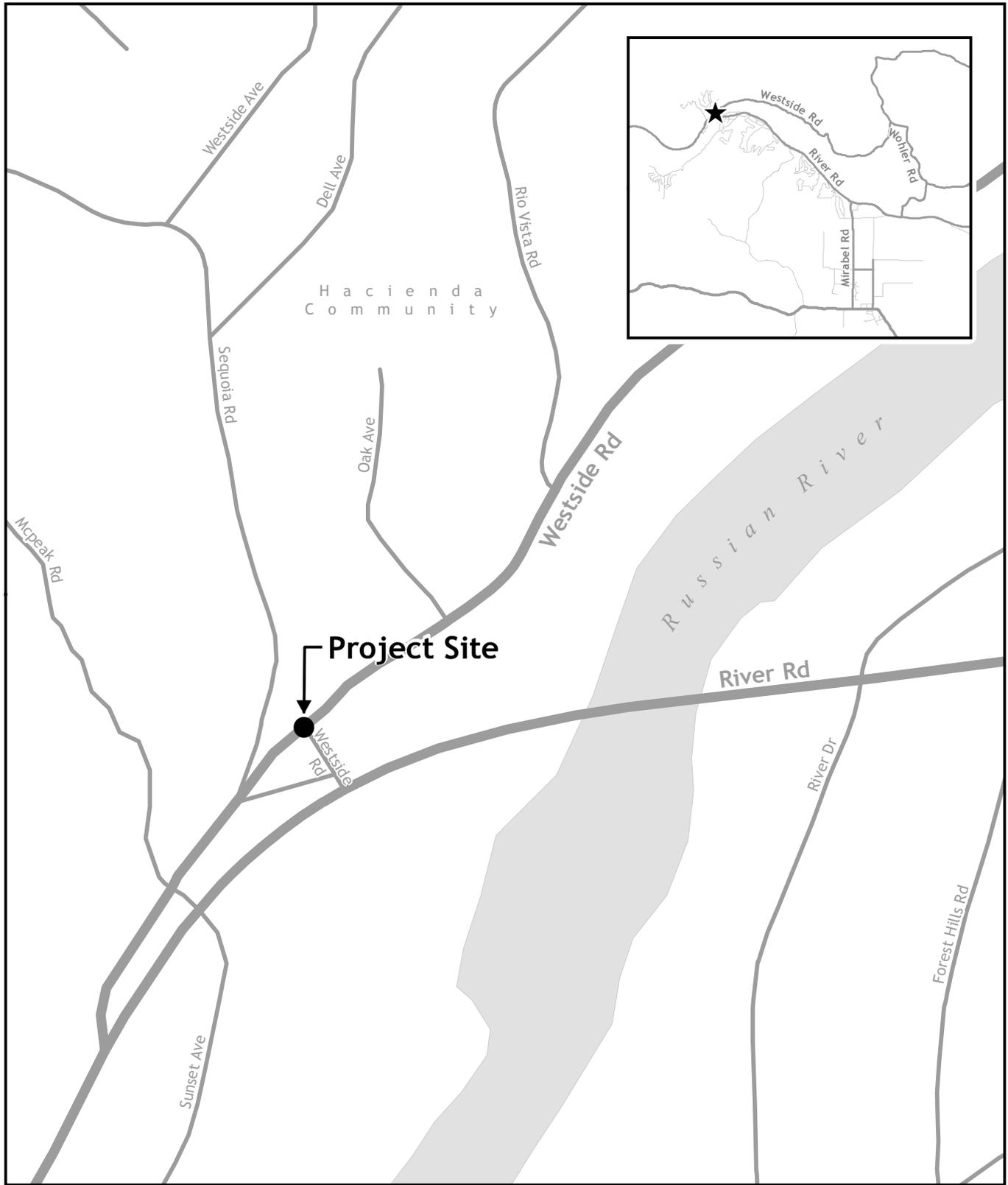
Absent:

Abstain:

So Ordered.

Location Map

Addition of All-Way Stop Sign on Westside Road





County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 26
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen, (707) 565-2231

Supervisorial District(s):

All

Title: Refuse Enterprise – Short-Term Operation of Central Landfill Disposal Site and County Transfer Stations.

Recommended Actions:

1. Approve and authorize the Chair to sign the Agreement for Operation of the County Transfer Stations with The Ratto Group of Companies, Inc., to allow for the term of the agreement to continue on a month-to-month basis until the Master Operations Agreement is effectuated.
2. Approve and authorize the Chair to sign the Third Amendment to the Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-Permitting services, with Keller Canyon Landfill, Inc., to allow for the term of the agreement to continue on a month-to-month basis until the Master Operations Agreement is effectuated and adding additional tasks to the scope of work.

Executive Summary:

To further the Board of Supervisors' policy objective to pursue both short and long-term in-county waste disposal operations at the Central Disposal Site and County Transfer Stations, staff is requesting that the Board approve the First Amendment to the Agreement for Operation of the County Transfer Stations with the Ratto Group of Companies, Inc. ("Ratto Group Agreement"), and the Third Amendment to the Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-Permitting services, with Keller Canyon Landfill, Inc. ("Keller Canyon Agreement"). These Agreements provide for the continued disposal operations, operations and maintenance of the rural transfer stations, and transportation of solid waste and organics until such time as the remaining conditions of the Master Operations Agreement (MOA), approved by the Board on April 23, 2013, for waste flow control agreements from the Cities and the execution of a settlement agreement concerning unfunded landfill liabilities between the County and the Cities is executed which is estimated to be November 1, 2014.

First Amendment to the Ratto Group Agreement

This First Amendment for the operation of the transfer stations will allow for the term of the agreement to continue beyond September 30, 2014 on a month-to-month basis until the Master Operations

Agreement (MOA) is effectuated. The compensation under the Agreement remains the same under the proposed amendment.

Third Amendment to the Keller Canyon Agreement

This Third Amendment for the resumption of disposal operations at the Central Landfill will allow for the term of the agreement to continue beyond September 30, 2014 on a month-to-month basis until the Master Operations Agreement is effectuated; will add a process for the County to request the Contractor to perform additional services related to the operation of the County’s solid waste facilities not specifically identified in the Agreement; and add a process for the Contractor to retain additional services from the County such as the use of supervised adult crews and services provided by County employees with specialized technical expertise about the solid waste facilities such as the Landfill Facilities Specialist. These tasks are being added to facilitate a smooth continuation and transition of duties between the County and Republic Services until such time as the Cities approve their commitment agreements and the MOA becomes effective.

This item has been reviewed by County Counsel.

Prior Board Actions:

08/20/13: Board approved the Agreement for Operation of the County Transfer Stations with The Ratto Group of Companies, Inc. (“Ratto Group Agreement”) with a term to 09/30/14; and the second amendment to the Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-Permitting services, with Keller Canyon Landfill, Inc. (“Keller Canyon Agreement”), increasing the operations cost to \$33.24 per ton, adding additional tasks, and extending the term to 09/30/14.
04/23/13: Board approved the Master Operations Agreement for long-term development, operation and maintenance of the County solid waste facilities; delegated authority to the TPW Director to file a Notice of Determination for the Central Disposal Site Final EIR; and authorized TPW to work with Human Resources to administer layoffs. 6/12/12: Board approved the first extended term for the Keller Canyon Agreement; the first extended term for the Ratto Group Agreement; and the first amendment to the Keller Canyon Agreement. Board adopted a resolution directing staff to revise and resubmit the permitting documents for long-term landfill disposal of solid waste at the Central Disposal Site. 6/3/10: Board approved the Keller Canyon Agreement and the Ratto Group Agreement. 6/8/10: Board gave direction to staff to bring back two contracts: one with the Ratto Group for basic services, and the other with Keller Canyon Landfill for the resumption of waste disposal and re-permitting services for the Central Landfill, as described in the RFP. 5/11/10: Board accepted the report on the results of the RFP. 12/8/09: Board approved and authorized release of the RFP for short-term operations, transport and disposal of solid waste adding two optional services for (1) limited resumption of waste disposal at the Central Landfill and (2) re-permitting services related to the Central Landfill.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Providing the community with access to safe solid waste management services. Goal 2: Economic and Environmental stewardship: providing the community with a solid waste system focused on providing environmentally sound solid waste disposal and recycling services in a manner that is economically efficient.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 13,004,362		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 13,004,362
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 13,004,362	Total Sources	\$ 13,004,362
Narrative Explanation of Fiscal Impacts (If Required):			
Appropriations for ongoing operation of the Central Disposal Site, in the amount of \$4,708,789, and the transfer stations and transport and disposal of solid waste, in the amount of \$8,295,573, are included in the FY 14-15 Refuse Enterprise Budget (34050100-41121).			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
<ul style="list-style-type: none"> • First Amendment to the Agreement for Operation of County Transfer Stations Between County of Sonoma and The Ratto Group of Companies, Inc. • Third Amendment to the Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-permitting Services Between County of Sonoma and Keller Canyon Landfill, Inc. 			
Related Items "On File" with the Clerk of the Board:			
<ul style="list-style-type: none"> • Agreement for Operation of County Transfer Stations Between County of Sonoma and The Ratto Group of Companies, Inc. Agreement • First Amendment, Second Amendment and the Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-permitting Services Between County of Sonoma and Keller Canyon Landfill, Inc. 			

FIRST AMENDMENT TO AGREEMENT FOR OPERATION OF THE COUNTY
TRANSFER STATIONS BETWEEN THE COUNTY OF SONOMA AND THE RATTO
GROUP OF COMPANIES

This First Amendment (“Amendment”) dated as of _____, 2014 (“Effective Date”) is by and between the County of Sonoma (“County”) and The Ratto Group of Companies, Inc., a Delaware corporation (“Contractor”). County and Contractor will be collectively referred to as “Parties.” All capitalized terms used herein shall unless otherwise defined, have the meaning ascribed to those terms in the existing agreement.

RECITALS

WHEREAS, County approved that certain Agreement for Operation of the County Transfer Stations dated as of August 14, 2013 (“Agreement”); and

WHEREAS, Contractor represents it is duly qualified and experienced in transfer station operations, solid waste transport and disposal operations and related services; and

WHEREAS, the Parties desire to amend the Agreement to allow for the term of the agreement to continue on a month to month basis until the Master Operations Agreement is effectuated.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree as follows:

AGREEMENT

1. Term (Section 2.1). Section 2.1 of the Agreement is hereby deleted and replaced with the following language:

“2.1 Term. The Term of this Agreement shall commence on the Commencement Date and terminate on September 30, 2014 (“Expiration Date”). Notwithstanding the foregoing, should the Master Operations Agreement not be effectuated before the Expiration Date, the Agreement shall continue on a month to month basis. On or before thirty (30) days after the Commencement Date, the Parties shall undertake a mutual walk-through of the Transfer Stations, and shall mutually document in writing the general conditions and components of such facilities.”

2. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement together with exhibits, is and shall continue to be, in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Agreement or any right of County arising thereunder.

This amendment shall be governed by and construed under the internal laws of the State of California, and any action to enforce the terms of this Amendment or the breach thereof shall be brought and tried in the County of Sonoma.

IN WITNESS WHEREOF, the County and Contractor have executed this Amendment as of the Effective Date.

CONTRACTOR: THE RATTO GROUP OF COMPANIES, INC.,
A Delaware corporation

By: _____
Name: _____
Title: _____

COUNTY: THE COUNTY OF SONOMA,
A political subdivision of the State of California

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

CERTIFICATES OF INSURANCE ON
FILE WITH AND APPROVED AS TO
SUBSTANCE FOR COUNTY:

Susan R. Klassen, Director
Department of Transportation and Public Works

APPROVED AS TO FORM
FOR COUNTY:

Sheryl L. Bratton
Assistant County Counsel

THIRD AMENDMENT TO AGREEMENT FOR
RESUMPTION OF DISPOSAL OPERATIONS AT THE CENTRAL LANDFILL
AND LANDFILL RE-PERMITTING SERVICES
BETWEEN THE COUNTY OF SONOMA
AND KELLER CANYON LANDFILL

This Third Amendment (“Amendment”) dated as of _____, 2014 (“Effective Date”) is by and between the County of Sonoma (“County”) and Keller Canyon Landfill, Inc., a California corporation (“Contractor”). County and Contractor will be collectively referred to as “Parties.” All capitalized terms used herein shall unless otherwise defined, have the meaning ascribed to those terms in the existing agreement.

RECITALS

WHEREAS, County approved that certain Agreement for Resumption of Disposal Operations at the Central Landfill and Landfill Re-Permitting Services dated as of August 3, 2010 (“Agreement”); and

WHEREAS, the Parties executed a First Amendment (“First Amendment”) dated as of June 12, 2012, in order to (i) modify and re-submit permitting documents to the Regional Water Quality Control Board (RWQCB), in response to the RWQCB’s comments; and (ii) amend the Agreement to add additional landfill re-permitting services; and

WHEREAS, the Parties executed a Second Amendment (“Second Amendment”) dated as of September 1, 2013, in order to (i) exercise the option to extend the term of the agreement for approximately one year; (ii) revise the termination provisions; (iii) add additional tasks to the Scope of Work; and (iv) increase the compensation paid to Contractor from \$30.59 per ton to \$33.24 per ton in consideration for the additional tasks. The Original Agreement as modified by the First Amendment and Second Amendment shall hereafter be referred to as the “Agreement;” and

WHEREAS, the Parties desire to continue the services under the Agreement until such time as that certain Agreement for Operation of the Central Landfill and County Transfer Stations dated April 23, 2013, by and between the County and Republic Services of Sonoma County, Inc. (“Master Operations Agreement”) is effectuated; and

WHEREAS, the Parties desire to amend the Agreement to: (i) allow for the term of the agreement to continue on a month to month basis until the Master Operations Agreement is effectuated; and (ii) add a process for the County requesting the Contractor to perform additional tasks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. Effective Date and Term (Section 2.1). Section 2.1 of the Existing Agreement is hereby deleted and replaced with the following language:

“2.1 Initial Term.

The Term of this Agreement shall commence on the Commencement Date and terminate on September 30, 2014 (“Expiration Date”), unless terminated earlier in accordance with the provisions of this Agreement. Notwithstanding the foregoing, should the Master Operations Agreement not be effectuated before the Expiration Date, the Agreement shall continue on a month to month basis.”

2. Scope of Work. Article 4 of the Existing Agreement is amended to add the following new subsection:

“4.5 Additional Work.

“County may, from time to time during the Term of this Agreement, request that Contractor perform additional services related to the operation of the County’s solid waste facilities not specifically identified in this Agreement. Upon County’s request, Contractor shall promptly provide a written estimate of Contractor’s cost for performing the requested services, with a detailed breakdown of the components of Contractor’s projected costs and pricing proposal costs and documentation which reasonably support Contractor’s projected costs. Upon receipt of Contractor’s proposal, the County may, in its sole discretion, deliver a written acceptance to Contractor of its proposal to perform the additional services and Contractor shall perform such additional services in accordance with Contractor’s proposal. The County shall compensate Contractor for these services on a time and materials basis or such other agreed upon method in accordance with Contractor’s proposal for each individual project.”

3. Contractor’s Compensation. Article 5 of the Existing Agreement is amended to add the following new subsection:

“5.6. Retaining Additional Services from County.

Contractor may request to use additional County resources throughout the term of the agreement by paying County on a time and material basis for such resources. Such additional resources may include: (i) the use of Supervised Adult Crews to perform services in and around the County Facilities; and (ii) services provided by County employees who have specialized technical expertise about the County Facilities, such as a County employee with a job classification of Landfill Facilities Specialist. Contractor shall submit a request for additional services at least 14 days prior to Contractor’s need for the services. County shall respond to

Contractor's request within 10 days indicating whether the requested services are available and if so the estimated costs for the services.”

4. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement together with exhibits, is and shall continue to be, in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Agreement or any right of County arising thereunder.

This amendment shall be governed by and construed under the internal laws of the State of California, and any action to enforce the terms of this Amendment or the breach thereof shall be brought and tried in the County of Sonoma.

IN WITNESS WHEREOF, the County and Contractor have executed this Agreement as of the Effective Date.

CONTRACTOR: KELLER CANYON LANDFILL
A California corporation

By: _____
Name: _____
Title: _____

COUNTY: THE COUNTY OF SONOMA,
A political subdivision of the State of California

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO SUBSTANCE FOR COUNTY:

Susan Klassen
Director, Department of
Transportation and Public Works

APPROVED AS TO FORM
FOR COUNTY:

Sheryl L. Bratton
Assistant County Counsel



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 27
(This Section for use by Clerk of the Board Only.)

To: Board of Directors of the Northern Sonoma County Air Pollution Control District

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works – Northern Sonoma County Air Pollution Control District

Staff Name and Phone Number:

Barbara Lee (707) 433-5911

Supervisory District(s):

Northern Sonoma County Air Pollution Control District

Title: Glenbrook Air Monitoring Station Lease Agreement

Recommended Actions:

Authorize the Air Pollution Control Officer of the Northern Sonoma County Air Pollution Control District (NSCAPCD) to execute a Lease Agreement with the Wilcox Family Trust, for the Glenbrook Monitoring Site located at 14531 Bottle Rock Road (APN 011040-48), Cobb Area, Lake County, California, for use by the Geysers Air Monitoring Program, for an amount of \$1,900 annually with a term ending August 1, 2019, with an option to extend the term of the agreement by two years in one year increments.

Executive Summary:

Background

The Northern Sonoma County Air Pollution Control District, as contract manager for the Geysers Air Monitoring Program (GAMP) Consortium, is requesting authorization to execute a lease (\$1,900/year) for the Glenbrook Air Monitoring located in the Cobb area (14531 Bottle Rock Road). The site is historically important and a key component of the GAMP monitoring network that has collected hydrogen sulfide, particulate, and meteorological data for the last 27 years.

In 2004, the District, on behalf of the GAMP Consortium, assumed the lease from PG&E, former contractor for operation and maintenance of the GAMP stations, with the property owner Russell Wilcox, as Trustee of the Wilcox Family Trust. In 2009, the Board approved a three-year lease with the Wilcox Family Trust, with an option to extend the term of the agreement by two years in one year increments. The second option expired in August 2014. The GAMP Consortium has approved this lease agreement.

The NSCAPCD's lease cost for the property is \$1,900 (due annually in August of each year). Funding for the lease is provided by GAMP Consortium participants. The lease is budgeted within the NSCAPCD's FY 2014/15 GAMP budget. The lease term is for five years, from August 1, 2014 through August 1, 2019,

with an option to extend the term of the agreement by two years in one year increments.

Prior Board Actions:

08/18/09: Board authorized execution of 3-year Lease Agreement, with two one-year options, with the Wilcox Family Trust permitting use of the Glenbrook Monitoring Site; 07/25/06: Board authorized execution of 3-year Lease Agreement with the Wilcox Family Trust permitting use of the Glenbrook Monitoring Site; 07/13/04: Board authorized execution of Lease Agreement with PG&E for the Glenbrook Monitoring Site.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Protecting air quality and public health by monitoring the negative impacts of air pollution.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 1,900		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 1,900
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 1,900	Total Sources	\$ 1,900

Narrative Explanation of Fiscal Impacts (If Required):

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

None.

Related Items "On File" with the Clerk of the Board:

Lease Agreement.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 28
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Board of Supervisors (707) 565-2241

Supervisorial District(s):

Title: Minutes of July 29, 2014

Recommended Actions:

Approval of minutes.

Executive Summary:

Approval of Minutes:

- (A) Minutes of the Meeting of July 29, 2014 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Occidental County Sanitation District, Russian River County Sanitation District, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and
- (B) Minutes of the Meeting of July 29, 2014 of the Sonoma Valley County Sanitation District.

Prior Board Actions:

None.

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
N/A			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None			
Attachments:			
Minutes			
Related Items "On File" with the Clerk of the Board:			
None			

ACTION SUMMARY
BOARD OF SUPERVISORS
SONOMA COUNTY
575 ADMINISTRATION DRIVE, ROOM 102A
SANTA ROSA, CA 95403

TUESDAY

JULY 29, 2014

8:30 A.M.

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, and as the governing board of all special districts having business on the agenda to be heard this date.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

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, CA, 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.

Public Transit Access to the County Administration Center:

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>.

APPROVAL OF THE CONSENT CALENDAR

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. Closed session items may be added prior to the Board adjourning to closed session. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

8:34 A.M. CALL TO ORDER

8:34 A.M. Chairman Rabbitt called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica A. Ferguson, County Administrator and Bruce Goldstein, County Counsel

Chairman Rabbitt presiding.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

Correction to Agenda: Item #15 included a request for the Department of the Interior to extend the public comment period for the proposed changes to the Rule on Federal Acknowledgment of Indian Tribes. Since the publication of the agenda, the comment period has been extended. If approved, staff is directed to modify the resolution and the letter to reflect this change.

Item Pulled From Agenda: Closed Session Item # 34 County of Sonoma v. CATS 4 U has been pulled from the agenda.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Rabbitt congratulated Supervisor Zane who will receive an award from the National Alliance on Mental Health (NAMI) on August 1, 2014 for work in mental health advocacy.

Supervisor McGuire announced that the Library Commission will sign the joint powers agreement on August 1, 2014. He thanked Congressman Thompson for his support for the \$1million mitigation grant at the airport and announced that two new "Welcome to Fulton" signs have been purchased.

Supervisor Zane spoke on the needs of homeless women and children at a Living Room benefit. Additionally, she will attend the upcoming NAMI conference to receive an award.

Supervisor Gorin attended an emergency training session for pets at a small animal shelter, helped to dedicate the Bay Area Ridge trail, with a guided tour of the ridge, attended the fundraiser event for the Living Room and congratulated Cloverdale for joining Sonoma Clean power.

Supervisor Carrillo reported he visited the regional parks kids' program, business outreach investments' initiative meeting, the water coordination council, and Occidental center for the arts. He invited the public to a community development neighborhood meeting for the Roseland Village development on July 30, 2014, 6:00 p.m. at 651 Sebastopol Road and he also congratulated Cloverdale for joining Sonoma Clean power.

BOARD MEMBER ANNOUNCEMENTS (Continued)

Supervisor Rabbitt attended the North Bay water reuse authority trip in Washington D.C. and shared that the recycled water bill act will be coming forward, with important storage features.

III. CONSENT CALENDAR (Items 1 through 24)

Public Speakers:

Thomas Morabito

Carol Taylor

Myrna Spiegler

Mike Nichols

PRESENTATIONS/GOLD RESOLUTIONS (Items 1 through 5)

PRESENTATIONS AT THE BOARD MEETING

1. Adopt a Gold Resolution congratulating Ofelia Ochoa-Morris on the occasion of her retirement after 36 years from Community Action Partnership. (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0300

2. Adopt a Gold Resolution honoring Erik Benjamin Fisher for Achieving the Rank of Eagle Scout. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0301

3. Adopt a Gold Resolution to Celebrate and Honor the Life of Allen Losh on the occasion of his untimely passing. (Forth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0302

PRESENTATIONS AT A DIFFERENT DATE

4. Adopt Gold Resolutions honoring the County's Information Systems Department for receiving the National Association of Counties Digital Survey Award, and the Regional Parks Department for receiving the National Association of Counties Achievement Award. (Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolutions No.14-0303a and No.14-0303b

CONSENT CALENDAR (Continued)

5. Adopt a Gold Resolution honoring and acknowledging Lieutenant Mike Cook upon the occasion of his retirement from the Petaluma Police Department after 28 years of exemplary service. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0304

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

6. Authorize the General Manager to execute a change order in the amount of \$5,344 with Hanford Applied Restoration & Conservation for a fence line on Sonoma Mountain and to increase the contract balance by \$1,795.00. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

7. Authorize the Chair to execute an agreement with Gwynne Cropsey dba ZunZun to provide water education through school assemblies for the amount of \$60,000; agreement terminates on June 30, 2016.

Board Action: Approved as Recommended

UNANIMOUS VOTE

8. Petaluma Valley Groundwater Study -

(A) Authorize the General Manager to execute a cooperative agreement between the City of Petaluma and the Water Agency to jointly provide funding and support information for the Petaluma Valley Groundwater Study for the amount of \$954,176; agreement terminates on December 31, 2017;

(B) Authorize the General Manager to execute a Funding Agreement between the United States Geological Survey and the Water Agency for the implementation of the Petaluma Valley Groundwater Study for the amount of \$1,228,797 (including \$274,621 in federal matching funds); agreement terminates on December 31, 2017. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY
OCCIDENTAL COUNTY SANITATION DISTRICT
RUSSIAN RIVER COUNTY SANITATION DISTRICT
SOUTH PARK COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Rouse)

9. Authorize the Chair to execute an agreement with Hanford Applied Restoration & Conservation to provide hydro-seeding (a planting process that uses a slurry of seed and mulch) and related services for the not-to-exceed amount of \$50,000; agreement terminates on July 1, 2016.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Sonoma Valley County Sanitation District

Board Action: Approved as Recommended

AYES: David Rabbitt, Susan Gorin

ABSENT: Mayor Rouse

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

10. Review and accept the Annual Report of County Service Area No. 40 - Fire Suppression Services for the Fiscal Year ended June 30, 2013.

Board Action: Approved as Recommended

UNANIMOUS VOTE

11. Adopt a Resolution authorizing the sale of Tax Defaulted Property at Public Auction on or after October 18, 2014.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0305

BOARD OF SUPERVISORS

12. Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotions activities for Fiscal Year 2014-15: El Comite Mexicano Civico Patriotico de San Francisco for the Guelaguetza 2014 Sonoma County Event at the Wells Fargo Center for the Arts, \$1,000; Windsor Educational Foundation, \$3,000; Geyserville Volunteer Firefighter Association, \$1,000. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

COMMUNITY DEVELOPMENT COMMISSION

(Directors: Zane, Rabbitt, Zane, McGuire, Carrillo)

13. Approve revisions to the Commercial Rehabilitation Loan Program Design to streamline and remove administrative obstacles for use of the program.

Board Action: Approved as Recommended

UNANIMOUS VOTE

COUNTY ADMINISTRATOR/
TRANSPORTATION AND PUBLIC WORKS

14. Pilot Student Transit Pass Program Development - Direct the County Administrator and Transportation and Public Works staff to develop a proposal for a Pilot Student Transit Pass Program.

Board Action: Approved as Recommended

UNANIMOUS VOTE

COUNTY ADMINISTRATOR/
COUNTY COUNSEL

15. Adopt a Resolution urging the Department of Interior to extend the public comment period for the proposed changes to the Rule on Federal Acknowledgment of Indian Tribes , requesting Congress hold oversight hearings on the proposed rule changes, and opposing the lowering of the federal acknowledgment standards for Indian Tribes; and authorize the County Administrator's Office to submit the resolution with a letter opposing Proposed Rule Changes to the Department of Interior on behalf of the County.

Board Action: Approved as Amended (under approval of the agenda)

UNANIMOUS VOTE

Approved by Resolution No.14-0306

ECONOMIC DEVELOPMENT BOARD

16. North Bay North Coast Broadband Consortium Grant and Memorandum of Understanding -
(A) Accept California Advanced Services Fund Rural and Urban Regional Grant (\$250,000) for the North Bay North Coast Broadband Consortium (NBNCBC) including Sonoma, Marin, Napa and Mendocino Counties.
(B) Approve a Memorandum of Understanding with Sonoma, Marin, Napa and Mendocino Counties for NBNCBC Grant Coordination. (Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

HEALTH SERVICES

17. Authorize the Director to execute the first amendment to an agreement with Community Action Partnership, to expand the school-based dental sealants and education program and to coordinate treatment services for low-income children, increasing the contract by \$170,209, resulting in a new total not to exceed amount of \$260,209, and extending the term from December 31, 2014 to June 30, 2015. (Countywide)

Board Action: Approved as Recommended
UNANIMOUS VOTE

18. Authorize the Director to execute the first amendment to an agreement with Sara Ratekin, DVM, for veterinary services associated with the Love Me Fix Me mobile spay/neuter program, increasing the agreement by \$67,950, resulting in a new total not to exceed amount of \$92,950, and extending the term from December 31, 2014 to June 30, 2015.

Board Action: Approved as Recommended
UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

19. Adopt a Resolution issuing a roiling permit (Ordinance No. 3836R) for work and necessary permit extensions to the Gold Ridge Resource Conservation District for the Green Valley Creek Off Channel Winter Refugia Habitat Enhancement Project. (4/5 vote required) (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No.14-0307

REGIONAL PARKS

20. Trails Council at Taylor Mountain Revocable License Agreement -
(A) Authorize the Director of Regional Parks to execute a Revocable License Agreement with Sonoma County Trails Council for the construction of trails at Taylor Mountain Regional Park for the period of August 1, 2014 through July 30, 2019.
(B) Authorize the Director of Regional Parks to approve a five year extension at the expiration of the initial term, upon satisfactory performance by the licensee. (First and Third Districts)

Board Action: Approved as Recommended
UNANIMOUS VOTE

REGIONAL PARKS/COUNTY COUNSEL

21. Labor Compliance Program -
(A) Authorize the Director of Regional Parks to execute a legal services agreement with the Law Office of Deborah Wilder for as-needed specialized prevailing wage representation on behalf of as-needed Legal Services for the County of Sonoma (\$7,500 annually, term August 1, 2015);

CONSENT CALENDAR (Continued)

Item #21 Continued

- (B) Adopt a Resolution approving the Labor Compliance Program; authorizing Carolyn Lay dba North Valley Labor Compliance Services to submit such program to the California Department of Industrial Relations for review and approval; authorizing North Valley to enforce the Program pursuant to a professional services agreement executed by the Purchasing Agent for Regional Parks (\$11,375, term thru January 2015); authorizing the Law Office of Deborah Wilder with the concurrence of County Counsel to represent the County of Sonoma as necessary in the event that an enforcement action undertaken pursuant to the adopted program is appealed to the Department of Industrial Relations. (4/5 vote required) (Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0308

APPOINTMENTS/REAPPOINTMENTS

(Item 22-24)

22. Approve the Appointment of Jay Jasperse to the Oversight Board for the Successor Agency to the City of Sonoma Redevelopment Agency ending on June 30, 2016. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

23. Approve the Appointment of Paul Heavenridge to the Library Commission representing the County of Sonoma for a two year term ending August 1, 2016. (Countywide).

Board Action: Approved as Recommended

UNANIMOUS VOTE

24. Appoint Supervisor Efren Carrillo to the North Bay North Coast Broadband Consortium Oversight Board. -(Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

The Board recessed: 10:01 a.m.

The Board reconvened: 10:29 a.m.

IV. REGULAR CALENDAR (Items 25 through 32)

CLERK-RECORDER-ASSESSOR

25. Informational Presentation - The Fiscal Year 2014-15 Assessment Roll.

Presenters:

Bill Rousseau, Clerk, Recorder, Assessor

Greg Walsh, Chief Deputy Assessor.

Public Speaker:

Deborah _____

Informational Item: No vote required.

SONOMA COUNTY WATER AGENCY
OCCIDENTAL COUNTY SANITATION DISTRICT
RUSSIAN RIVER COUNTY SANITATION DISTRICT
SOUTH PARK COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Rouse)

26. Sanitation Use Study Report and Recommendations -

(A) Approve the draft Sanitation Use Study recommendations and direct the General Manager to complete the report.

(B) Authorize the General Manager to implement the interim Fiscal Year 2014-15 Sanitation Use Study recommendations; including reducing the equivalent single-family dwelling factor used to calculate sanitation charges for condominiums.

(Majority) (2/3 vote required) (Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Sonoma Valley County Sanitation District

Board Action: Approved as Recommended

AYES: David Rabbitt, Susan Gorin

ABSENT: Mayor Rouse

COUNTY ADMINISTRATOR

27. Financing Plan for the Implementation of the Long-Term Roads Plan -

(A) Receive Financing Plan for Implementation of the Long-term Roads Plan, including a total \$40 million annual investment in the County's Road Network of which \$20 million will be dedicated for pavement preservation.

REGULAR CALENDAR (Continued)

Item #27 Continued

- (B) Conduct a Public Hearing to consider whether to adopt one of two tax ordinances: (1) an ordinance imposing a general countywide transactions and use tax, or (2) an ordinance imposing a special countywide transactions and use tax to fund road maintenance in the County. If one of the ordinances is adopted, it will be placed on the ballot at the November 4, 2014, election, and will become effective if it is approved by the requisite amount of the voters voting on the measure (a majority for the general tax or two-thirds for the special tax)
- (C) Adopt a Resolution introducing, reading the title of and waiving further reading of the proposed ordinance imposing a general transactions and use tax.
- (D) Direct staff to draft an advisory measure pursuant to Elections Code Section 9603(a) allowing the voters to voice their opinion on the use of the proposed general tax revenue in a similar manner as proposed in the Sonoma County Road Safety and Improvement Act. The advisory measure will be considered at the August 5, 2014 Board Meeting, where the Board may resolve to place the measure on the November 4, 2014 ballot.
- (E) Direct staff to work with the Sonoma County Transportation Authority ("SCTA") to develop an Administrative and Oversight Agreement as called for by the advisory measure, and which may be implemented should the advisory measure receive a majority of the vote at the November 4, 2014 election.

Presenters:

Veronica Ferguson, County Administrator
Chris Thomas, Assistant County Administrator
Peter Rumble, Deputy County Administration.

Public hearing opened: 12:30 p.m.

Public Speakers:

Roger Delano
Gary Helfrich
Dan George
Steve Birdlebough
Willard Richards
Craig Harrison
John Bly
Bob Williamson
Deborah
Gina Cucles
Jake Mackenzie
Dennis Rosenthal

Supervisor Zane left the meeting: 12:33 p.m.

Supervisor Zane returned to the meeting: 12:38 p.m.

Public Hearing Closed: 1:05 p.m.

REGULAR CALENDAR (Continued)

Item #27 Continued

Board Action: Approved as Recommended, with a 90%/10% split going to public transportation.

UNANIMOUS VOTE

Approved by Resolution No.14-0309

The Board recessed: 1:31 p.m.

The Board reconvened: 1:41 p.m.

TRANSPORTATION AND PUBLIC WORKS

28. Water charges in CSA No. 41 Fitch Mountain Zone of Benefit - Conduct a Public Hearing of Necessity and

(A) Adopt a Resolution ordering the annual water charge to be collected on the County of Sonoma tax roll for the total amount of \$118,412 for Fiscal Year 2014-15.

(4/5 vote required) (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0310

29. Water charges in CSA No. 41 Salmon Creek Zone of Benefit - Conduct a Public Hearing of Necessity and

(A) Adopt a Resolution ordering the annual water charge to be collected on the County of Sonoma tax roll for the total amount of \$43,622.38 for Fiscal Year 2014-15.

(4/5 vote required) (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0311

30. Jenner Water District Fiscal Year 2014-15 annual tax levy - Conduct a Public Hearing of Necessity and

(A) Adopt a Resolution ordering the annual water charge to be collected on the County of Sonoma tax roll for the total amount of \$65,458 for Fiscal Year 2014-15. (4/5 vote required) (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0312

31. Freestone Water District Financing

(A) Consider whether there was a majority protest at the Proposition 218 hearing that was conducted on July 22, 2014, related to specific proposed rate increase for providing water service to the Freestone Water District ("District").

(B) If there was not a majority protest, adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed Ordinance amending Ordinance No. 4025, as amended, of the Board of Supervisors for the Freestone Water District for rates increases needed to fund the additional expenses of the District and water system for provision of water service.

REGULAR CALENDAR (Continued)

Item #31 Continued

- (C) Direct staff to work with the District members to address their concerns and develop a revised rate structure. (4/5 vote required) (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0313

COUNTY ADMINISTRATOR

32. Sonoma County Library Improvement Act

- (A) Conduct a Public Hearing and consider calling a special election to submit to the voters of Sonoma County a proposed one-eighth cent (.125%) sales tax measure entitled the "Sonoma County Library Improvement Act."
- (B) Adopt a Resolution introducing, reading the title of and waiving further reading of a proposed Ordinance imposing a transactions and use tax to be administered by the State Board of Equalization to maintain and improve library services for all residents of Sonoma County with an operative date contingent upon the California Legislature enacting legislation raising the cap on local sales tax in Sonoma County by .125%, the amount of the proposed tax. (First Reading)

Presenters:

Michelle Arellano, CAO Administrative Analyst

Library Director Brett Lear

Kathy LeRoque, County Counsel

Public hearing opened: 2:08 p.m.

Public Speakers:

Cathy Signorelli

Kim Popenuck

Reece Foxen

Norma Doyl

Frank Baumgarden

Tim May

Tom Popenuck

Bruce Horace Robinson

Marjorie Lear

Ken Nieman

Brett Lear

Myrna Ring Miller

Barbara Mackenzie

Jonathan Greenberg

Maggie Siegel

Jane Snibbe

REGULAR CALENDAR (Continued)
Item #32 Continued

Public Hearing Closed: 2:45 p.m.

Board Action: Approved as Recommended.

UNANIMOUS VOTE

Approved by Resolution No.14-0314

V. CLOSED SESSION CALENDAR (Items 33 through 36)

The Board recessed into closed session: 2:55 p.m.

5:09 P.M. Counsel Goldstein reported on Closed Session Items #33-36 with the exception of Item #34 which was pulled from the agenda.

33. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Potential initiation of Litigation - Name of Case: Filing of Petition with State Water Resources Control Board for Temporary Urgency Change in Sonoma County Water Agency's Water Rights Permits (Govt. Code Section 54956.9(d)(4)).

No reportable action. Direction was given to staff and Counsel.

34. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: County of Sonoma v. CATS 4 U, et al Solano County Superior Court Case No. FCS041857 (Govt. Code Section 54956.9(d)(1)).

This item was pulled from the agenda.

35. The Board of Directors of the Sonoma County Water Agency will consider the following in closed session: Conference with Real Property Negotiator - Property: 7945 River Road, Forestville, APN 083-020-059; Agency Negotiator: Grant Davis, General Manager, Sonoma County Water Agency; Negotiating Parties: Seller - Sonoma County Water Agency; Buyer - Bartolomei Tommervik, Bartolomei Properties, LLC; Under Negotiation: Price and terms and conditions of potential sale of easement (Govt. Code Section 54956.8).

No reportable action. Direction was given to property negotiators.

36. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation and Appointment: County Counsel (Govt. Code Section 54957(b)).

This item was continued to August 5, 2014.

VI. REGULAR AFTERNOON CALENDAR (Items 37 through 41)

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

3:52 P.M. - RECONVENE FROM CLOSED SESSION

37. Report on Closed Session.

3:52 P.M. Chairman Rabbitt announced Closed Session on Items #33-36 will reconvene after Item #40 with the exception of Item #34 which was pulled from the agenda.

38. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

3:53 Public Comment Opened

Richard Hannan
Mary Morrison
John Jenkel
Maria de los Angeles
Colleen Fernald
Deborah _____
Roger Delano

4:15 P.M. Public Comment Closed

39. Permit and Resource Management Department: Review and possible action on the following: Acts and Determinations of Planning Commission/Board of Zoning Adjustments
Acts and Determinations of Project Review and Advisory Committee Acts and Determinations of Design Review Committee Acts and Determinations of Landmarks
Commission Administrative Determinations of the Director of Permit and Resource Management

4:15 P.M. No Acts or Determinations were acted on or reviewed.

4:15 P.M. David Hurst, Deputy County Counsel replaced County Counsel Goldstein

REGULAR AFTERNOON CALENDAR (Continued)

PERMIT AND RESOURCE MANAGEMENT

40. Small Agricultural Processing Facilities and Farm Retail Sales - ORD13-0004 - (County-wide)
- a) APPLICANT: County of Sonoma
 - b) APPELLANT: None.
 - c) LOCATION: Various
 - d) ASSESSOR'S PARCEL NO.: Various
 - e) ENVIRONMENTAL DOCUMENT: General Plan 2020 EIR
- REQUEST: Revision to Zoning Code and adoption of Ordinance for Small Agricultural Processing Facilities and Farm Retail Sales.

4:16 P.M.

Present: David Schiltgen, Project Planner; Jennifer Barrett, Deputy Director; and Tennis Wick, Director; Permit and Resource Management Department

4:46 P.M. Public Hearing Opened

Carmen Snyder
Karen Giovannini
Norman Gilroy
Tara Smith
Tim Tesconi
Terry Harrison

5:04 P.M. Public Hearing Closed

Board Action: Adopt An Ordinance Adopting a Negative Declaration and Amending Text Of Chapter 26 (Zoning Ordinance) Of The Sonoma County Code To Allow Small-Scale Agricultural Processing Facilities And Farm Retail Sales To Be Permitted Through A Ministerial Zoning Permit Process In The Land Intensive Agriculture (LIA), Land Extensive Agriculture (LEA), Diverse Agriculture (DA) And Resources And Rural Development (RRD) Zoning Districts Provided That Specified Performance Standards Can Be Met; Allow, As A Permitted Use, Additional Temporary And Seasonal Sales At Farm Stands In The Above Districts; And Allow Farm Retail Sales To Be Allowed With A Use Permit In The Agricultural And Residential (AR) Zoning Districts.

UNANIMOUS VOTE

Approved by Ordinance No. 6081

5:07 P.M. The Board recessed.

5:09 P.M. The Board reconvened.

41. ADJOURNMENTS

5:10 P.M. The Board adjourned the meeting in memory of Dick Latimer, Sarah Abramson, David Robbins, James O'Brien, Casimer "CJ" Banaszek IV, Marteen Miller, Daimon Lane, Ronald John Watts, and Teresa Lombardi. The meeting was adjourned to August 5, 2014 at 8:30 A.M.

Respectfully submitted,

Roxanne Epstein
Chief Deputy Clerk of the Board



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 29
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Efren Carrillo, 565-2241

Supervisorial District(s):

Fifth District

Title: Appointment

Recommended Actions:

Appoint Albert Lerma to the Sonoma County Transportation Authority Citizens Advisory Committee effective 09/09/2014 (Fifth District).

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

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Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

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Related Items “On File” with the Clerk of the Board:

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County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 30
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Susan Gorin, 565-2241

Supervisorial District(s):

First District

Title: Appointment

Recommended Actions:

Appoint Laura Van Waardenburg to the Commission on the Status of Women effective 09/09/14 and expiring 09/09/16. (First District).

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 31
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt, 707/565-2241

Supervisorial District(s):

Second

Title: Appointment

Recommended Actions:

Resolution appointing Caren Montante to the Sonoma County Commission on the Status of Women representing the Second District for a term of two years, expiring 9.9.16.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

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Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

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Related Items “On File” with the Clerk of the Board:

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County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 32
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Veronica Ferguson 707-565-2431

Supervisorial District(s):

Countywide

Title: Fire Services Ad Hoc Committee Charter

Recommended Actions:

Review and Approve the Fire Services Ad Hoc Committee Charter

Executive Summary:

On 3/18/14, the Chair formed a Fire Services Ad Hoc Committee of Supervisors McGuire and Carrillo to address the fragmented nature of fire services in the county, particularly in unincorporated areas.

The Committee met with staff from County Administrator's Office and Fire and Emergency Services several times since then to develop a scope of work. In addition, there have been several meetings with groups of fire chiefs and fire board members. The purpose of these meetings was to design an approach, with a wide array of stakeholder input, which will build on previous reports and recent efforts to improve fire governance in order to have a more effective, efficient, and sustainable fire system in the County. The goal is to develop recommendations generated through consensus with stakeholders so that they will be implemented instead of resulting in just yet another study. The work will also be coordinated closely with LAFCO as well so that any recommendations for annexation or reorganizations involving existing agencies can use the municipal service review(s) from this effort as a part of LAFCO proceedings in implementation.

The work effort will have 3 phases as detailed in the attached charter/scope of work. The first phase running through December 2014 is focused on gathering the information available and building consensus with the stakeholders on how the recommendations will be made. The second phase, from January 2015 to October 2015, will be developing the recommendations, an implementation plan, and related reports. The final phase, from November 2015 to June 30, 2016, will involve securing any necessary approvals and other required steps or transitions in order to implement the recommendations by the start of FY 16-17.

The current Ad Hoc will provide guidance through the end of the first phase of the work effort. The

Board may wish to establish another Ad Hoc committee in 2015 to guide the work of the next phase.

Prior Board Actions:

3/18/14: Chair established Facilities Ad Hoc Committee.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

This work supports the goal of Civic Services and Engagement through the outcome of a professionally managed fire system that is sustainable and responsive to the communities' needs countywide.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 340,000	County General Fund	\$ 340,000
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 340,000	Total Sources	\$ 340,000

Narrative Explanation of Fiscal Impacts (If Required):

The adopted budget included \$340,000 in order to address short-term needs in the Cloverdale Fire Protection District and the Bodega Bay Fire Protection District totaling \$200,000 and \$140,000 to provide for various consulting services that may be needed in the portions of Phase I and Phase II of this item's work that fall within the fiscal year. Costs for FY 15-16 and beyond will be developed in the course of the work in Phase I and II and will be requested as a part of the FY 15-16 budget process.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Fire Services Ad Hoc Committee Charter/Scope of Work

Related Items "On File" with the Clerk of the Board:

**County of Sonoma
Fire Services Ad-Hoc Committee
Charter/Scope of Work
August 2014 - Draft**

Background

The Chair of the Board of Supervisors has formed a Fire Services Ad-Hoc Committee to address the fragmented nature of fire services in the County, particularly in the unincorporated areas. The intended outcome is a more effective and efficient fire system in Sonoma County. The Ad Hoc Committee will address some immediate challenges, as well as establish a longer-term process which builds on historical and recent efforts to improve fire governance.

This effort will keep three principles in mind to guide decisions:

1. Any decisions should result in a quality of service that equals or exceeds the level that would exist without changes.
2. Any decisions should improve the cost effectiveness of fire services.
3. Any decisions will be made with a County-wide view. For example, the base property tax revenue for CSA 40 will be considered as one “pool” of funding.

Committee Members

Efren Carrillo, Board of Supervisors, Fifth District

Mike McGuire, Board of Supervisors, Fourth District

County Department Resources

Veronica Ferguson	County Administrator
Chris Thomas	Assistant County Administrator
Peter Bruland	Administrative Analyst
Al Terrell	Director, Fire and Emergency Services

Subject matter experts from Fire and Emergency Services, Auditor-Controller-Treasurer-Tax Collector Office, County Counsel, and other departments such as Health Services as needed.

Work Efforts

1. Financial Stability: Respond to financial pressures on the most severely impacted areas of the County. Require that any County financial assistance be tied to agreements that promote long-term improvements in fire services County-wide and are consistent with the principles above.

2. Focus Groups, Community Meetings, and Advisory Committee: Sponsor the convening by staff of focus groups of key stakeholders in the County (cities, fire districts, EMS providers, and County) and other community meetings for structured discussions on fire governance. The purpose will be to explain the County’s interest in achieving the long-term goal of improving fire services, ensure the County and other stakeholders understand current and historical challenges, recognize the need for a collaborative effort, discuss the proposed principles to be followed in the effort, and solicit interest in and concerns about participation, if any, in a County-wide analysis of fire services and particularly on an Advisory

Committee developed in conjunction with LAFCO to assist with vetting the data analysis and recommendations as they are drafted. See Stakeholder list below.

3. County-wide Fire Services Municipal Services Review Assistance Proposal and Data Analysis: In conjunction with LAFCO, staff will develop a request for proposal for consultant services to assist with the Countywide Fire Services effort to produce a report to be used as needed as a part of a LAFCO Municipal Services Review in conjunction with any reorganizations that may be recommended as a part of this project.

All fire service agencies will be invited to participate in the effort, but will not be required to do so. In many cases Emergency Medical Services will need to be considered, particularly in areas where these services are offered by fire agencies such as Bodega Bay and the Russian River. To the extent feasible, this project will be integrated with the results of the Zone Six fire analysis conducted by LAFCO that is currently underway and build upon previous studies for standards of cover, fire finances and others.

The proposal will include:

- a. Scope
- b. Roles for stakeholders including an Advisory Committee coordinated with LAFCO
- c. Assessment of performance with existing governance structures and resources
- d. Identification of potential alternative models
- e. Desired outcomes
- f. Resources
- g. Timing

On a parallel track and to feed into the report for the Municipal Services Review, staff will analyze operational and financial data from all agencies as well as standards and benchmarks of operations in other jurisdictions throughout the country. See Attachment for initial list of data collection and analysis. This initial list is not in any priority order and will be added to as the project continues. Preliminary information from this data analysis will be shared with the focus groups, the Advisory Committee, and at the Summits.

4. Summits: Sponsor a pair of Fire Services Summits with all interested stakeholders. The first is to more publicly launch the project and will include presenting the results of the initial focus groups and the proposal for the above consultant services, and will solicit participation from other fire agencies. The second Summit would be to review the results of the work and the draft report.

5. County-wide Fire Services Municipal Services Review Report: Produce Report that includes recommendations from the above process including service and financial data and can be used as a part of any implementation actions that include reorganizations considered by LAFCO.

The desired outcome is to improve system for fire services in Sonoma County, including:

1. Developing a strategy for improved fire services in Sonoma County, most likely reflecting a decision between a “Regional Zone” and “County-wide” approach, or a hybrid of the two.
2. Recommendations and a plan to implement the chosen strategy.
3. Progress during the course of the effort toward improvements in fire governance.

Stakeholders

- Fire Chiefs/Fire Boards/Fire Labor (VFC's, FPD's, cities)
- Ambulance providers/Ambulance provider Boards/Ambulance Labor
- CSA 40/Coastal Valleys EMS

Phases

1. Phase 1 – Charter Development, Focus Groups, Proposal Development, and First Summit (July 2014 – December 2014)
2. Phase 2 - County-wide Fire Services Municipal Services Review Report Development and Second Summit (January 2015 – October 2015)
3. Phase 3 – Approval and Implementation (November 2015 – July 2016)

Staff Contact

Chris Thomas, Assistant County Administrator
(707) 565-2431
chris.thomas@sonoma-county.org

Attachment 1

Initial Data Collection and Analysis List – most of the following will reflect data for the last 5 years

- Totals by type of incident by responder – geographically; (maps)
- Total facility by type by agency - geographically
- Total equipment by type by agency – geographically
- Total responders (agency and # staff – volunteer/paid) per incident by type (tables)
- Total responders (agency and equipment type) per incident by type
- Total incidents by agency by type (showing number handled on own, number where someone else was needed for response)
- Total responses by individual personnel by agency by type (volunteer/paid)
- Total responses by equipment type by agency
- Total constituent/non-constituent served by agency by incident type
- Total mutual aid responses by incident type by agency (needed/not needed)
- Total auto aid responses by incident type by agency (needed/not needed)
- Total mutual aid received by incident type per agency by provider
- Total auto aid received by incident type per agency by provider
- Average time resource out of service by resource by agency
- Average time resource committed by resource by agency by incident type
- Total personnel by certifications/qualifications by agency (volunteer/paid)
- Total personnel by age group by agency (volunteer/paid)
- Total personnel by years of service by agency (volunteer/paid)
- Review of 5 year budget and actual and 5 year projections by agency
- Geographic representation of amount of annual funding (by % of valuation/ total \$) by type



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 33
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation & Public Works

Staff Name and Phone Number:

Susan Klassen, (707) 565-2231

Supervisorial District(s):

Second

Title: Termination of County Maintenance on Reclamation Road between Post Miles 10.00 and 10.58

Recommended Actions:

1. Conduct a public hearing to determine if Reclamation Road between County Post Miles 10.00 and 10.58 is necessary for the public convenience.
2. Adopt a Resolution terminating the maintenance of Reclamation Road, County Post Miles 10.00-10.58, reducing the County Maintained mileage by .58 mile.
3. Approve the installation of a private gate on Reclamation Road (#36001) at Post Mile 10.58.

Executive Summary:

The Sonoma Land Trust has requested to install a gate to secure a portion of Reclamation Road off of Hwy 37. This area of the road is located in a fairly remote area of the County and has been known to attract illegal dumping of debris. The Sonoma Land Trust, U.S Fish and Wildlife Service, Sonoma-Marín Area Rail Transit (SMART) and the State of California are the sole owners of the lands south of the proposed gate location. The lands of the State are not accessed from Reclamation Road. A "lock box", or other device, to allow for emergency equipment and lessee access, will be installed on the gate, which will be located approximately 1100 feet from the Hwy 37 intersection. Pursuant to Streets and Highways Code section 966, Sonoma Land Trust is responsible for the cost of erecting and maintaining the gate. Should the Board approve installation of the gate, Staff of the Transportation and Public Works Department recommends terminating County maintenance of Reclamation Road from Mile Post 10.00 to Mile Post 10.58. The roadway between Post Mile 10.58 and 10.65 will remain in the County's roadway system and is maintained jointly by the City of Santa Rosa Utility Department and the County.

The California Streets & Highway Code section 954.5 allows the Board to terminate maintenance of a County highway by resolution, provided it is determined at a public hearing that the highway is unnecessary for the public convenience. If maintenance of a county highway is terminated, the highway is still a public road, however the County will no longer maintain the roadway and will not be liable for the death of, or injury to a vehicle owner, operator, or passenger, or for damage to a vehicle or its contents, resulting from a dangerous condition on such highway. In order to determine if the highway is

not necessary for the public convenience, evidence of one of the following conditions must be met to the satisfaction of the Board at the public hearing:

- The county highway does not provide the primary access to occupied properties;
- Traffic on the county highway is intermittent and of low volume; or
- The county highway is impassable for more than six months and there is no demand that it be reopened.

If the Board determines Reclamation Road from County Mile Post 10.00 to 10.58 is not necessary for the public convenience it may by resolution discontinue County maintenance on said portion. A certified copy of the resolution must be recorded and a sign must be installed at the gate in accordance with California Streets & Highway Code section 954.5, stating: "This road is not maintained. Sonoma County is not responsible for any loss or injury suffered by reason of its use." Further, should the Board approve the installation of the gate, the Trust has agreed to reimburse the County \$400 for the fabrication and installation of the sign.

By terminating maintenance on this portion of the road, the County's maintained miles will be reduced by approximately .58 miles (map attached). The average cost for the County to maintain this portion of roadway over the past ten years has been \$3,000 annually; a small decrease in maintenance costs can be expected with this termination of maintenance.

Prior Board Actions:

None

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Blocking access to this remote section of road will lessen the likelihood of continued illegal dumping in the area.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 400		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 400
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 400	Total Sources	\$ 400

Narrative Explanation of Fiscal Impacts (If Required):

Funding for the fabrication and installation of a roadway sign are included in the FY 14-15 Road Maintenance Budget. The Sonoma Land Trust will be responsible for the installation and cost of the gate.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
<ol style="list-style-type: none"> 1. Sonoma Land Trust letter of request for the installation of a gate 2. U.S. Fish and Wildlife Service letter of acknowledgement and acceptance of gate installation, recognition of termination of County road maintenance beyond the gate, and offer to maintain the road 3. SMART letter of acknowledgement and acceptance of gate installation with conditional approval of termination of County road maintenance beyond the gate 4. Map of Reclamation Road showing the location of the proposed gate and portion of Road in question 5. Resolution 			
Related Items "On File" with the Clerk of the Board:			
None.			



County of Sonoma
State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
terminating the maintenance of Reclamation Road, County Post Miles 10.00 – 10.58.**

Whereas, on September 9, 2014, a public hearing was held to determine if Reclamation Road between County Post Miles 10.00 and 10.58 is necessary for the public convenience; and

Whereas, the public hearing was set and noticed in accordance with the requirements of sections 8323 and 8324 of the Streets and Highways Code; and

Whereas, notice of hearing was mailed to all property owners served by Reclamation Road between County Post Miles 10.00 and 10.58; and

Whereas, the Board of Supervisors of the County of Sonoma received evidence offered by persons interested at the public hearing; and

Whereas, evidence was offered at the public hearing that Reclamation Road between County Post Miles 10.00 and 10.58 does not provide access to occupied properties; and

Whereas, evidence was offered at the public hearing that the traffic on Reclamation Road between County Post Miles 10.00 and 10.65 is intermittent and of low volume.

Now, Therefore, Be It Resolved that Reclamation Road between County Post Miles 10.00 and 10.58 is not necessary for the public convenience; and

Be It Further Resolved that the Clerk is directed to record a certified copy of this approved Resolution terminating maintenance on Reclamation Road between County Post Miles 10.00 and 10.58 in accordance with section 8325 of the Streets and Highways Code; and

Be It Further Resolved that a sign shall be posted reading, "This road is not maintained. Sonoma County is not responsible for any loss or injury suffered by reason of its use" in accordance with section 954.5 of the Streets and Highways Code; and

Resolution #

Date:

Page 2

Be It Further Resolved that upon recording of this Resolution in accordance with section 8325 of the Streets and Highways Code and posting of the sign in accordance with section 954.5 of the Streets and Highways Code maintenance on Reclamation Road between County Post Miles 10.00 and 10.58 shall be terminated.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

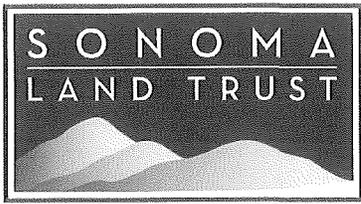
Ayes:

Noes:

Absent:

Abstain:

So Ordered.



822 Fifth Street
Santa Rosa, California 95404
(707) 526-6930
www.sonomalandtrust.org

August 4, 2014

Tom O'Kane, Deputy Director-Road Operations
Sonoma County Dept. of Transportation & Public Works
2300 County Center Dr., Suite B-100
Santa Rosa, CA 95403

Subject: Reclamation Road access gate and termination of County road maintenance

Dear Mitch:

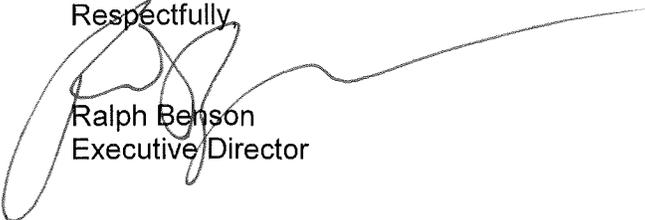
Sonoma Land Trust (SLT) is seeking approval from Sonoma County Department of Transportation and Public Works to install an electronic access gate along Reclamation Road in southern Sonoma County. The gate is part of SLT's Sears Point Restoration Project, which will restore 1,000 acres of tidal marsh at the site and provide nearly 4 miles of new public trails, including 2.5 miles of the Bay Trail.

The purpose of the gate is to discourage dumping and other vandalism afterhours. Land beyond the proposed gate is owned by SLT, Sonoma Marin Area Rail Transit (SMART), and the U.S. Fish and Wildlife Service San Pablo Bay National Wildlife Refuge (Refuge). Letters from SMART and the Refuge approving the gate and acknowledging termination of road maintenance are enclosed. The State of California's property (APN 068-140-030) is not accessed from Reclamation Road.

SLT leases farmland beyond the gate to local farmers. The lessees are aware of and support gate installation. They will be provided the access code. SLT also coordinated with the Lakeville Fire Department and Sonoma County Fire to ensure their unfettered access for emergency services.

Thank you for considering our request to install this gate on Reclamation Road.

Respectfully,



Ralph Benson
Executive Director

cc: Sonoma County Board of Supervisors
Attn. Andrea Krout
575 Administration Dr., Room 100A
Santa Rosa, CA 95403



United States Department of the Interior
U. S. Fish and Wildlife Service
Antioch Dunes, Marin Islands, San Pablo Bay
National Wildlife Refuges
7715 Lakeville Road
Petaluma, California 94954
Phone (707)969-4200/fax (707)969-8106



August 4, 2014

Tom O’Kane, Deputy Director-Road Operations
Sonoma County Dept. of Transportation & Public Works
2300 County Center Dr., Suite B-100
Santa Rosa, CA 95403

Subject: Reclamation Road access gate and termination of County road maintenance

Dear Mr. O’Kane:

The U.S. Fish and Wildlife Service San Pablo Bay National Wildlife Refuge (Refuge) is aware of and approves Sonoma Land Trust’s (SLT) plans to construct an electronic gate on Reclamation Road. The purpose of the gate will be to discourage after-hours access and illegal activity beyond the gate. SLT will provide the Refuge with the access code and/or key to the gate.

The Refuge owns two parcels beyond the gate (APNs 068-140-018 and 068-160-006) and will own the gate after it is installed. The Refuge recognizes that the gate will result in the termination of road maintenance beyond the gate by the County of Sonoma. The Refuge will maintain the road in the future subject to congressional appropriations.

Respectfully,

Don Brubaker
Manager, San Pablo Bay National Wildlife Refuge

cc: Sonoma County Board of Supervisors
Attn. Andrea Krout
575 Administration Dr., Room 100A
Santa Rosa, CA 95403
Julian Meisler, Sonoma Land Trust



Judy Arnold, Chair
Marin County Board of Supervisors

Barbara Pahre, Vice Chair
Golden Gate Bridge,
Highway/Transportation District

Jim Eddie
Golden Gate Bridge,
Highway/Transportation District

Debora Fudge
Sonoma County Mayors and
Councilmembers Association

Madeline Kellner
Transportation Authority of Marin

Jake Mackenzie
Sonoma Mayors and Councilmembers
Association

Stephanie Moulton-Peters
Marin Council of Mayors and
Councilmembers

Gary Phillips
Transportation Authority of Marin

David Rabbitt
Sonoma County Board of Supervisors

Carol Russell
Sonoma Mayors and Councilmembers
Association

Kathrin Sears
Marin County Board of Supervisors

Shirlee Zane
Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

5401 Old Redwood Highway
Suite 200
Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

August 12, 2014

Tom O'Kane, Deputy Director-Road Operations
Sonoma County Dept. of Transportation & Public Works
2300 County Center Dr., Suite B-100
Santa Rosa, CA 95403

**Subject: Reclamation Road Access Gate and Termination of
County Road Maintenance**

Dear Mr. Kane,

Sonoma-Marin Area Rail Transit District (SMART) is aware of Sonoma Land Trust's (SLT) proposal to construct an electronic access gate on Reclamation Road in Sonoma County. The purpose of the gate will be to discourage after-hours access and illegal activity in the area. SMART owns three small parcels (068-140-019, 027, and 009) and a right of way beyond the proposed gate and understands that if the gate is constructed, the County of Sonoma will terminate road maintenance beyond the gate.

SMART approves the construction of the gate with the following conditions:

- Sonoma Land Trust will provide SMART with the code and/or a key to the gate, and
- U.S. Fish and Wildlife Service (Service), owners of much of the land beyond the gate, will maintain the road.

Respectfully,

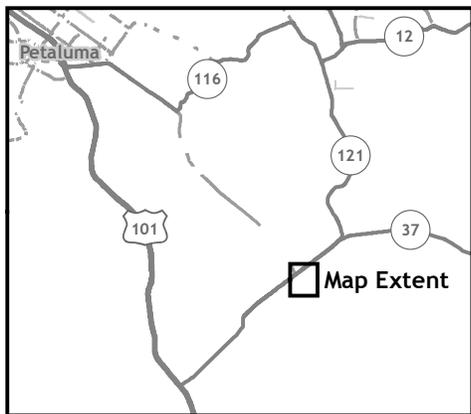
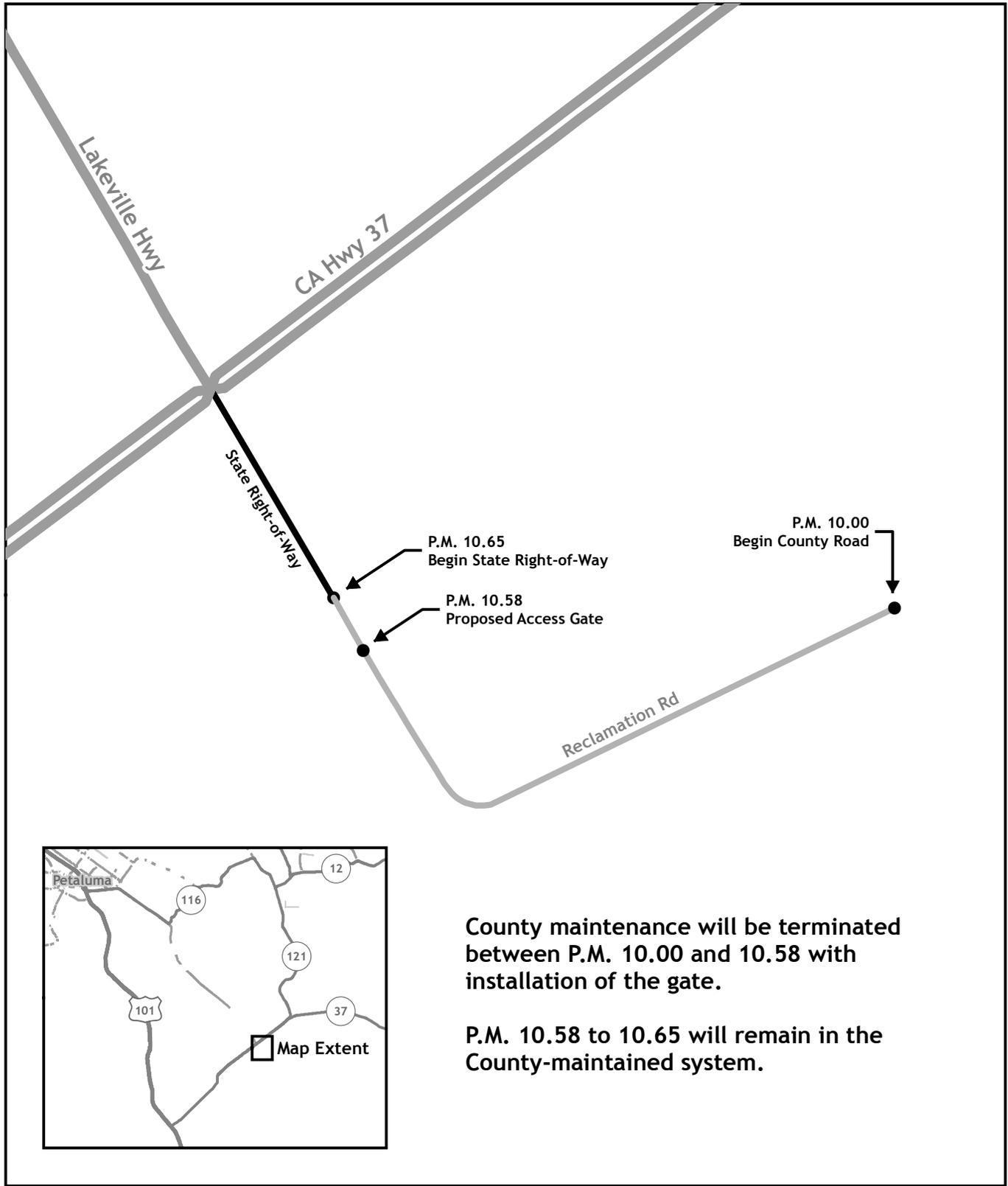
A handwritten signature in blue ink that reads "Laura Giraud".

Laura Giraud
Real Estate Manager

cc: Farhad Mansourian, General Manager
Bill Gamlen, Chief Engineer
Tom Mattoff, Operations Manager

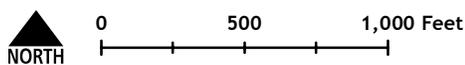
Location Map

Reclamation Road - Gate Installation and Change of Maintenance



County maintenance will be terminated between P.M. 10.00 and 10.58 with installation of the gate.

P.M. 10.58 to 10.65 will remain in the County-maintained system.





County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 34
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Services Department & Probation Department

Staff Name and Phone Number:

Nick Honey – (707) 565-4343
David Koch -- (707) 565-2168
Katie Greaves – (707) 565-4261

Supervisorial District(s):

All

Title: Title IV-E Waiver Funding and Reinvestment Opportunity

Recommended Actions:

- 1) Approve a Memorandum of Understanding between California Department of Social Services and the Human Services Department for the Title IV-E California Well-Being Project.
- 2) Authorize the Director of the Human Services Department to work with the Auditor/Controller to establish a special revenue fund for IV-E Waiver Reinvestment Funds to be used in accordance with county policy.

Executive Summary:

The Human Services and Probation Departments request Board approval to participate in the Title IV-E California Well-Being Project which is estimated to increase federal revenue to Sonoma County by nearly \$8 million over five years. The Title IV-E California Well-Being Project, also known as the IV-E Waiver, provides stable and guaranteed federal funding for foster care payments and program administration and provides counties with the flexibility to use funds for upstream interventions and services to improve child welfare service delivery and outcomes. Key objectives of the Title IV-E Waiver are to decrease the reliance on foster care for children and to shorten the length of time children have open child welfare cases.

Children and youth are placed in foster care when their safety cannot be maintained in their own homes or when they are ordered into foster care due to acts of delinquency (probation). Services currently provided include case planning, referrals to community services such as parenting, therapy and behavioral interventions, substance abuse treatment, domestic violence treatment and wraparound services. The 2014-2019 Child Welfare and Probation System Improvement Plan was approved by the Board in February 2014 and outlines strategies to improve outcomes for children, youth and families involved with the child welfare and probation systems.

Title IV-E Waiver

Currently, federal Title IV-E funds provide payments for foster care board and care and for the cost of a narrow array of administrative activities associated with managing federal foster care cases. The Title IV-E Waiver is a different way to fund foster care. It transforms federal foster care revenue into a stable and flexible block-grant to administer the foster care program. Under the traditional funding structure authorized by the federal Social Security Act, welfare departments receive funding only after a child has been removed from the home. This funding structure has been criticized for potentially incentivizing the placement of children into foster care. Under the Title IV-E Waiver, Sonoma County will receive a guaranteed federal allocation with an annual increase, which greatly expands how and on whom the funds can be spent as long as funds remain invested the child welfare and probation systems.

Currently, there are 18 states participating in the IV-E Waiver Project. In California, Alameda and Los Angeles Counties have held IV-E Waivers since 2008 and are, along with 9 other counties, gearing up for Round 2 of the Waiver Project. The IV-E California Well-Being Project is the second round of the California Waiver and will be in effect for 5 years from October 2014 through September 2019. While other counties have experienced recent increases in caseload, Sonoma County has observed caseload reductions. Sonoma County caseloads for children under 18 have decreased over the last ten years and are at the lowest level since 2003. In 2003 there were 576 children under age 18 in foster care. In April 2014, there were 463 children in care. The IV-E Waiver locks in a federal allocation that is greater than what is currently received and detaches funding based on caseload size. Without the IV-E Waiver Sonoma County would likely continue to lose federal revenue due to reducing caseloads.

The Sonoma County allocation was determined based on an average of actual IV-E expenditures during 2008-2012, when federal revenue was higher, and adds a small growth factor based on the California Necessities Index. The Human Services and Probation Departments conducted extensive caseload and cost analyses and estimate that the Sonoma County allocation under the IV-E Waiver will create an additional \$8 million in revenue over five years representing a significant reinvestment opportunity. The IV-E Waiver requires counties to maintain local funding levels, therefore the Title IV-E Waiver will not produce savings to either the county general fund or 2011 state realignment funds supporting the project. However, the flexibility in the use of Title IV-E funds will allow the Human Services and Probation Departments to reinvest increased federal funds in additional upstream interventions that reinforce prevention.

Once per quarter, counties have the opportunity to opt-out of the IV-E Waiver and revert to the current IV-E claiming system. If Sonoma County opts out at any time during the five year lifespan of the IV-E Waiver, it would revert back to the current IV-E funding structure. A fiscal reconciliation would determine the amount of the federal allocation to be returned to the state. A refund would be required only if the county has spent less than the pro-rated federal allocation up to that point. The Human Services and Probation Departments are confident that the county would opt-out only in the unlikely event that caseloads unexpectedly increase to the extent that the capped allocation does not adequately cover costs. The departments will be meeting quarterly to review expenditure and trend information to ensure the county would have enough time to give adequate notice in the unlikely event of opting out. However, should the departments decide to opt-out of the Title IV-E Waiver, the departments will ensure that all Title IV-E funds are appropriately expended before opting out so the County is not responsible for returning funds to the state.

Title IV-E Waiver requirements as established by federal funding terms and conditions

1. Counties must commit to maintaining pre-waiver funding levels for child welfare services.
2. Counties must accept fiscal responsibility for the entire foster care program. If costs decrease, counties will have a reinvestment fund. If costs increase, counties will bear the additional costs.
3. "Savings" must be reinvested back into child welfare/probation services; they cannot be used to support other county needs.
4. Human Services and Probation Departments must have a signed Memorandum of Understanding governing the local process by which costs will be monitored, managed and shared.
5. As a federal demonstration project, counties must agree to rigorous evaluation of required waiver programs, Safety Organized Practice (Human Services) and Wraparound (Probation). Safety Organized Practice is a solution-focused child welfare practice approach that emphasizes collaborative teamwork and partnerships with families to enhance child safety. Wraparound is an existing program in Sonoma County approved by the Board in 2009. The Wraparound Program uses a family-centered, strengths-based, needs-driven planning process for creating individualized services and supports to the child, youth and family in order to prevent high-level group home placements. Both programs are included in the 2014-2019 Sonoma County System Improvement Plan.
6. AB 12 provides youth with the option to remain in foster care, with all associated benefits, until they reach age 21. In Sonoma County, the number of 18-21 year-olds in foster care has grown since the passage of the law in 2010, from 2 in 2011 to 87 in June 2014. Federal funding for 18-21 year-old foster care youth will be outside of the IV-E Waiver, using current claiming procedures.

The 2014-2019 System Improvement Plan (SIP), approved by the Board in February 2014, is a new blueprint for quality improvements in the foster care system. It contains 68 strategies to improve outcomes for children, youth and families some of which require additional funding in order to implement. Outcome areas identified in the System Improvement Plan include timely reunification of children with their parents, moving older youth from long-term foster care to permanent families and building family and community partnerships. Reinvestment funds made available through the IV-E Waiver will enable the Human Services and Probation Departments to implement the System Improvement Plan. The specific SIP strategies to be implemented with IV-E Waiver reinvestment funds will be identified as the fund balance develops. Examples of SIP strategies are:

- Leverage newly available state funding to pay relatives caring for children a rate commensurate with licensed foster homes;
- Expand relative searches for children to shorten length of time spent in foster care;
- Engage in multi-system collaboration to serve the needs of and prevent commercially sexually exploited children;
- Recruit and contract with youth and family therapists trained in trauma-informed therapeutic interventions;
- Expand family team decision making and other opportunities for community collaboration.

A full list of strategies in the approved System Improvement Plan is attached.

The Title IV-E Waiver is a joint project of the Human Services and Probation Departments. Staff of both departments have engaged in extensive cost-benefit and feasibility analyses. Given declining foster care caseloads, the decrease in the number of youth placed in expensive group homes, the decrease in

federal financial support of foster care and the comprehensive array of strategies outlined in the Board approved 2014-2019 System Improvement Plan, the IV-E Waiver provides a new opportunity to think creatively and to invest in upstream interventions in support of safe, healthy and caring communities.

Special Revenue Fund

The Human Services and Probation Departments also request Board approval to establish a special revenue fund in which IV-E reinvestment dollars and the existing county match portion can be separately stored and managed. Reinvestment funds are permitted to be carried over from year to year. They are not allowed to be spent on staff, services or goods outside of the jurisdiction of the child welfare system. In accordance with county protocol, staff will develop a fund balance policy.

Prior Board Actions:

2/11/2014 – Approval of 2014-2019 System Improvement Plan for Child Welfare and Probation Services

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The Title IV-E California Well-Being Project supports the Board’s goal of promoting a safe, healthy, and caring community. As a result of participating in this project, the Sonoma County Human Services and Probation Departments will receive additional federal funding to expand access to upstream services and interventions to vulnerable children, youth and families in the community.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 26,614,119	County General Fund	\$ 8,863,882
Add Appropriations Req'd.	\$	State/Federal	\$ 17,750,238
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 26,614,119	Total Sources	\$ 26,614,119

Narrative Explanation of Fiscal Impacts (If Required):

Funding is included in the Human Services Department FY 14/15 budget. 1st Quarter Consolidated Budget Adjustments will include a combined request for up to \$400,000 for FY 14/15.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

The Human Services and Probation Departments have identified the need for additional program and administrative support in order to successfully implement the interventions included in the IV-E Waiver Program Plan including Safety Organized Practice and Wraparound services and to effectively manage the Title IV-E claiming process. The departments are working with Human Resources and CAO on determining the appropriate job classes, and anticipate submitting an allocation change request as part of the first quarter FY 14-15 Consolidated Budget Adjustment or in future board items.

Attachments:

2014-2019 System Improvement Plan Executive Summary

Related Items "On File" with the Clerk of the Board:

Memorandum of Understanding between California Department of Social Services and Sonoma County Human Services Department regarding the Title IV-E California Well-Being Project.

**Sonoma County Human Services Department
Sonoma County Probation Department
2014-2019 System Improvement Plan**

EXECUTIVE SUMMARY

The **2014-2019 System Improvement Plan** acts as the county’s roadmap for improvements to the child welfare and juvenile probation systems for the next five years. It also serves as the operational agreement between the county and the state in the local implementation of strategies to improve **safety, permanency** and **well-being** outcomes of children and their families.

Development of the System Improvement Plan

The System Improvement Plan is the culmination of the Child and Family Services Review (CFSR) process, which is a mandatory process to measure outcomes in **safety, permanency, and well-being** for victims of child abuse, some of whom have been removed from their families, and for juvenile offenders who require out-of-home placement. The Human Services and Probation Departments held 4 large community meetings and 16 focus groups during the 2013 CFSR process to dialogue with stakeholders about areas of strength and weakness and to create shared solutions to areas requiring improvement. Over 300 individuals participated in these meetings representing a wide variety of child welfare and probation stakeholders including county staff, current and former foster and probation youth, foster parents, group homes, mental health, public health, Indian Child Welfare experts representing local Native American tribes, education, child care, prevention partners community-based organizations and others.

2014-2019 System Improvement Plan Strategies

Based on information gathered during the 2013 County Self-Assessment and Peer Case Review, the following eight priority areas were identified as needing improvement:

CATEGORY	AREA OF FOCUS	CFSR PERFORMANCE MEASURE
SAFETY	Prevention of Child Abuse and Neglect	Recurrence of Maltreatment Substantiations and Entries to Foster Care
PERMANENCY	Reunification*	Reunification within 12 months Re-entry following reunification
	Permanency for older youth Develop/formalize a full continuum of placement options	Exits to Permanency (24 months in care) Number of foster homes Percent of youth in group homes Percent of youth placed with relatives
WELL-BEING	Youth authorized for psychotropic medication	Percent of youth authorized for psychotropic medication
	Define and measure youth well-being	Youth Self-Sufficiency measures
ORGANIZATIONAL	Consistency of practice	Local measures
	Data collection and data entry	Timely Response (10-Day) ICWA Eligible Placement Status Individualized Education Plans

** Reunification is an area of focus for both Human Services and Probation.*

Focus on Prevention
 Permanency for older youth
 Define and measure well-being
 Consistency of practice
 Better data

2014 – 2019 Sonoma County Child Welfare System Improvement Plan Framework

ENGAGEMENT

Child protection is a community responsibility.

SAFETY	PERMANENCY		WELL-BEING	ORGANIZATIONAL			
<p>PREVENTION Children are free from abuse and neglect. Children remain in their own homes whenever possible.</p>	<p>REUNIFICATION Children are reunified with their parents as quickly as possible and where appropriate.</p>	<p>EXITS TO PERMANENCY Older youth are reunified, adopted or in guardianship prior to reaching the age of majority</p>	<p>CONTINUUM OF PLACEMENT OPTIONS Children and youth are placed in settings that are suited to the child's needs and case plan goals. The placement system is structured to facilitate exits to permanency.</p>	<p>PSYCHOTROPIC MEDICATION Psychotropic medication is prescribed only to youth with clinical need for it.</p>	<p>YOUTH WELL-BEING "Youth well-being" is clearly defined and measured.</p>	<p>CONSISTENCY OF PRACTICE Expectations and practices are consistently understood and implemented.</p>	<p>DATA COLLECTION & ENTRY Client data are collected according to best practices.</p>
<p>Team Decision Making 4 Paths to Prevention Structured Decision Making Prevention Services (diversion) Community education and outreach</p>	<p>Family engagement, community involvement in case planning - TEAM Ice Breakers Safety Organized Practice Parent Mentor Parent Orientation</p>	<p>Implement Adoptions Program with added focus on adoptions of older children Family finding Concurrent planning during permanency planning</p>	<p>Develop/formalize "continuum" of placement options -more foster & adoptive homes -more relative homes -more treatment foster care Strategic use of group homes Targeted use of Wrap Develop infrastructure for successful placements (assessment, placement team, LLC, TDM)</p>	<p>Analyze cause of high numbers Develop and implement checks and balances Monitor, review, correct Incorporate into Quality Assurance system</p>	<p>Identify characteristics of self-sufficiency for older youth Develop system to track self-sufficiency.</p>	<p>Develop practice model Enhance supervisory effectiveness Quality Assurance system</p>	<p>Develop data system for tracking children's mental health assessments Improve data accuracy in ethnicity, contacts, education, ILP</p>
<p><u>Indicators:</u> % Entries to foster care % Recurrence of maltreatment % Clients completed services Community knowledge of child abuse and reporting Stakeholder input</p>	<p><u>Indicators:</u> % Timely reunification % Re-enter foster care % Ice Breakers % clients complete parent orientation % clients engaged in case planning Stakeholder input</p>	<p><u>Indicators:</u> % kids in care >24 months exiting to permanency % adoption of older youth # family members "found" % of PP kids with concurrent plan other than PPLA Stakeholder input</p>	<p><u>Indicators:</u> # youth in group homes Average length of stay in GH # treatment FH # foster homes # relative homes # step downs Stakeholder input</p>	<p><u>Indicators:</u> % youth authorized for psychotropic medication % authorization override Average length of time on meds Stakeholder input</p>	<p><u>Indicators:</u> Accurate self-sufficiency profiles and data reports Youth input</p>	<p><u>Indicators:</u> Stakeholder perception of consistency % supervisors complete training & participate in learning community % QA system developed Stakeholder input</p>	<p><u>Indicators:</u> Accurate youth well-being profiles and data reports Accurate and complete ethnicity data reports</p>

All policies, programs and practices are rooted in FYC organizational values, are based on researched best practices, are locally/culturally appropriate and are implemented effectively.

Sonoma County Probation Department

The Probation Department will focus on reunification within 12 months because the majority of youth placed in foster care through delinquency proceedings return to the home upon program completion. The national standard/goal for reunification within 12 months is 75%. Between 10/01/11 and 09/30/12, only 25% of probation youth reunified within 12 months.

The strategies developed by the Probation Department for the 2014-2019 System Improvement Plan (SIP) directly coincide with the larger evidence-based practice efforts already established by the department and it is hoped that these strategies will further strengthen the youth and families and help the department reach identified system improvement goals.

Strategies to help achieve the probation reunification goal are:

Strategy 1: Increase monthly contact with custodial and non-custodial parent/guardian for reunification cases.

Strategy 2: Create and implement a monthly parent education and support group.

Strategy 3: Conduct Assessment of youth and family to determine level of readiness to transition home.

Strategy 4: Increase concurrent planning activities.

Evaluating Outcomes

Sonoma County is committed to providing the highest quality of services to children, youth and families. The Human Services and Probation Departments will continue to implement a variety of strategies to increase the number of evidence-based services it offers, including bonus points during the competitive procurement process, contractually required logic models and program evaluations. Further, the Sonoma County Upstream Investments Initiative, which is sponsored by the Board of Supervisors and led by the Human Services Department, provides a practical framework and support for local programs to develop an empirical basis for their services, such as literature reviews, logic models, evaluation plans, evaluations, policies and procedures, and more.

Progress toward the goals established in the 2014-2019 System Improvement Plan will be evaluated and reported on annually to both community stakeholders and the California Department of Social Services. The Human Services and Probation Departments are committed to transparency and accountability in the implementation of the SIP.

Conclusions

The 2014-2019 System Improvement Plan provides an exciting opportunity for the Child Welfare and Juvenile Probation systems to make improvements to their policies, processes, practices and services that will result in positive outcomes for children, youth and families in Sonoma County. Buoyed by the high level of engagement of its many partner organizations in the development of the SIP, Sonoma County is looking forward to ongoing family and community involvement as it moves into the implementation phase.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 36
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of the County of Sonoma

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Marcia Chadbourne, Risk Manager -565-2473

Supervisorial District(s):

All

Title: Human Resources Appointment of Retiree Extra-Help

Recommended Actions:

Pursuant to Government Code §7522.56, approve the appointment of Jill Hager as a Risk Management Analyst II Retiree Extra-Help, in order to fill a critically needed position within 180 days of her retirement, an appointment date as early as September 9, 2014.

Executive Summary:

Pursuant to the California Public Employees' Pension Reform Act (PEPRA), Government Code §7522.56, an exception can be made to reappoint a retiree as extra-help provided the governing body certifies that the appointment is necessary to fill a critically needed position, in those circumstances where 180 days from the date of retirement has not yet passed. This approval must be in a noticed public meeting and not on a consent calendar. PEPRA includes other requirements in order for a retiree to be eligible for an Extra-Help appointment, such as not having accepted a retirement incentive and not having accepted unemployment arising out of prior public appointment. The individual and delegated department staff has completed the Retiree Extra-Help Compliance Form certifying the appropriateness of the appointment.

Jill Hager, Risk Management Analyst II, retired on July 8, 2014. She has been employed with the County of Sonoma since 1986. Ms. Hager was the Risk Management Analyst II in the department's benefits unit, and has intermittently worked as the acting benefits manager, most recently filling in while the new benefits manager was on an unexpected emergency Family Medical Leave. The department was successful in recruiting Ms. Hager's Risk Management Analyst II position replacement, however, the timing of the benefit manager's unexpected medical leave and the hire date of the new Risk Management Analyst II, provided little time to train both the new benefits manager and Ms. Hager's replacement on the duties of the Risk Management Analyst II. While the newly hired individuals have extensive benefits administration experience, they are both new to the County of Sonoma, each having worked less than 6 months and are unfamiliar with the negotiated benefit provisions and new benefit programs recently implemented by the County. There are no current employees in the department

who can provide the Risk Management Analyst II position training. For the adequate information exchange and transition support to both the Benefits Manager and the newly hired Risk Analyst II, Jill Hager's specific knowledge is necessary to ensure both new staff members have the historical context of the benefit programs and are able maintain continuity of employee benefits administration as projects arise throughout the year.

Additionally, there are a number of statutory benefit initiatives' that require Ms. Hager's specific historical and operational knowledge to complete timely. Specifically, the County is required to complete a one-time census analysis of health coverage provided to extra-help employees to determine the County's requirements under the Federal Affordable Care Act, and develop an on-going process to track and assess benefit eligibility required to avoid penalties. This project could be completed more timely with her involvement. The other initiative that Ms. Hager will support is the Countywide wellness program. Ms. Hager was integral in the establishment of the County's wellness program, Healthy Habits in 2012, but due to other critical benefit priorities; efforts to further promote the Healthy Habits program and support the County's initiative to be the Healthiest County by 2020 have been delayed. Reappointment of Ms. Hager will support continuity of these benefit operations in the transition of knowledge to the new Benefits staff, and will provide the resource necessary to complete these important employee benefit initiatives timely.

In accordance with Government Code section 7422.56, the Human Resources Department is asking the Board certify as follows:

- Ms. Hager's appointment to Risk Management Analyst II is necessary to fill a critically needed position within 180 days of her retirement date;
- Ms. Hager did not accept retirement incentives upon her retirement; and
- Ms. Hager's appointment shall not exceed 960 hours per year.

If the Board of Supervisors makes the foregoing certifications, Ms. Hager will be hired as of September 9, 2014 as a Risk Management Analyst II. It is anticipated Ms. Hager's assistance will require her to work 15 - 20 hours per week, and not more than 960 hours in a fiscal year.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The continuing work provided by this extra-help assignment supports the health and wellness of all County employees and their dependents, and also supports the Board's initiative to be the Healthiest County by Year 2020.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 70,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 70,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 70,000	Total Sources	\$ 70,000
Narrative Explanation of Fiscal Impacts (If Required):			
Funding for countywide wellness is budgeted in three separate departments within the Risk Insurance Internal Services Fund. Dept Code 16020100 – Employee Benefits \$71,000 Dept Code 23021000 – County Health Plan \$29,000 Dept Code 23021500 – Workers Compensation Training \$18,500			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Risk Management Analyst – Extra Help	\$7,319		
Narrative Explanation of Staffing Impacts (If Required):			
This is a Retiree Extra-Help appointment; no permanent allocations are being added or changed.			
Attachments:			
None.			
Related Items “On File” with the Clerk of the Board:			
None			



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 37
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Efren Carrillo 565-2241

Supervisorial District(s):

Fifth District

Title: Board Sponsorship

Recommended Actions:

Approve Board Sponsorship of \$2500 for Slow Food Russian River to operate a community apple press at Luther Burbank Experiment Farm. (Fifth District)

Executive Summary:

Slow Food Russian River's mission is to increase community involvement and use the abundance of apples Sonoma County produces into a resourceful product. The press would provide a location for residents to bring apples and press them into juice at no charge.

This project has received financial support from the City of Sebastopol, and this 50 percent match aligns with Sonoma County's Healthy and Sustainable Food Action Plan (October 2012) which encourages local action on food production, land and natural resource stewardship, public health and equity in our food system.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 2500
	\$		\$
Total Expenditure	\$ 2500	Total Sources	\$ 2500

Narrative Explanation of Fiscal Impacts (If Required):

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Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

Community Apple Press Proposal

Related Items "On File" with the Clerk of the Board:

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Community Apple Press Proposal

The Russian River chapter of Slow Food USA, a nonprofit organization tax-exempt under IRC Section 501(c)3 (SFRR), proposes to operate a community apple press at the publicly owned Luther Burbank Experiment Farm in Sebastopol and requests financial support from the County to make the plan a reality.

The program would allow local residents to bring apples from their backyard trees to the Farm and, for free, make juice they can freeze and use throughout the year. Those who don't have trees, including visitors to the County, can purchase apples from a local grocery store, or directly from a farmer, and make their own juice for free.

The community press would benefit the apple growers of the County, and the local grocery stores. It would provide a family-friendly activity for families, drawing visitors to the County. The untold number of apples that are now left to rot on the ground would be put to good use. The local economy would be more self-sufficient.

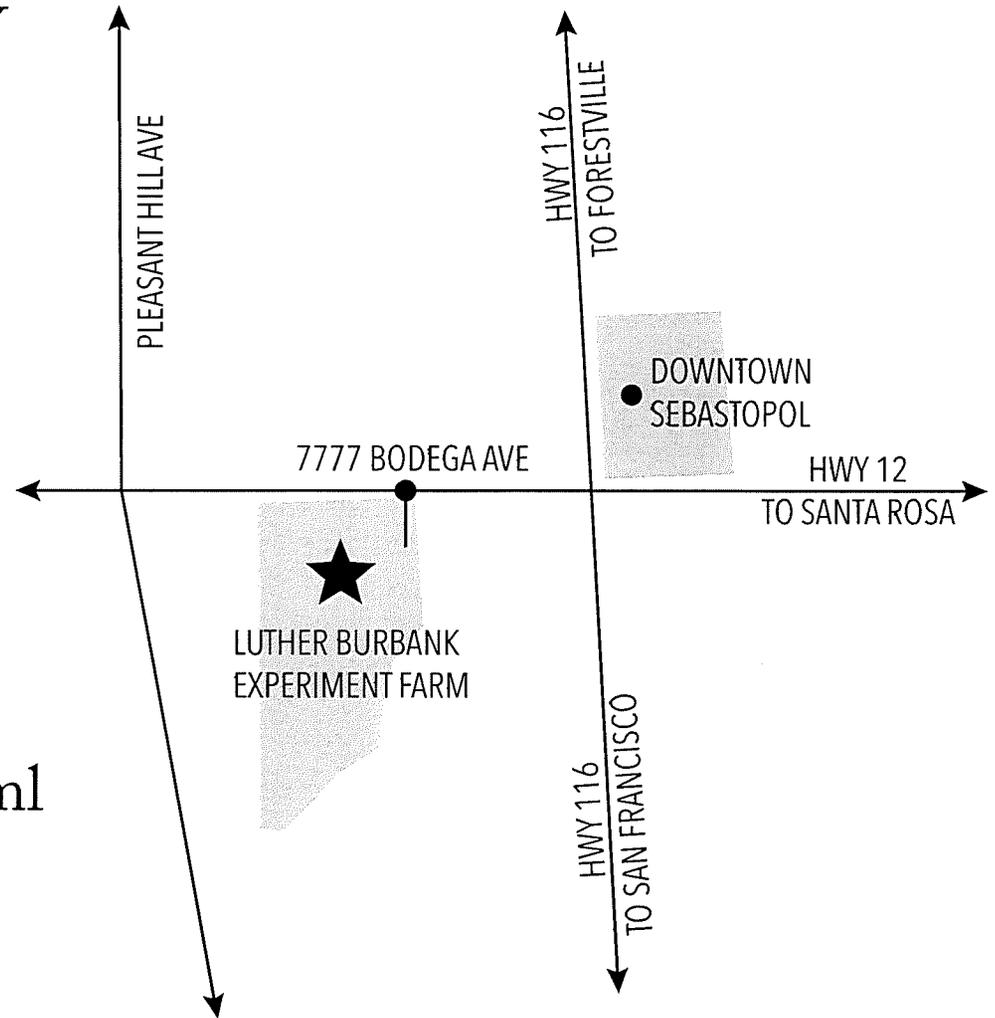
The press would operate annually during apple season, from August to November. All a patron needs to bring is apples and plastic containers. A SFRR volunteer familiar with operation of the press will be on site and there will be facilities to wash and cut apples to prepare them for the press.

Respectfully submitted July 29, 2014
Bob Burke
Slow Food Volunteer

SEBASTOPOL COMMUNITY APPLE PRESS

at the **Luther Burbank
Experiment Farm**
7777 Bodega Ave
Sebastopol CA

for reservations or more info visit:
www.slowfoodrr.org/applepress.html



Susan Upchurch

From: Bob Burke [rtb1234@gmail.com]
Sent: Tuesday, July 29, 2014 3:21 PM
To: Susan Upchurch
Subject: Community Apple Press
Attachments: Proposal to County.docx; Apple_Press_Card_front_back.pdf

Hi Susan.

As we discussed, I'm attaching a copy of the white paper I did for Efren after he and I spoke on July 10, revised slightly based on our conversation of today. The paper describes the proposal of the local chapter of Slow Food, a non-profit corporation, to operate community apple press at the Luther Burbank Experiment Farm in Sebastopol. We plan to operate the press during apple season, generally from late August into November, for as long as apples are grown in the County.

I did not request a specific monetary amount in the attached paper, but \$3,000 (or anything between that and \$5,000) would make all the difference in the world. The City of Sebastopol is fully in support of the project, and has awarded Slow Food a community benefit grant of \$4,500 for the 2014-2015 fiscal year. The major expenses in this start-up year will be advertising and web site development. For the first year, we will operate with various borrowed presses, but we would like to purchase two new presses once the project is on a sound footing.

I'm also attaching a copy of our print advertising for your information, but the web site listed there is not yet operational.

I and many other volunteers at Slow Food have been working for over a decade in trying to build demand for the apples grown in the County. A partial list of our accomplishments includes the following:

- Each year we erect banners visible to northbound and southbound traffic in Sebastopol reading "The Gravensteins are Coming" and "The Gravensteins are Here," done in partnership with Cittaslow Sebastopol, the City and PG&E.
- For the past five years we helped Sebastopol merchants to purchase Gravenstein apples during the season and give them away, free, to their customers. Last year we expanded that program and gave free Gravensteins to thousands of visitors at the Sonoma County Airport and at the Board of Supervisors office.
- Each season we press apple juice and promote Gravs at the local farmers markets.
- For the past six years we have persuaded over 100 restaurants to feature Gravenstein apples on their menus during the season.

- Last year we visited three local schools, made a classroom presentation and pressed fresh apple juice for about 300 kids, collaborating with Cittaslow Sebastopol.

Let me know if you need anything more, Susan.

Thanks for your help.

Bob Burke

Slow Food Volunteer

707-824-1525



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 45
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: September 9, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

David Schiltgen 565-7384

Supervisory District(s):

All

Title: Technical Amendments to the 2020 General Plan Public Safety Element; GPA13-0001.

Recommended Actions:

Conduct a public hearing and adopt a Resolution finding that the proposed amendments are within the scope of the General Plan 2020 Program Environmental Impact Report, and incorporating the proposed amendments into the General Plan 2020 Public Safety Element to:

1. Update hazard maps and information;
2. Add a program to implement the Hazard Mitigation Plan; and
3. Add a discussion of wildland fire hazards to meet State requirements.

Executive Summary:

Overview: The proposed changes to the General Plan 2020 Public Safety Element are limited to technical amendments that provide updated information and hazard mapping to integrate the Sonoma County Hazard Mitigation Plan into the General Plan. The amendments do not involve substantial changes to existing policies nor consideration of any new policies. The updates to the Element are recommended to reflect new hazard maps, new legislation, and a new Hazard Mitigation Plan adopted since the time General Plan 2020 was drafted. The proposed amendments will :

1. Provide updated hazard information to aid land use and development decisions;
2. Reduce hazard related damage and injury through implementation of proactive measures;
3. Maximize the County's eligibility disaster aid and funding; and
4. Update the Safety Element to comply with legal requirements.

Background: In 2006, the California Disaster Assistance Act was amended so that a county that adopts a Local Hazard Mitigation Plan as part of the implementation of the General Plan Public Safety Element could be eligible for up to 100 percent state funding of eligible disaster relief projects rather than be

subject to the normal limit of 75 percent. Counties with an adopted HMP may also have the match requirement for public assistance damage reimbursement waived. The General Plan 2020 indicates that the County's Hazard Mitigation Plan is to be integrated into the Safety Element and used to avoid exposure to unreasonable hazard risks.

In 2008, the Board adopted the current 2020 General Plan and its Public Safety Element. Since the time of adoption, the Federal Emergency Management Agency (FEMA), the California Geological Survey (CGS), the California Department of Forestry and Fire Protection (CalFire), and the State Division of Dam Safety have made available new updated hazard maps addressing seismic hazards, flooding, wildland fire, and landslide. The County is required to use these official maps as the basis for its hazard mapping in the General Plan.

In 2011, the County updated and readopted its Hazard Mitigation Plan and incorporated the revised hazard maps. However the General Plan Public Safety Element has not yet been revised to reflect the updated hazard mapping.

In 2012, in order to help control the growing costs of wildland fire suppression in California, the California legislature amended Government Code Section 65302 to require General Plan Public Safety Elements be updated to provide a more thorough assessment and consideration of wildland fire risks and policies in State Responsibility Areas (SRA's) and in those areas designated as "Very High Fire Hazard Severity Zones".

Proposed technical amendments: The proposed technical amendments include:

1. Updating hazard maps and information;
2. Adding implementation of Hazard Mitigation Plan to the General Plan Work Program; and
3. Adding discussion of wildland fire hazards to meet State requirements.

Agency comments: The proposed amendments were referred to lead agencies (those that developed the official hazard maps). The only response came from the Board of Forestry staff who recommended the inclusion of additional descriptive text regarding wildland fire hazards. Staff has included the recommended text in the proposed amendments.

Public Participation: A public comment period was noticed and a public hearing was held before the Planning Commission. No public comments were submitted.

Summary of Planning Commission Recommendations:

The Commission, at its July 17, 2014 meeting, adopted a resolution (5-0 vote) recommending adoption of the findings and amendments as proposed.

Prior Board Actions:

10/25/11: The Board adopted the update of the Sonoma County Hazard Mitigation Plan and directed PRMD to amend the General Plan Safety Element to reflect updated hazard mapping.

09/23/08: The Board adopted the 2020 General Plan Public Safety Element

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The proposed technical amendments will help assure the community is prepared and responds appropriately to emergencies and natural disasters.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

The county will qualify for greater disaster relief and public assistance damage reimbursement under the California Disaster Assistance Act.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Draft Board of Supervisors Resolution with Attachments A-H
 Exhibit A: Planning Commission Resolution 14-010
 Exhibit B: Planning Commission Draft Minutes dated July 17, 2014
 Exhibit C: Planning Commission Staff Report dated July 17, 2014

Related Items "On File" with the Clerk of the Board:

General Plan 2020 Program EIR



County of Sonoma

State of California

Date: September 9, 2014

Item Number: _____

Resolution Number: _____

GPA13-0001 David Schiltgen

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California Amending The Public Safety Element Of The Sonoma County General Plan To 1) Incorporate Updated Hazard Maps 2) Add Implementation Of The Sonoma County Hazard Mitigation Plan To The Public Safety Element's Work Program, And 3) Add Discussion On Wildfire Hazards, While Finding The Proposed Technical Amendments To Be Within The Scope Of The 2008 General Plan 2020 Program EIR.

Whereas, The Board of Supervisors previously approved and adopted an update the of Sonoma County General Plan, referred to as General Plan 2020, on September 23, 2008 in accordance with all content and procedural requirements; and

Whereas, in accordance with the requirements of Government Code 65302, General Plan 2020 included a Public Safety Element to establish goals, objectives and policies to minimize the potential for property damage and human injury that may result from unreasonable exposure to hazards from seismic events, geologic conditions, flooding, wildland fires and hazardous materials, and includes maps of known hazards areas; and

Whereas, the County also adopted the Sonoma County Local Hazard Mitigation Plan (LHMP) in 2006, and updated it in 2011, in accordance with the Federal Disaster Mitigation Act of 2000 in order to identify proactive measures the County can take before disasters occur to minimize the potential for property damage and personal injury that might otherwise occur from earthquakes, landslides, floods and wildland fires; and

Whereas, adoption and implementation of the LHMP is also intended to minimize the community disruption and disaster relief costs that can result from such events while maintaining the County's eligibility for various pre and post Federal and State disaster federal assistance; and

Whereas, the California Emergency Management Agency (CalEMA) reviewed the Sonoma County Hazard Mitigation Plan in 2011 and found that it meets and complies with all the content and process requirements stipulated by law; and

Resolution #

Date: September 9, 2014

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Whereas, the 2011 Sonoma County LHMP includes updated hazard mapping that was not available at the time the 2008 GP2020 Public Safety Element was adopted and the SCHMP hazard maps were derived from official sources including the Federal Emergency Management Agency (FEMA) Flood Insurance Rate maps (FIRM) for flooding; the California Department of Forestry and Fire Protection for areas of fire hazards and the California Geologic Survey for geologic hazards; and

Whereas, the 2011 LHMP also identified high priority implementation measures which the County committed to pursuing, subject to the availability of staff and funding, in order to minimize the potential for property damage and/or personal injury arising from the studied hazards and disaster events; and

Whereas, at the time of adoption, the Board of Supervisors found that the 2011 Sonoma County LHMP is consistent with the General Plan and furthers General Plan goals and objectives stated in the Public Safety Element; and

Whereas, The GP2020 Public Safety Element indicated that the Sonoma County LHMP was to be integrated into the Public Safety Element to assure consistency (PS-1) and that it should be utilized to help reduce future damage from floods, wildland fires and geologic hazards (Objectives PS-1.3, 2.3, and 3.3); and

Whereas, the proposed map and text amendments to the Public Safety Element proposed under GPA13-0001 have been prepared to incorporate the LHMP's updated hazard maps, based on the official map sources, and will add implementation of LHMP hazard mitigation measures as an added work task of the General Plan 2020 Public Safety Element Work Program; and.

Whereas, the proposed amendments to the Public Safety Element have been referred appropriate agencies and entities as required by Government Code Section 65352, and the State Division of Mines and Geology, California Geological Survey, State Board of Forestry and Fire Protection and local fire fighting agencies as required by GC Section 65302.5 whose recommendations have been incorporated into the proposed amendments or separately responded to; and

Whereas, the Planning Commission, considered the proposed amendments at a legally noticed public hearing held on July 17, 2014, and recommended with a 5-0 vote that the Board of Supervisors find the proposed technical update within the scope of the GP2020 program EIR and approve the proposed amendments to the Public Safety Element of the Sonoma County General Plan; and

Whereas, in accordance with the provisions of law, the Board held a duly noticed public hearing on September 9, 2014, at which time all interested persons were given an opportunity to be heard on the Proposed Project; and

Resolution #

Date: September 9, 2014

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Whereas, the subject amendments of the General Plan Public Safety Element are the first amendments to this element for 2014; and

Whereas, at the time of its adoption in 2011, the California Emergency Management Agency advised, and the Board of Supervisors determined that the Sonoma County Hazard Mitigation Plan is not a project subject to the California Environmental Quality Act (CEQA) ; and

Whereas, the 2008 General Plan was subject to CEQA and was assessed by the associated General Plan 2020 Program EIR certified in 2008. That Program EIR identified a number of mitigating policies, including but not limited to: General Plan Policy PS-1c, 1m, 2a, 2b, and 3a, which call for the incorporation and use of new and updated hazard mapping and analysis, the consideration of such information in the development review process, and the availability of such information to property owners, agencies, and others. Policy PS-1c indicates that amendments to the Public Safety Element shall be considered to incorporate new data which significantly change the hazard assessments; and

Whereas, the proposed map and text amendments proposed under GPA13-0001 will foster implementation of the above mitigating policies identified by the General Plan 2020 Program EIR; and

Whereas, General Plan 2020 anticipated incorporation of the Sonoma County LHMP into the Public Safety Element and called for updated mapping to be incorporated into the Element, the Board finds that they are within the scope of the project considered by the 2008 General Plan 2020 Program EIR; and

Whereas, the proposed map and text amendments do not result in a physical change or alteration to the environment and any projects undertaken to implement the LHMP under the Public Safety Element Work Program would be subject to their own environmental review as and if required by the California Environmental Quality Act at the time of implementation; and

Whereas, agency referral responses, public comments and staff analysis have not identified any new information of substantial importance, changes in circumstances, new or intensified environmental effects, nor additional feasible mitigations that were not considered or anticipated at the time of the General Plan 2020 Program EIR .

Now, Therefore, Be It Resolved that the Board of Supervisors makes the following findings:

1. Incorporation of the LHMP in the General Plan Public Safety Element helps maintains the County's eligibility for greater pre and post disaster assistance from the Federal Emergency Management Agency and greater financial aid for disaster relief

Resolution #

Date: September 9, 2014

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public assistance under the California Disaster Assistance Act.

2. The 2011 LHMP was determined to be fully consistent with the General Plan at the time of adoption. As such, adoption of the revised and updated hazard maps in the Public Safety Element and the incorporation of the LHMP implementation measures into the Public Safety Element Work Program is consistent with the Sonoma County General Plan.

4. The update of the General Plan's Public Safety Element to update hazard maps and include implementation of the Sonoma County Hazard Mitigation Plan in the Work Program is within the scope of the Project considered by the General Plan 2020 Program EIR approved and certified in 2008.

5. The incorporation of the LHMP's updated mapping and implementation measures into the General Plan would serve to carry out mitigation measures identified in the Sonoma County General Plan 2020 EIR.

6. The proposed amendments are consistent with the County's Strategic Plan in that the amendments will help assure that the community is prepared and responds appropriately to emergencies and natural disaster and helps assure that planning and development help protect the health and safety of the community.

7. The County has considered and taken into account the information available on the most recent seismic hazard maps when preparing and adopting the revised Public Safety Element hazard maps, as required by Public Resources Code 2699.

Be It Further Resolved that the proposed General Plan Amendment would not result in any new significant impacts, or a substantial increase in the severity of any previously-identified impacts, due to substantial changes in the project or its circumstances, or new information of substantial importance that was not known and could not have been known at the time of certification of the General Plan Program EIR in 2008. The proposed Project is within the scope of the General Plan covered by the EIR, and would not have effects that were not examined in the EIR. As a result, pursuant to CEQA Guidelines Section 15168 (c) (2), no new environmental document is required. The Program EIR for the General Plan 2020 is available for review at the PRMD office and online at <http://www.sonoma-county.org/prmd/divpages/compplandiv.htm>.

Be It Further Resolved that the Board of Supervisors approves text amendments to the General Plan Public Safety Element as shown in Exhibit "A" to this Resolution.

Be It Further Resolved that the Board of Supervisors repeals prior hazard mapping adopted as Figures PS-1a through PS-1i in the General Plan 2020 Public Safety Element adopted September 23, 2008 and amends the Element to incorporate updated hazard maps as shown in Exhibits "B" through "H" to this Resolution and titled as follows:

Resolution #

Date: September 9, 2014

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Exhibit B: Figure PS-1a Earthquake Groundshaking Hazard Areas

Exhibit C: Figure PS-1b Earthquake Fault Hazard Areas

Exhibit D: Figure PS-1c Liquefaction Hazard Areas

Exhibit E: Figure PS-1d Landslide Hazard Areas

Exhibit F: Figure PS-1e Flood Hazard Areas

Exhibit G: Figure PS-1f Dam Failure Inundation Hazard Area

Exhibit H: Figure PS-1g Wildland Fire Hazard Areas.

Be It Further Resolved that the Board of Supervisors hereby directs staff to file follow-up documentation with the California Emergency Management Agency to confirm that implementation of the County's Hazard Mitigation Plan has been incorporated into the General Plan 2020 Public Safety Element Work programs for purposes of the California Disaster Assistance Act.

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Sonoma County General Plan 2020

PUBLIC SAFETY ELEMENT

**Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403**

**Adopted by Resolution No. 08-0808
of the Sonoma County Board of Supervisors
September 23, 2008**

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PUBLIC SAFETY ELEMENT

1. INTRODUCTION

1.1 PURPOSE

The Public Safety Element is intended to protect the community from unreasonable risks from seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche and dam failure, slope instability leading to mudslides, landslides, subsidence and other known geologic hazards, flooding and fire. It includes maps of known hazards and assesses evacuation routes, water supply needs, road widths, clearances around structures and other items related to potential catastrophic events.

The Public Safety Element establishes policies to minimize potential property damage and human injury by reducing the exposure of persons and property to the above hazards and to hazardous materials. Acceptable levels of risk are based upon the nature of each hazard, the frequency of exposure, the number of persons exposed, and the potential damage.

The policies in this Element are intended to avoid development that would adversely affect future residents and visitors as well as adjacent property and residents. It is also intended that an undue financial burden not be placed on the taxpayer by allowing development which may have unusually high costs for public services and disaster relief.

In addition, the Federal Emergency Management Agency (FEMA) now requires local agencies to adopt a Local Hazard Mitigation Plan (LHMP) in order to be eligible for pre-disaster mitigation funds. The Sonoma County Hazard Mitigation Plan (SCHMP) addresses the four significant natural disasters that may affect Sonoma County – earthquake, landslide, flood, and wildfire hazards – and assesses the County's risk and vulnerabilities to them. The SCHMP also identifies community policies, actions, and tools for implementation to reduce the public's exposure to these hazards and to minimize property damage, personal injury, and community disruption, and ~~to reduce or avoid the costs of disaster relief~~. It was adopted in 2006 and is incorporated by reference ~~integrated~~ into this Element to assure consistency with the LHMP as it is updated and revised every five years.

1.2 RELATIONSHIP TO OTHER ELEMENTS

The natural hazards contained in this Element have been considered in the preparation of the Land Use Element. The Land Use Element limits the range of land uses allowed in hazardous areas in order to reduce the number of people and buildings exposed to risk. Public Safety Element policies are also coordinated with the policies of the Open Space and Resource Conservation, Housing, Public Facilities and Services, and Circulation and Transit Elements.

1.3 SCOPE AND ORGANIZATION

This Element contains sections on geologic hazards, flood hazards, wildland fire hazards, and hazardous materials. Each section describes the extent of the hazard, the risk of damage, and means of protection. An implementation program is also included.

1.4 DETERMINATION OF ACCEPTABLE RISKS

The County is not able to guarantee that any particular development will not, at some time in the future, be adversely affected by the hazards identified in this Element because such hazards, by their nature, defy precise prediction.

In those instances where there is a significant factual question about whether a particular development has mitigated risks from natural hazards to an "acceptable" level and the property owner wishes to proceed in the face of such factual question, the County may require the owner of the property to provide indemnification to the County, insurance, or other security and a recorded notice which will protect the interests of the County and provide notice of the potential problem to future purchasers.

2. PROTECTION FROM GEOLOGIC HAZARDS

2.1 GEOLOGIC HAZARDS IN SONOMA COUNTY

Seismic Hazards

~~**Fault Movement.** Earthquakes are usually caused by sudden movement along geologic faults. Sonoma County faults are part of the San Andreas Fault system which extends along the California coast. The known geologic faults in Sonoma County are shown on Figures PS-1a through PS-1i. All show evidence of movement during the past 2 million years and are considered to be potentially active.~~

~~Earthquakes.~~ Sonoma County is a seismically active region. Since 1855, more than 140 earthquakes have been felt in the Santa Rosa area. The 1906 earthquake caused 61 deaths and major damage in Santa Rosa, Sebastopol, Healdsburg and other communities. The last major earthquake in Sonoma County was the 5.7 magnitude event on the Healdsburg - Rodgers Creek fault in Santa Rosa in 1969. Analysis of seismic data indicates that ~~8.5 and 7.5 magnitude earthquakes can be expected~~ respectively may generate a maximum credible earthquake of magnitude 8.5 and 7.5, respectively. Earthquakes of 8.0 or more on the San Andreas Fault can be expected every 50 to 200 years. Earthquakes can result in the following geologic hazards.

Fault Movement. Earthquakes are usually caused by sudden movement along geologic faults. Sonoma County faults are part of the San Andreas Fault system which extends along the California coast. The known geologic faults in Sonoma County are shown on Figure PS-1b. All show evidence of movement during the past 2 million years and are considered to be active or potentially active.

Groundshaking. Groundshaking from earthquakes affects the most people and can cause the most damage of any geologic hazard. The amount of ground shaking depends on the magnitude of the earthquake, the distance from the epicenter, and the type of earth materials in between. Groundshaking hazard areas in Sonoma County are shown on Figures PS-1a ~~through PS-1i~~ and are based upon ABAG data received from the Association of Bay Area Governments which is based on data from the U.S. Geological Survey and California Geological Survey.

~~Groundshaking similar to that which took place in Santa Rosa during the 1969 earthquake can be expected somewhere in Sonoma County once every 20-30 years.~~

Ground Failure. Damage from groundshaking can be increased by ground failure due to liquefaction and landslides. Liquefaction changes water saturated soil to a semi-liquid state, removing support from foundations and causing buildings and utilities to shift or subside sink. Areas most prone to liquefaction ~~The most hazardous areas~~ are valleys and tidal marshes with high water tables and sandy soils. Areas of the county subject to liquefaction hazards are shown on Figure PS-1c. Landslides can result from groundshaking and may occur in areas of gentle slopes due to liquefaction of subsurface materials. Strong groundshaking can destabilize slopes and result in landslides. Landslides may occur in areas of weak rock and increase with saturated soil.

Ground Displacement Along Fault Traces. During the 1906 earthquake horizontal displacement along the San Andreas fault averaged 15 feet in Sonoma County. The Healdsburg, Rodgers Creek and Mayacama faults also show evidence of surface displacement during the past 11,000 years. The known geologic faults in Sonoma County are shown on Figure PS-1b.

Tsunamis. Tsunamis are large ocean waves caused by undersea earthquakes or landslides. They travel up to 400 mph and can arrive at a coastline before local warnings can be given. The area covered affected by a tsunami is determined by water depth, underwater topography, and shape of the coastline. A tsunami expected to occur in Sonoma County once in 200 years would flood the coast and bay shoreline up to 20 feet above sea level. The areas at risk from tsunamis are shown in the County Local Coastal Plan Public Safety Element and County Tsunami Response Plan.

Secondary Effects of Earthquakes. Earthquake damage to utilities and other public facilities can produce disastrous secondary effects. Much of the destruction from the 1906 earthquake was from fires that could not be put out due to broken water lines, damaged roads and lack of communications. These secondary effects can be reduced by various methods but larger facilities and population growth increase the potential damage.

Earthquakes could also potentially damage dams and result in the release of reservoir waters, thereby creating secondary flood hazards downstream. The largest county dam is the Warm Springs Dam which creates the Lake Sonoma Reservoir. It was designed to absorb the maximum expected displacement and ground shaking from faults in the region and is inspected by the Army Corps of Engineers on an ongoing basis. There are over 60 other dams in the County which are regulated by the State Department of Water Resources Dam Safety Division. Though such structures are generally designed and engineered to withstand seismic events without failing, some risk remains. The areas that may be potentially inundated from dam failure are shown in figure PS-1f.

~~Downstream flooding may result from dam failure. Warm Springs Dam is located on a medium-sized fault but was designed to absorb the maximum expected displacement and groundshaking from faults in the region.~~

Landslides. The most common type of ground failure in Sonoma County is landslides, the downslope movements of soil and/or rock materials. Extensive land areas of the County are subject to this hazard and are shown on Figures PS-1da through PS-1i. Landslide risk is greatest in areas of weak soil and rock and on steep slopes. Landslides can be triggered by heavy rainfall, earthquakes, or human activities such as road cuts, grading, construction, removal of vegetation, and changes in drainage.



Expansive Soils. Buildings, utilities, and roads can be damaged by clay rich soils which shrink and swell seasonally each winter and shrink each summer depending upon their water content and the rainfall. This is a less obvious hazard than earthquakes or landslides, but the gradual cracking, settling, and weakening of older buildings has a significant cumulative effect is significant in total. Soils with high clay content are found in many valley areas that are planned for development.

2.2 PLANNING ISSUES

Assessment of Hazards and Risks

State law requires a geologic report for projects along known active faults. "Special Studies" zones have been designated along four faults in Sonoma County where surface movement has taken place during the past 11,000 years.

Development Planning and Regulation

Reducing risks of damage and injury to acceptable levels requires special permit review procedures and construction standards. Construction must meet the standards of the Uniform

Building Code for seismic resistance, site stability, grading, and geologic studies. Dams, schools, hospitals, and power plants are specially regulated by State and Federal agencies for protection against such hazards.

Land uses vary in their sensitivity to geologic hazards. Agriculture and timber management are considered appropriate in areas subject to geologic hazards because such uses require few occupied structures. Structures should not be placed on known landslides or faults and, when located close to these features may need special design to withstand damage. Schools, utility structures, hospitals, and powerplants are especially sensitive to geologic hazards.

2.3 REDUCTION OF POTENTIAL DAMAGE FROM GEOLOGIC HAZARDS

GOAL PS-1: Prevent unnecessary exposure of people and property to risks of damage or injury from earthquakes, landslides, and other geologic hazards.

Objective PS-1.1: Continue to develop and ~~utilize~~ use available data on geologic hazards and associated risks.

Objective PS-1.2: Regulate new development to reduce the risks of damage and injury from known geologic hazards to acceptable levels.

Objective PS-1.3: ~~Utilize~~ Use the Sonoma County Hazard Mitigation Plan to help reduce future damage from geologic hazards.

The following policies, in addition to those in the Land Use Element, shall be used to achieve these objectives:

Policy PS-1a: Continue to ~~utilize~~ use all available data on geologic hazards and related risks from the appropriate agencies.*

Policy PS-1b: Continue to ~~utilize~~ use studies of geologic hazards prepared during the development review process.*

Policy PS-1c: Consider amendments of this Element to incorporate new data which significantly change the hazard assessments contained herein.*

Policy PS-1d: Support and integrate research on geologic hazards, their probabilities, and their effects within Sonoma County.*

Policy PS-1e: Continue to implement the "Geologic Hazard Area" combining district which establishes regulations for permissible types of uses and their intensities and appropriate development standards.*

Policy PS-1f: Require and review geologic reports prior to decisions on any project which would subject property or persons to significant risks from the geologic hazards areas shown on Public Safety Element hazard maps Figure PS-1a through PS-1i and related file maps and source documents. Geologic reports shall describe the hazards and include mitigation measures to reduce risks to acceptable levels. Where appropriate, require an engineer's or geologist's certification that risks have been mitigated to an acceptable level and, if indicated, obtain indemnification or insurance from the engineer, geologist, or developer to minimize County exposure to liability.*

Policy PS-1g: Prohibit structures intended for human occupancy (or defined as a "project" in the Alquist-Priolo Special Studies Zones Act and related Administrative Code provisions) within 50 feet of the surface trace of any fault.*

Policy PS-1h: Adopt, upon approval by the International Code Council (ICC) and the State of California, revisions to the Uniform Building Code which increase resistance of structures to groundshaking and other geologic hazards.*

Policy PS-1i: Require dynamic analysis of structural response to earthquake forces prior to County approval of building permits for structures whose irregularity or other factors prevent reasonable load determination and distribution by static analysis.*

Policy PS-1j: Encourage strong enforcement of State seismic safety requirements for design and construction of buildings and facilities subject to State and Federal standards such as bridges, dams, powerplants, hospitals and schools.*

Policy PS-1k: Incorporate measures to mitigate identified geologic hazards for all County roads, public facilities, and other County projects to an acceptable level.*

Policy PS-1l: Use the following criteria in siting and design of essential service buildings and facilities, particularly those of high public occupancy:

- (1) To the extent feasible, avoid siting such buildings and facilities in areas subject to a Modified Mercalli Index (MMI) Groundshaking Intensity Level of Very Violent (X), Violent (IX), or Very Strong (IIX) as shown on Figures PS-1a through PS-1i.
- (2) Where such buildings and facilities must be located in the above areas, design and construct them to the highest feasible safety standard.*

Policy PS-1m: Make readily available to property owners and the public all maps identifying geologic hazards in Sonoma County, particularly the MMI Groundshaking Intensity Level maps noted above.*

Policy PS-1n: Develop a Strategic Plan for damage assessment and recovery of essential service buildings and facilities, particularly those of high public occupancy, as part of the County's emergency response planning, focused in areas subject to an MMI Groundshaking Intensity level of Very Violent (X), Violent (IX), or Very Strong (IIX).*

Policy PS-1o: Adopt an ordinance requiring strengthening and/or reinforcement of Unreinforced Masonry Buildings, except residential structures, considering the cost of the work and the value, frequency of use, and level of occupancy of the buildings.*

3. PROTECTION FROM FLOOD HAZARDS

3.1 FLOOD HAZARDS IN SONOMA COUNTY

Streams overflow banks when runoff from the watershed exceeds the capacity of the stream channel to carry it. Floods on small streams usually peak and recede quickly, while floods on the lower Russian River may not peak for two days or more after the start of a storm and may exceed floodstage for four days or more. ~~Flood hazards are estimated by the area flooded by the maximum storm event expected over a 100-year period, a 10-year period or some other frequency. Figures PS-1a through PS-1i show the general extent of peak flooding expected during a 100-year flood for those streams which have been studied.~~ Flooding can move or destroy



buildings and wash away soil, crops, and loose objects. Floating debris is a very dangerous hazard. Flood damage may weaken building materials and increase mildew, dust, bacteria and other disease vectors. Public facilities, roads, and services may also be affected. A particular concern is the disruption of sewage treatment facilities and resulting water quality impacts.

3.2 PLANNING ISSUES

Assessment of Hazards and Risks

The Federal Emergency Management Agency (FEMA) and Federal Insurance Administration have assessed flood hazards for most major streams in the County. These assessments are periodically updated to reflect new data from flood studies and actual events. The flood hazard areas include those areas that would be inundated by the 100-year flood event, defined by FEMA as areas that have at least a one percent (1%) chance of being flooded in any year. The area inundated by the 100-year flood is referred to as the Special Flood Hazard Area (SFHA) and the 100-year floodplain. The FEMA maps ~~show the areas with at least a one percent (1%) chance of being flooded in any year and~~ depict these areas and are commonly used as the primary source of flooding information for planning and development review and floodplain management. The ~~current~~ boundaries of these areas are shown on ~~Figures PS-1a through PS-1i~~ Figure PS-1e.

Flood Prevention and Control

Construction of dams and other improvements to detain stormwater is one way to reduce flood hazards. Flood levels in the Russian River basin have been reduced by Coyote Dam and Warm Springs Dam constructed by the U.S. Army Corps of Engineers. Flooding in Santa Rosa Creek and its branches has been reduced by five small dams. Flooding in the Payran Area of Petaluma Creek has been reduced by the Army Corps of Engineers construction of channel improvements. However, dams and structural improvements are costly, take a long time to complete, increase sediment buildup, may have impacts on the stream channel environment, and may give a false sense of security to floodplain residents. Future flood control activities may include improvements to drainage channels and management of sediments to reduce deposition in stream beds, particularly in light of new water quality regulations.

Floodplain Management

Flooding may also be reduced by proper siting of development and watershed management, retention basins, and similar measures to decrease runoff. These methods reduce the need for costly construction projects and disaster relief. Land uses that can sustain periodic flooding and that decrease flood hazards downstream are encouraged in floodplains. Unincorporated communities with some development in designated floodplains include Guerneville, Monte Rio, Penngrove, Geyserville, Glen Ellen, Cazadero, and Schellville.

Floodplain management is required by Federal and State law. Various incentives such as flood insurance, loans, and state funding of flood control projects are offered if flood management practices are followed. Floodplain management can take many forms. It may include specified land uses and development standards in floodplains, flood hazard area mapping and zoning, acquisition of flood hazard areas, public education and outreach, and increased stormwater retention in the watershed.

In Sonoma County, implementation of floodplain management has reduced flood damage, primarily by limiting the kind and extent of new construction in FEMA identified special flood hazard areas and by elevating existing structures above flood elevations. However, flood damage is still a major and persistent problem in the Russian River, the Petaluma River, and, to a lesser degree, Sonoma Creek. Sonoma County is one of the highest repetitive loss communities in the nation, indicating that a more proactive approach is needed.

Chapter 7b of the County Code was adopted to reduce flood hazards in the 100-year flood plain. It regulates development through a permit review process and established review requirements and performance standards and restrictions in conformance with FEMA's National Flood Insurance Program (NFIP) regulations. The ordinance addresses the construction, location, extension, conversion, or alteration of structures or land in special flood hazard areas. These regulations apply to both new development and construction and modifications or repair of existing structures. FEMA determined the ordinance to be in full compliance with the NFIP. As such, the General Plan Public Safety Element has been implemented and is enforced on an ongoing basis.

In the Russian River basin, the development of a long-term plan for reducing repetitive flood losses would focus efforts on existing structures most vulnerable to damage. In the Petaluma watershed, the City of Petaluma has been studying various measures to manage flooding. These studies have revealed the sensitive nature of the Petaluma River system to changes in the timing of storm runoff. In response, the City has developed a watershed based model to account for the complex hydrology and to determine the best approach for flood management. Detention of stormwater runoff in the upper watershed is considered an important component of flood management in this system. The City has identified the need to preserve and enhance the natural flood detention capacity, particularly along the headwaters of the Petaluma River outside the City limits, as a key element of reducing flood hazards in the City.

3.3 REDUCTION OF POTENTIAL DAMAGE FROM FLOODING

GOAL PS-2: **Reduce existing flood hazards and prevent unnecessary exposure of people and property to risks of damage or injury from flood hazards.**

Objective PS-2.1: Maintain complete data on flood hazards.

Objective PS-2.2: Regulate new development to reduce the risks of damage and injury from known flooding hazards to acceptable levels.

Objective PS-2.3: Utilize Use the Sonoma County Hazard Mitigation Plan to help reduce future damage from flood hazards.

The following policies, in addition to those in the Open Space and Resource Conservation, Water Resources, and Land Use Elements, shall be used to achieve these objectives:

Policy PS-2a: Maintain available information on flooding and flood hazards in the appropriate County departments.*

Policy PS-2b: Coordinate flood hazard analysis and management activities with the U.S. Army Corps of Engineers, Federal Emergency Management Agency (FEMA), and other responsible agencies. Using the flood data collection program, request changes in FEMA maps where appropriate to reflect new data or analyses.*

Policy PS-2c: Participate with the City of Petaluma in implementation of the regional components of the Petaluma River Watershed Master Drainage Plan (Sonoma County Water Agency, June 2003), Petaluma River Floodplain Management Plan (City of Petaluma, October 2001), Petaluma River Access and Enhancement Plan (City of Petaluma, May 1996), and City of Petaluma General Plan 2025 (Water Resources Element).*

Policy PS-2d: Work with the County Community Development Commission, County Department of Fire and Emergency Services, responsible agencies, public, and other stakeholders to develop and implement a long-term plan for reducing repetitive flood losses in the Russian River basin, to include:

- (1) Systematic collection of flood data and damage by geographic location;
- (2) Consideration of acquisition of properties in flood hazard areas;
- (3) An ongoing Flood Elevation Program;
- (4) A Sonoma County Flood Mitigation Plan, including a Repetitive Loss Plan, to allow County participation in FEMA's Flood Mitigation Assistance (FMA) Program and additional Hazard Mitigation Grant Program (HMGP) grants;
- (5) Possible participation in the National Flood Insurance Program's Community Rating System;
- (6) Use of Redevelopment funds to supplement FEMA grant funds in reducing repetitive flood losses; and
- (7) Consideration of permit fee reductions for elevation of structures in flood hazard areas and outreach to inform property owners in flood hazard areas about various options for coverage under the National Flood Insurance Program, including Increased Cost of Compliance (ICC) coverage.*

Policy PS-2e: Expand the County's zero net fill requirements to address all areas of the unincorporated County that are located within the 100-year FEMA special flood hazard area.*

Policy PS-2f: Preserve floodplain storage capacity by avoiding fill in areas outside of the 100-year FEMA special flood hazard area that retain or could retain flood waters.*

Policy PS-2g: Base land use planning and development review on FEMA maps and data or parcel specific scaled interpretations of these maps and site specific elevation data.*

Policy PS-2h: Work cooperatively with each City to prepare a comprehensive analysis of the potential flood hazards and drainage impacts for the watersheds with major flood problems in the County (i.e., Russian River, Sonoma Creek, and Petaluma River). Include the following in the analysis:

- (1) Identification of flood hazard areas;
- (2) Identification of historic drainage patterns and existing retention/detention characteristics serving each watershed;
- (3) Identification of impacts associated with placement of significant new impervious surfaces;
- (4) Identification of downstream impacts on existing development and land uses;
- (5) Identification of mitigation measures to reduce flood hazards;

- (6) Identification of significant water recharge areas;
- (7) Identification of sources of significant soil sedimentation and/or stream bank failures; and
- (8) Identification and adoption of regional mitigation measures to be applied to new development to address the proportionate fair share of flood hazard reduction.*

Policy PS-2i: Until such time as the analysis under Policy PS-2h is completed and the regional mitigation measures adopted, each discretionary project located in the above watersheds with major flood problems shall analyze drainage and flooding impacts and include feasible and appropriate mitigation measures to reduce flood hazards from the project. Thereafter, each project shall implement its proportionate fair share of the regional mitigation measures.*

Policy PS-2j: Work with the City of Petaluma to preserve critical floodplain detention areas, including but not limited to the confluence of Willow Brook and Lichau Creeks and Liberty, Marin, and Wiggins Creeks north of Petaluma.

Policy PS-2k: Use the 100-year flood event and corresponding elevations as the County measure of acceptable level of risk and protection in the consideration of any amendments of the Land Use Map.*

Policy PS-2l: On-site and off-site flood related hazards shall be reviewed for all projects located within areas subject to known flood hazards.*

Policy PS-2m: Regulate development, water diversion, ~~vegetation removal~~ management, grading, and fills to minimize any increase in flooding and related damage to people and property.*

Policy PS-2n: Consider developing regulations that require the use of low impact development techniques to reduce stormwater runoff from future development.*

Policy PS-2o: Costs for drainage facilities to handle the surface runoff from new development shall be the responsibility of the new development.*

Policy PS-2p: Require that design and construction of drainage facilities be subject to the review and approval of the Permit and Resource Management Department.*

Policy PS-2q: Require that tentative and final subdivision maps and approved site plans show areas subject to flooding as shown on the FEMA maps.*

Policy PS-2r: Give priority to floodplain management over flood control structures for preventing damage from flooding except where the intensity of development requires a high level of protection and justifies the costs of structural measures. Where possible, maintain flood channel capacity.*

Policy PS-2s: Consider the potential risk of damage from flooding in the design and review of projects, including those which could facilitate floodplain development.*

Policy PS-2t: Avoid variances to building setbacks along streams and in 100-year flood plains without the review and approval of the Permit and Resource Management Department.*

Policy PS-2u: Request that the Sonoma County Water Agency prioritize and undertake flood hazard mitigation projects on a continuous basis on selected waterways subject to the policies of the Open Space and Resource Conservation Element.*

Policy PS-2v: Continue to enforce County code requirements on construction in flood hazard areas and other adopted regulations which implement the National Flood Insurance Program.*

Policy PS-2w: Encourage the timely completion and filing of inundation maps for all dams whose failure could cause loss of life or personal injury within Sonoma County. Where inundation maps indicate dam or levee failure could cause loss of life or property or personal injury, coordinate with the corresponding responsible party to investigate levee or dam stability and management and identify rehabilitative maintenance needs as appropriate.*

4. PROTECTION FROM WILDLAND FIRE HAZARDS

4.1 WILDLAND FIRE HAZARDS IN SONOMA COUNTY

The combination of highly flammable fuel, long dry summers and steep slopes creates a significant natural hazard of large wildland fires in many areas of Sonoma County. Wildland fire results in death, injury, economic losses, and a large public investment in firefighting efforts. Woodlands and other natural vegetation are destroyed resulting in the loss of timber, wildlife habitat, scenic quality, and recreation. Soil erosion, sedimentation of fisheries and reservoirs, and downstream flooding can also result.



Most damage results from a few large fires in the dry weather months. Since 1964, there have been 14 wildland fires in the County over 300 acres in size which burned a total of over 125,000 acres. ~~There were 21 wildland fires of 100m acres or more in the County between 1989 and 2000.~~

Fire hazard severity has been mapped by the California Department of Forestry (CDF). Areas with a high or very high risk are shown in Figures PS-1a through PS-1i and include over half of the County. The highest hazard is found in mountainous areas with dry summers, plenty of fuel, and steep slopes.

Residences have increased the number of fires in hazardous rural areas. 97% of the wildland fires over 50 acres since 1989 were caused by human activities or facilities. Residences in rural areas cause fire suppression agencies to devote limited resources to structural protection while the wildfire spreads.

The probability of large damaging fires in urban areas is affected by weather conditions and the spread of fires in surrounding wildland areas. The type of construction, preventive measures, and the extent of fire suppression services are the chief factors which determine how far these fires spread.

Primary responsibility for preventing and suppressing wildland fires in the County is divided between local firefighting agencies and the State as shown on Figure PS-1g. Local firefighting agencies have the primary responsibility in areas designated within a "Local Responsibility Area" (LRA). The California Department of Forestry and Fire Protection (CalFire) has the primary responsibility in those areas designated as a State Responsibility Area (SRA). The majority of the County is in the Sonoma-Lake-Napa Unit SRA, and fire management efforts are guided by the Sonoma Lake Napa Unit Fire Management Plan.

There are 40 different local firefighting agencies. These include city fire departments, independent districts, and volunteer fire companies. The County's Fire and Emergency Services Department provides fire protection, rescue, emergency medical, fire prevention, code enforcement, and arson investigation services for volunteer fire companies in the unincorporated areas of the county (County Service Area #40). The Department is responsible for fire prevention and code enforcement services to enforce the California Fire Code and other fire-related codes and ordinances. It enforces vegetation management by private property owners in all new development in State Responsibility Areas. It reviews building construction plans and performs inspections of new construction for fire code compliance.

The following plans for reducing wildland fire hazards are incorporated into this Element by reference:

Sonoma County Hazard Mitigation Plan (SCHMP). The SCHMP was first adopted by the Board of Supervisors on October 27, 2006. A five-year update of the SCHMP was adopted in October 2011. The SCHMP contains specific priority action items (referred to as mitigation actions) for wildfire hazards and more general priority action items for all types of hazards including wildfire.

Vision 2020 County Strategic Fire Plan. Adopted by the Board of Supervisors in October 2010, the Strategic Fire Plan contains recommended actions for improving and maintaining delivery of community based fire suppression, rescue, and emergency medical services in County Service Area #40 (CSA #40) over a ten-year period. These recommended actions are based on the recommendations contained in the County CSA #40 Fire Services Analytical Review presented

to the Board of Supervisors in August 2009.

Sonoma County Community Wildfire Protection Plan (CWPP). Through Fire Safe Sonoma, the Sonoma County Fire and Emergency Services Department is preparing a Community Wildfire Protection Plan (CWPP), and anticipates it will be adopted by the Board of Supervisors in 2016. A CWPP addresses local forest and fuel conditions, identifies areas of wildland/urban interface identifies environmental and development values at risk, and contains recommendations and priorities for measures that a community and/or individuals can take to reduce fuel loads and decrease the risk of structural damage and personal injury from wildland fires.

4.2 PLANNING ISSUES

Assessment of Hazards and Risks

Fire hazards shown on Figures PS-1a through PS-1i are only a general picture of the actual hazard because of the size of the areas and differences in vegetation and slope. The maps show the fire hazards only in unincorporated areas which are classified as "wildlands" and are therefore within the "State Responsibility Area" served by CDF.

CalFire has assessed the wildland fire hazard in different areas of the county based on a consideration wildland fuels, terrain, weather, and other relevant factors. Wildland fuels or vegetation are the basic catalyst that supports the combustion process of wildfires. The various fuels have specific characteristics which allow fire behavior analysts to categorize them based on how they burn. Figure PS-1g is based upon CalFire's mapping and indicates the lands with Moderate, High, and Very High Fire Hazard Severity Zones as described below. However, such mapping provides only a general picture of the actual fire hazard because there may be local variations in vegetation, slope, and other factors which influence fire. The term "fire behavior" is used to describe the magnitude, direction, and intensity of fire spread.

- The **Moderate Fire Hazard Severity Zone** includes: a) wildland areas of low fire frequency supporting modest fire behavior; and b) developed/urbanized areas with a very high density of non-burnable surfaces and low vegetation cover that is highly fragmented and low in flammability.
- The **High Fire Hazard Severity Zone** includes: a) wildland areas supporting medium to high fire behavior and roughly average burn probabilities; and b) developed/urbanized areas with more limited non-burnable surfaces and moderate vegetation cover.
- The **Very High Fire Hazard Severity Zone** includes: a) wildland areas supporting high to extreme fire behavior resulting from by well developed surface fuels and forests where fire in tree crowns (portions of trees above the trunks) is likely; and b) developed/urbanized areas with high vegetation density and fuel continuity, allowing flame to spread over much of the area with little impediment from non-burnable surfaces. Additional site elements include steep and mixed topography and seasonally extreme conditions of strong winds and dry fuel moistures. The highest fire hazard is found in mountainous areas with dry summers, plenty of fuel, and steep slopes.

The County Hazard Mitigation Plan provides a more detailed assessment of risk and vulnerability to wildland fires.

Land Use Planning

In order to reduce the risk of fire damage in rural areas, the types and intensities of land uses should be limited. Wildland fire hazards cannot be eliminated entirely but may be reduced by mitigation measures including the removal of vegetation management to reduce fuel loads, and installation of dependable water systems, and participation in Community Wildfire Protection Plans but cannot be eliminated entirely. Rural development should be most restricted where natural fire hazards are high, fire protection is limited, and road access prevents timely response by firefighting personnel and rapid evacuation by residents. The adopted General Plan land use densities help achieve this condition by applying low densities to the areas with high wildland fire hazards.

The California Environmental Quality Act requires, prior to taking any action on a discretionary project proposal, that the lead approval agency assess whether a proposed project would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The County's zoning code provides the discretionary authority to condition project approvals. Projects must be found consistent with the Public Safety Element goals with respect to wildland fires. The discretionary approval process also provides opportunities for firefighting agencies to provide recommendations which may also be incorporated into permit approvals or denials.

The County's subdivision rules, set forth in Chapter 25 of the Sonoma County Code, regulate the division of land and define minimum lot sizes, densities, and development standards. The subdivision standards require providing a water storage facility for fire protection and a fire management plan that identifies fire hazards on the site and necessary protection measures. The rules also include a number of road standards to assure adequate access for emergency vehicles.

Development Standards

Fire hazard regulations are intended to minimize on-site property damage and personal injury, avoid damage to adjacent properties, and reduce the cost of fire suppression services. Increasing "built-in" fire protection in those areas where new construction is allowed is the most cost effective way to achieve these objectives. All development must have adequate water available for fire suppression, whether from a hydrant and community system or from an on-site storage tank.

Where development is permitted near wildlands and natural vegetation, the fire hazard must be further mitigated by other measures. The locations of subdivision lots and building envelopes can maximize access by emergency vehicles and minimize construction in steep or wooded areas. Fire retardant roof materials are now required in high fire hazard areas. Preventing the spread of wildland fires to and from structures also requires establishing defensible space around each structure through management of removal of surrounding vegetation and clearing of fuel breaks.

Fire safety standards adopted by The County implements the fire safety standards of include the Uniform Fire Code, National Fire Code, and Uniform Building Code and companion codes, and the Subdivision and Development Code through implementation of the Sonoma County Fire Safety Ordinance (Chapter 13 of the County Code), often referred to as the "Fire Safe Standards." It establishes minimum fire safe standards to ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for fire fighters to fight wildland and structure fires. The Fire Safe Standards include requirements for emergency access, minimum emergency water supply, fuel modification and defensible space, sprinklers, and road naming and addressing. The County's Fire Safe standards are more stringent than those required by the California Fire Code.

~~Differences in code requirements, staffing and training among local fire districts prompted the formation of the Sonoma County Department of Fire Services in 1985. Improvements in standards for road design, water supply and sprinkler systems could increase the effectiveness of local fire protection services. In recent years, fire services have reorganized and consolidated in order to minimize administrative costs and to promote more efficient and consistent service response.~~

In addition, all new residential, commercial, and industrial construction in State Responsibility Areas must follow the regulations established by the State Board of Forestry pursuant to Section 4290 of the Public Resources Code. These regulations are set forth in Section 1270 of Chapter 7 of Division 1.5 of Title 14 of the California Code of Regulations and include road standards for fire equipment access; signage standards to identify streets, roads, and buildings; requirements for private water supply for emergency fire use; and requirements for fuel breaks. GDF enforces requirements for fire fighting and prevention, works with landowners on controlled burns, and advises rural residents on fire prevention methods. Minimum fire safety standards for wildland areas are now being prepared.

Public Resources Code Section 4291 requires that a person who owns, leases, controls, operates, or maintains a building or structure in or adjoining a mountainous area, forest covered lands, brush covered lands, or grass covered lands shall maintain a defensible space of 100 feet from all sides of the structure, but not beyond the property line. Proper clearance to 100 feet dramatically increases the chance of a house surviving a wildfire much more than the previous 30-foot clearance requirement. The Code also specifies building code standards and requires the local building code official to certify that the structure design adheres to the current building code. Chapter 7A of the California Building Code requires new buildings in a Very High Fire Hazard Severity Zone, a designated Wildland Urban Interface (WUI) Zone, or otherwise in a State Responsibility Area to use ignition resistant construction methods and materials.

Another important component of fire safety is an improved system of street addressing throughout the County. Fire response time, particularly in rural areas, is occasionally affected by the ability of the responder to locate the affected address. Improved visibility and standardization of street addresses can result in reduced emergency response time.

Public Education

Increased public awareness of fire hazards and fire safe practices is an effective way to avoid or reduce future fire damage and loss of life. Emergency service providers typically provide educational programs that focus on prevention. In addition to continuing to promote these ongoing programs, fire prevention information can be provided directly to the general public and to prospective permit applicants for incorporation into building design. Such a program can be further expanded to include fire hazard information by providing fire hazard warning signs along roadways in particularly vulnerable fire hazard areas.

Owners of properties in a Very High Fire hazard Severity Zone, or otherwise in a wildland fire area that may be exposed to wildland fire risks, must comply with natural hazards disclosure requirements at the time of property sale.

4.3 REDUCTION OF POTENTIAL DAMAGE FROM WILDLAND FIRE HAZARDS

GOAL PS-3: Prevent unnecessary exposure of people and property to risks of damage or injury from wildland and structural fires.

Objective PS-3.1: Continue to ~~utilize~~ use complete data on wildland and urban fire hazards.

Objective PS-3.2: Regulate new development to reduce the risks of damage and injury from known fire hazards to acceptable levels.

Objective PS-3.3: ~~Utilize~~ Use the Sonoma County Hazard Mitigation Plan to help reduce damages from wildland fire hazards.

The following policies, in addition to those in the Land Use Element, shall be used to achieve these objectives:

Policy PS-3a: Continue to ~~utilize~~ use available information on wildland and structural fire hazards.*

Policy PS-3b: Consider the severity of natural fire hazards, potential damage from wildland and structural fires, adequacy of fire protection and mitigation measures consistent with the Public Safety Element in the review of projects.*

Policy PS-3c: Continue to adopt revisions to the Uniform Fire and Building Codes and other standards which address fire safety as they are approved by inspection organizations and the State of California. Review, revise, and/or adopt existing or new local codes, ordinances, and Fire Safe Standards to reflect contemporary fire safe practices.*

Policy PS-3d: Refer projects and code revisions to the County Department of Fire and Emergency Services and responsible fire protection agencies for their review and comment.*

Policy PS-3e: The County Department of Fire and Emergency Services shall offer assistance to local agencies in adoption and enforcement of fire safety regulations and shall work with local agencies to develop proposed improvements to County codes and standards.*

Policy PS-3f: Encourage strong enforcement of State requirements for fire safety by the California Department of Forestry and Fire Protection.*

Policy PS-3g: Encourage continued operation of ~~CD~~ California Department of Forestry and Fire Protection (CalFire) programs for fuel breaks, brush management, controlled burning, revegetation, and fire roads.*

Policy PS-3h: Develop a program to improve and standardize the County street addressing system in order to reduce emergency service response times. Where applicable, coordinate the program with the cities.*

Policy PS-3i: Encourage and promote fire safe practices and the distribution of fire safe educational materials to the general public, permit applicants, and local planning agencies.*

Policy PS-3j: Provide fire hazard information signs in ~~“Areas of Very High or High potential for large wildland fires”~~ Fire Hazard Severity Zones in a manner that is consistent with Area Plans and that does not degrade Scenic Corridors and scenic views.*

Policy PS-3k: Work with the California Department of Forestry and Fire Protection (CalFire) to identify areas of high fire fuel loads and take advantage of opportunities to reduce those fuel loads, particularly in ~~“Areas of Very High or High potential for large wildland fires”~~ and in High Fire Hazard Severity Zones.

Policy PS-3l: Require automatic fire sprinkler systems or other on-site fire detection and suppression systems in all new residential and commercial structures, with exceptions for detached utility buildings, garages, and agricultural exempt buildings.*

Policy PS-3m: Consider additional impact or mitigation fees, or a benefit assessment, to offset the impact of new development on fire services.

5. PROTECTION FROM HAZARDOUS MATERIALS

5.1 HAZARDOUS MATERIALS IN SONOMA COUNTY

Many man-made substances can be hazardous to health. The increased use of such materials has increased potential hazards and actual damage. Public concerns have led to tighter controls on the production, transport, storage, sale and use of hazardous materials and, particularly, on the



handling and disposal of concentrated residues and wastes produced by power plants and other industrial operations.

Hazardous materials are found at many locations in Sonoma County. The electrical generating plants in the Geysers geothermal area use and produce hazardous materials hauled on winding mountain roads. Spills and releases of such materials have occurred.

Petroleum fuels get into ground water and surface water, particularly from underground tanks. Prevention of hazardous materials in the County's solid waste landfills and transfer stations and industrial operations is important because these materials could affect water quality.

Pesticides are another hazardous material commonly used in Sonoma County, by agricultural operations as well as residential and commercial land uses. While State law preempts local regulation of pesticides, the County does have the authority to establish restrictions on use of hazardous materials applicable to its own governmental operations. By doing so, the County can set an example that will encourage others to reduce reliance upon these materials.

5.2 PLANNING ISSUES

The management of hazardous materials is included in this Element because it has become a major public safety issue requiring significant resources and attention by local agencies.

While different agencies have different responsibilities in the regulation of hazardous materials, the Department of Fire and Emergency Services has been designated as the lead agency for preparation of a comprehensive hazardous materials management plan, including the County Hazardous Waste Management Plan.

5.3 REDUCTION OF POTENTIAL DAMAGE FROM HAZARDOUS MATERIALS

GOAL PS-4: Prevent unnecessary exposure of people and property to risks of damage or injury from hazardous materials.

Objective PS-4.1: Maintain complete documentation and assessments of data on hazardous materials.

Objective PS-4.2: Regulate the handling, storage, use, and disposal of hazardous materials in order to reduce the risks of damage and injury from hazardous materials

The following policies shall be used to achieve these objectives:

Policy PS-4a: While maintaining the autonomy granted to it pursuant to State zoning laws, implement Federal, State, and County requirements for the storage, handling, disposal, and use of hazardous materials, including requirements for management plans, security precautions, and contingency plans.*

Policy PS-4b: Prepare and maintain an inventory of sites with storage or use of hazardous materials in threshold planning quantities as determined by Federal and State laws.*

Policy PS-4c: Require a use permit for any commercial or industrial use involving hazardous materials in threshold planning quantities as determined by Federal and State laws. Hazardous materials management plans shall be required as a condition of approval for such permits.*

Policy PS-4d: Work with applicable regulatory agencies to regulate the transportation of hazardous materials consistent with adopted County policies.*

Policy PS-4e: Continue to design and operate County owned solid waste disposal facilities to prevent disposal of and contamination by hazardous materials.*

Policy PS-4f: Continue as needed the hazardous materials business advisory group, and consider adding an agricultural representative.*

Policy PS-4g: Maintain the Sonoma County Operational Area Hazardous Materials Incident Response Plan, which provides for effective responses to releases of hazardous materials, the safe disposal of hazardous wastes, and a public information program.*

Policy PS-4h: Avoid siting of hazardous waste repositories, incinerators, facilities that use a substantial quantity of hazardous materials, or other similar facilities intended primarily for hazardous waste disposal in any area subject to a very strong ground shaking hazard identified on Figures PS-1a through PS-1i or within one quarter mile of schools.*

Policy PS-4i: Avoid siting of hazardous waste repositories, incinerators, or similar facilities intended primarily for hazardous waste disposal in any area designated for urban residential or rural residential use or on agricultural lands or at County approved solid waste disposal facilities.*

Policy PS-4j: Site hazardous waste facilities which have the primary purpose of reuse, recycling, or source reduction of hazardous wastes in areas designated for industrial use in close proximity to users of hazardous materials and/or generators of hazardous wastes.*

Policy PS-4k: Continue to educate the public about and promote the Sonoma County Waste Management Authority's Household Hazardous Waste Program. Encourage free drop-off and reuse of computers and similar equipment containing hazardous materials.*

Policy PS-4l: Continue to educate the public about green business opportunities and expand and promote the County Department of Fire and Emergency Services Sonoma Green Business Program.*

Policy PS-4m: Continue to educate the public about, encourage, and promote the reduction in use of hazardous materials and the use of safe alternatives to hazardous materials in County operations and private businesses.*

Policy PS-4n: Encourage the private sector to reduce the use of potentially hazardous pesticides and to use alternatives such as best management practices.*

Policy PS-4o: Encourage reduction in the use of potentially hazardous pesticides and increased use of alternatives, such as best management practices, in County operations, including but not limited to maintenance of roads, parks, and facility grounds. Emphasize the use of alternatives to potentially hazardous pesticides in areas likely to drain to waterways. Coordinate with the cities in this effort.*

6. PUBLIC SAFETY IMPLEMENTATION PROGRAM

Public Safety Program 1: Safety Hazards Information System

Program Description. Log and maintain records of all mapping and reports regarding geologic and flood hazards information prepared for project applications and by other sources. Use the information in assessing constraints (Policy Reference: PS-1a, 1b, 1c, 2a, 2b).

Public Safety Program 2: Drainage, Erosion, and Fire Safety Standards for Subdivisions *

Program Description. Prepare amendments to Chapter 25 of the Sonoma County Code to clarify standards for drainage, erosion control, and fire safety (Policy Reference: PS-2n, 2v, 3c).

Public Safety Program 3: Hazard Materials Incident Response Plan

Program Description. Maintain the Sonoma County Operational Area Hazardous Materials Incident Response Plan addressing prevention of and response to releases of hazardous materials and the proper disposal of hazardous wastes (Policy Reference: PS-4g).

Public Safety Program 4: Fire Sprinkler Ordinance

Program Description. Prepare and adopt an ordinance requiring automatic sprinkler or other on-site fire detection and suppression systems in new residential and commercial structures (Policy Reference: PS-3l).

Public Safety Program 5: Public Facility Recovery Plan

Program Description. Develop a strategic plan for recovery of essential public facilities following disasters, particularly earthquakes (Policy Reference: PS-1n).

Public Safety Program 6: Unreinforced Masonry Buildings

Program Description. Prepare and adopt an ordinance requiring strengthening and/or reinforcement of unreinforced masonry buildings, except residential structures, that would consider the cost of the work and the value, frequency of use, and level of occupancy of the buildings (Policy Reference: PS-1o).

Public Safety Program 7: Reduction of Russian River Flood Damage

Program Description. Develop a comprehensive plan addressing flood losses in the Russian River (Policy Reference: PS-2d).

Public Safety Program 8: Zero Net Fill Ordinance

Program Description. Prepare and adopt an ordinance addressing zero net fill requirements in all areas of the unincorporated County subject to the 100-year FEMA special flood hazard areas (Policy Reference: PS-2e).

Public Safety Program 9: Reduction of Petaluma River Flood Damage

Program Description. Cooperatively with the City of Petaluma, initiate a program to identify existing risks and implement regional flood reduction projects within the Petaluma Subbasin (Policy Reference: PS-2h).

Public Safety Program 10: Street Addressing Improvements

Program Description. Develop a program to improve countywide street addressing in order to reduce emergency response times (Policy Reference: PS-3h).

Public Safety Program 11: Implementation of Sonoma County Hazard Mitigation Plan

Program Description: Implement mitigation measures and actions identified in the Sonoma County Hazard Mitigation Plan to the degree possible based on their priority and the available funding. Update the plan and monitor mitigation progress on an ongoing basis as required by law.

Figure PS-1a

Earthquake Ground Shaking Hazard Areas

The map illustrates the expected relative intensity of ground shaking & damage in Sonoma County from anticipated future earthquakes.

Ground Shaking Probability In Modified Mercalli Intensity Scale

- VII - Strong
- VIII - Very Strong
- IX - Violent

- Base Map Data
- City Limit
 - US Federal Highway
 - State Highway
 - Major Roads

Note:
 This map is not intended to be site-specific. The Modified Mercalli Index scale may be one magnitude higher or lower, particularly adjacent to the boundaries.
 Map Scale and Reproduction methods limit precision in physical features displayed.

Historically, over 95 percent of earthquake damage is caused by ground shaking. This figure illustrates the relative intensity of ground shaking that could potentially occur in different parts of the County from a number of different seismic event scenarios. This mapping is based on a potential earthquake magnitude of 8.0 on the Northern San Andreas fault and a potential earthquake magnitude of 7.3 on the Hayward/Rodgers Creek fault. Special building code requirements may apply in areas where high levels of ground shaking could potentially occur. Ground shaking data was obtained from the Association of Bay Area Government (ABAG) and is based on data from the California Geological Survey and U. S. Geological Survey.

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 2550 Ventura Avenue, Santa Rosa, California 95403
 707-565-1900 FAX 707-565-1103



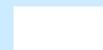
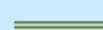
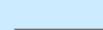
Figure PS-1b

Earthquake Fault Hazard Areas

Major Fault Hazard Zones

- Healdsburg Fault 
- Maacama Fault 
- Rodgers Creek Fault 
- San Andreas Fault 

Base Map Data

-  City Limit
-  US Federal Highway
-  State Highway
-  Major Roads

Pacific Ocean



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In order to minimize the risk of injury and property damage along fault zones during seismic events, the Alquist Priolo special Studies Zone Act of 1972 required the California Geological Survey to map major fault zones and required local jurisdictions to implement zoning and building code restrictions and standards as well as special study requirements within these areas. These areas are designated on zoning maps with the Geologic Hazard Area overlay zone otherwise referred to as the "G" district. Alquist-Priolo data obtained from the California Department of Conservation, Division of Mines and Geology.

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Note:
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Figure PS-1c

Liquefaction Hazard Areas

Areas of Liquefaction

- Very High
- High
- Medium

Base Map Data

- City Limit
- US Federal Highway
- State Highway
- Major Roads

Note:
Map Scale and Reproduction methods limit precision in physical features displayed.

Liquefaction is a phenomenon in which the strength and stiffness of soil, especially water-saturated soils with unconsolidated sediments, is reduced by earthquake shaking. During the shaking, the soil is transformed into a more fluid-like mass which can give way, and damage the buildings and infrastructure built upon it. Data obtained from the United States Geological Survey (USGS).

Author: PRMD Cartography: D. Reinier File Number: S:\GIS-DATA\PRMD_BASE\PRMD Department Projects\Comprehensive Planning\Hazard Mitigation Plan\HMP 2013\MXD\SIG\figure PS-1c.mxd Date: 12/10/2013

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Figure PS-1d

Deep-seated Landslide Hazard Areas

Very High Landslide Susceptibility Data

Very high landslide susceptibility; classes VIII, IX, and X, include very steep slopes in hard rock and moderate to very steep slopes in weak rock.

- X
- IX
- VIII

Deep-seated Landslide Susceptibility Classes

[increase susceptibility: 0 → X]

ROCK STRENGTH

		1	2	3
SLOPE CLASS	1	0	0	0
	2	0	V	VII
	3	0	V	VII
	4	III	VIII	IX
	5	VI	IX	X
	6	VII	IX	X
	7	VIII	IX	X
	8	VIII	IX	X

Base Map Data

- City Limit
- US Federal Highway
- State Highway
- Major Roads

This map shows the relative likelihood of deep landsliding based on regional estimates of rock strength and steepness of slopes. On the most basic level, weak rocks and steep slopes are more likely to generate landslides. The map uses detailed information on the location of past landslides, the location and relative strength of rock units, and steepness of slope and shows the distribution of one very important component of landslide hazard. It is intended to provide infrastructure owners, emergency planners and the public with a general overview of where landslides are more likely. The map does not include information on landslide triggering events, such as rainstorms or earthquake shaking, nor does it address susceptibility to shallow landslides such as debris flows. This map is not appropriate for evaluation of landslide potential at any specific site. Data obtained from the California Department of Conservation July 13, 2011 (Map Sheet 58).

Note:
Map Scale and Reproduction methods limit precision in physical features displayed.

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Figure PS-1e
Flood Hazard Areas

- Russian River 
- Streams 
- 100-Year Flood Zone 
- Lake Sonoma 

- Base Map Data
-  City Limit
 -  Coastal Zone Boundary
 -  US Federal Highway
 -  State Highway
 -  Major Roads



The 100-year flood zone or Special Flood hazard Area (SFHA) is defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. These areas are depicted on the zoning maps with the F1-Flood Zone and F2 – Flood Plain Combining Zones. Coastal hazard zones subject to flooding are currently being reviewed and mapped by FEMA and are expected to result in updated hazard mapping in subsequent years. Data was obtained from the Federal Emergency Management Agency (FEMA) as depicted on the Federal Insurance Rate Maps (FIRM).

Note:
 Map Scale and Reproduction methods limit precision in physical features displayed.

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 Public Safety Element

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Figure PS-1f

Dam Failure Inundation Hazard Areas

- Dam 
- Dam Failure Inundation Hazard Areas 
- Lake Sonoma 

- Base Map Data
-  City Limit
 -  US Federal Highway
 -  State Highway
 -  Major Roads

These geographic areas represent the extent of water inundation that could be caused by dam failure, whether by natural causes or man-made. Government Code sec.8589.5 has been in effect since 1972, and statute requirements are critical to protect the public health and safety by providing government and emergency responders with vital information about the timing and extent of flooding resulting from a dam failure and to prepare in advance evacuation procedures if a dam should fail. This data was obtained from the California Office of Emergency Services.

Note:
Map Scale and Reproduction methods limit precision in physical features displayed.

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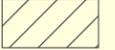


Figure PS-1g

Wildland Fire Hazard Areas

Fire Protection Responsibility Areas

LRA - Local Responsibility Area 

SRA - State Responsibility Area 

FRAP Fire Hazard Severity Zones

Very High 

High 

Moderate 

Base Map Data

-  City Limit
-  US Federal Highway
-  State Highway
-  Major Roads

Pacific Ocean

This designates the Moderate, High, and Very High Fire Hazard Severity Zones (FHSZ) in the State Responsibility Area (SRA) for the purpose of identifying areas to apply defensible space and building standards consistent with known mechanisms of fire risk to people, property, and natural resources. This data was obtained from the California Department of Forestry and Fire Protection (CalFIRE).

Note:
Map Scale and Reproduction methods limit precision in physical features displayed.

Author: PRMD Cartography: D. Reinier File Number: S:\GIS-DATA\PRMD_BASE\PRMD Department Projects\Comprehensive Planning\Hazard Mitigation Plan\HMP 2013\MXD\SIGP figure PS-1g.mxd Date: 12/12/2013

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Sonoma County General Plan 2020 Public Safety Element

Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, California 95403
707-565-1900 FAX 707-565-1103



Resolution Number 14-014

County of Sonoma
Santa Rosa, California

July 17, 2014
GPA13-0001 David Schiltgen

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THE GENERAL PLAN 2020 EIR IS THE CEQA DOCUMENT FOR THE PROPOSED PROJECT AND RECOMMENDING APPROVAL OF AMENDMENT OF THE GENERAL PLAN PUBLIC SAFETY ELEMENT TO INCORPORATE UPDATED HAZARD MAPS, ADD IMPLEMENTATION OF THE SONOMA COUNTY HAZARD MITIGATION PLAN, AND ADD TEXT TO MEET STATE REQUIREMENTS FOR WILDLAND FIRE HAZARDS TO THE BOARD OF SUPERVISORS.

WHEREAS, on October 27, 2006 the Board of Supervisors adopted the Sonoma County Hazard Mitigation Plan; and

WHEREAS, on September 23, 2008 the Board of Supervisors adopted Sonoma County General Plan 2020; and

WHEREAS, in accordance with the requirements of Section 65302 of the California Government Code, General Plan 2020 included a Public Safety Element which establish goals, objectives, and policies to minimize the potential for property damage and human injury from exposure to geologic, flood, and wildland fire hazards and hazardous materials; and included maps of known hazard areas and a Public Safety Work Program; and

WHEREAS, the General Plan Public Safety Element indicates that the Sonoma County Hazard Mitigation Plan is to be incorporated into the Public Safety Element to ensure consistency; and that the Sonoma County Hazard Mitigation Plan should be used to reduce future property damage and human injury from geologic, flood, and wildland fire hazards; and

WHEREAS, on October 25, 2011 the Board of Supervisors adopted an update of the Sonoma County Hazard Mitigation Plan that provides updated hazard maps and includes an Implementation Plan to carry out multi-hazard mitigation measures to reduce exposure and vulnerability to hazards subject to the availability of staff and funding; and

WHEREAS, at the time the Board of Supervisors adopted the 2011 update of the Sonoma County Hazard Mitigation Plan, the Board directed staff to initiate a General Plan Amendment to incorporate the updated hazard maps and Implementation Plan of the Hazard Mitigation Plan into the Public Safety Element; and

WHEREAS, Implementation Plan Mitigation Measure No. 7 of the 2011 update of the Sonoma County Hazard Mitigation Plan calls for the updated hazard maps to be incorporated into the General Plan Public Safety Element; and

WHEREAS, incorporation of the Sonoma County Hazard Mitigation Plan into the General Plan Public Safety Element would qualify the County for greater monetary assistance for disaster response and recovery activities from the State of California under the California Disaster Assistance Act; and

WHEREAS, the Sonoma County Permit and Resource Management Department proposed text

and map amendments to the Public Safety Element to comply with the above directives; and

WHEREAS, the proposed project is to amend the General Plan Public Safety Element as shown in Exhibits "A" through "H" to this Resolution; and

WHEREAS, the Sonoma County Permit and Resource Management Department has referred the proposed General Plan Public Safety Element Amendment to public agencies as required by Section 65302 of the California Government Code; and

WHEREAS, the General Plan 2020 Program EIR is the California Environmental Quality Act ("CEQA") document for the proposed project pursuant to CEQA Guidelines Section 15168(c)(2) based on the following findings:

1. The proposed project would make the Sonoma County General Plan consistent with the County's Hazard Mitigation Plan. The proposed hazard map updates and corresponding text changes are informational and do not grant any right or entitlement for construction or development that would create physical impacts to the environment.
2. The proposed changes to the Public Safety Element - update of geologic, flood, and wildland fire hazard maps based on best available data and science; addition of descriptive text on wildland fire hazards; and addition of an implementation program - are a technical update to reflect the most current hazard data and mapping developed by state and federal agencies which the County is required to use. The updated hazard maps reflect existing hazards within the county that are part of the baseline condition, and do not reflect new policy.
3. The proposed project does not involve revising existing policies in the Public Safety Element except to correct terminology and references to hazard maps; and does not involve adding new policies.
4. The Program Environmental Impact Report (EIR) for Sonoma County General Plan 2020, prepared in compliance with the California Environmental Quality Act (CEQA) and certified by the Board of Supervisors in September 2008, disclosed, evaluated, and mitigated potential environmental impacts of General Plan policies. The potential environmental impacts of and mitigation measures for policies for geologic, flood, and wildland fire hazards were analyzed in Sections 4.7, 4.5, and 4.9 of the Program EIR, respectively.
5. The proposed updated hazard maps and addition of descriptive text and an implementation program would not create physical impacts to the environment, result in any new significant impacts, a substantial increase in the severity of any previously-identified impacts, or new information of substantial importance that was not known and could not have been known at the time of certification of the General Plan 2020 Program EIR in 2008.
6. The proposed project is within the scope of General Plan 2020 covered by the Program EIR, and would not have effects that were not examined in the Program EIR. As a result, pursuant to CEQA Guidelines Section 15168(c)(2), no new environmental document is required.
7. The proposed amendments to the General Plan 2020 Public Safety Element are in the public interest because updated maps and policies furthers the goals, objectives and policies of the Safety Element and the County's Hazard Mitigation Plan to help assure that risks and

vulnerabilities to hazards are considered during land use and development decision-making. Implementing the proactive hazard mitigation measures identified in the Hazard Mitigation Plan as part of the General Plan Safety Element Implementation Program before disasters occur will reduce property damage, personal injury from hazard events and the cost of disaster aid and recovery. These measures help protect the community from unreasonable risks from wildland fires, earthquake ground shaking, fault rupture, and liquefaction, inundation from flooding, tsunami, and dam failure, slope instability from landslides.

WHEREAS, in accordance with the provisions of law, the Planning Commission held a duly noticed public hearing on July 17, 2014 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission recommends that the Board of Supervisors find the proposed project is within the scope of the General Plan 2020 Program EIR, and all mitigation measures have been incorporated into General Plan policies;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. Incorporation of the updated Sonoma County Hazard Mitigation Plan into General Plan 2020 maintains and improves the County's eligibility for funding and public assistance under the California Disaster Assistance Act.
2. The updated Sonoma County Hazard Mitigation Plan was determined to be consistent with General Plan 2020 at the time of adoption. Accordingly, incorporation of the updated hazard maps and implementation mitigation measures of the Hazard Mitigation Plan into the Public Safety Element is consistent with the General Plan.
3. Incorporation of the updated hazard maps and implementation mitigation measures of the Sonoma County Hazard Mitigation Plan into the Public Safety Element is also consistent with General Plan 2020 because it was called for in the Public Safety Element; and furthers General Plan goals and objectives to use updated hazard maps and analysis in land use decisions and to use the Hazard Mitigation Plan to help reduce future property damage and human injury from geologic, flood, and wildland fire hazards.
4. The proposed Public Safety Element Amendment is consistent with the Sonoma County Strategic Plan in that it helps ensure that planning and development proceed in a manner protective of the health and safety of the community; and that the community is prepared and responds appropriately to emergencies and natural disasters.
5. The proposed project is within the scope of General Plan 2020 covered by the General Plan 2020 Program EIR, and would not have effects that were not examined in that Program EIR. As a result, pursuant to CEQA Guidelines Section 15168(c)(2), no new environmental document is required.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors approve the requested General Plan Public Safety Element Text Amendment as shown in Exhibit "A" to this Resolution and Map Amendments as shown in Exhibits "B" through "H" to this Resolution; and directs PRMD staff to incorporate the following into the General Plan Public Safety Element: 1) updated geologic, flood, and wildland fire hazard maps and associated information; 2) addition of implementation of the Sonoma County Hazard Mitigation Plan to the Public Safety Work Program; 3) addition of a more thorough description and assessment of wildland fire hazards and incorporation of the Sonoma County Hazard Mitigation Plan by reference to meet State requirements for wildland fire hazards; and 4) minor text changes to

correct hazard terminology and information and references to hazard maps.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Carr, who moved its adoption, seconded by Commissioner Lynch, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Bennett	Aye
Commissioner Shahhosseini	Absent
Commissioner Liles	Absent
Commissioner Lynch	Aye

Ayes: 3 Noes: Absent: 2 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.



*Sonoma County Combined Planning Commission
and Board of Zoning Adjustments*
DRAFT MINUTES

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: July 17, 2014
Meeting No.: 14-09

ROLL CALL

Commissioners

Greg Carr
Komron Shahhosseini
Jason Liles (Absent)
Tom Lynch
Don Bennett, Chair

Staff Members

Jennifer Barrett
Misti Harris
Lisa Posternak
Bill Passaretti, Secretary
David Hurst, Chief Deputy County Counsel

1:00 PM Call to order and Pledge of Allegiance

Approval of Minutes - N/A

Correspondence

Board of Supervisors Actions

Commissioner Announcements/Disclosures

Public Appearances

Items scheduled on the agenda

PLANNING COMMISSION UNCONTESTED CALENDAR

Item No.: 1
Time: 1:05 p.m.
File: UPE13-0039
Applicant: Joe and Kathy Tresch
Staff: Misti Harris
Env. Doc: Negative Declaration
Proposal: Request for a Use Permit for 25 agriculture promotional events per year with maximum attendance of 1980 people on a 96.04 acre parcel used for cattle grazing.
Location: 1051 Walker Road, Petaluma
APN: 022-050-014
District: 2
Zoning: LEA (Land Extensive Agriculture), B6-100 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat)

Misti Harris ???.

Action:
Appeal Deadline:
Resolution No.:

Vote:

Commissioner Greg Carr:
Commissioner Don Bennett:
Commissioner Komron Shahhosseini:
Commissioner Jason Liles:
Commissioner Tom Lynch:

Ayes:
Noes:
Absent:
Abstain:

BOARD OF ZONING ADJUSTMENTS REGULAR CALENDAR

Item No.: 2
Time: 1:30 p.m.
File: GPA13-0001
Applicant: County of Sonoma
Staff: David Schiltgen
Env. Doc: General Plan 2020 Program EIR
Proposal: Request for a technical amendment to the Public Safety Element of General Plan 2020 to update geologic, flood, and wildfire hazard maps and information. Implementation of the Sonoma County Hazard Mitigation Plan and add text to meet the State requirements for wildland fire hazards.
Location: County-wide
APN: Various
District: All
Zoning: Various

Dave Schiltgen summarized the staff report, which is incorporated herein by reference.

Questions from Commissioners:

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Public Hearing Opened

Action:
Appeal Deadline:
Resolution No.:

Vote:

Commissioner Greg Carr:
Commissioner Don Bennett:
Commissioner Komron Shahhosseini:
Commissioner Jason Liles:
Commissioner Tom Lynch:

Ayes:
Noes:
Absent:
Abstain:



Sonoma County Planning Commission **STAFF REPORT**

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FILE: GPA13-0001
DATE: July 17, 2014
TIME: 1:30 P.M.
STAFF: David Schiltgen, Project Planner

Board of Supervisors hearing will be held at a later date and will be noticed at that time.

SUMMARY

Applicant: County of Sonoma

Location: Countywide
APNs: All Supervisorial District: All

Subject: General Plan Public Safety Element Amendment

PROPOSAL: Amend the Public Safety Element Amendment of General Plan 2020 to incorporate current hazard maps and text from Sonoma County Hazard Mitigation Plan

Environmental Determination: General Plan 2020 Program EIR

General Plan: Public Safety Element

Ord. Reference: Not Applicable

Zoning: Countywide

RECOMMENDATION: Adopt the Resolution recommending the Board of Supervisors approve the proposed General Plan Public Safety Element Amendment.

BACKGROUND

Applicable State & Federal Laws

The Federal Disaster Mitigation Act of 2000 requires local governments to prepare, adopt, and implement Local Hazard Mitigation Plans and update them every five years to be eligible for various pre- and post-disaster community aid and grant programs from the Federal Emergency Management Agency (FEMA). The purpose of the Act is to help reduce the potential for property damage, personal injury from disasters events and reduce the federal costs of responding to disaster events by encouraging local agencies to implement hazard mitigation actions before disasters occur to reduce the amount of damage and injury that might otherwise result from such events. The County adopted its first Hazard Mitigation Plan in October 2006, and the five-year update was adopted in October 2011. The Hazard Mitigation Plan

includes an implementation plan which must be updated every five years, consisting of mitigation measures the County is committed to implement and to reduce the potential for property damage and personal injury associated with the above hazards.

The California Assembly adopted Assembly Bill 2140 in 2006 to amend the California Disaster Assistance Act. Under the amended Act, a county which adopts a Local Hazard Mitigation Plan as implementation of the Public Safety Element of its General Plan may be eligible for up to 100 percent state funding of eligible disaster relief projects rather than be subject to the normal limit of 75 percent; and may have the match requirement for public assistance damage reimbursement waived.

The California Assembly also approved Senate Bill 1241 in September 2012 to help control the growing costs of wildland fire suppression in California. The bill amended Government Code Section 65302 to require General Plan Public Safety Elements be updated before the next revision of the Housing Element after January 1, 2014 to provide a more thorough assessment and consideration of wildland fire risks and policies in State Responsibility Areas (SRA's) where CalFire is the lead agency responsible for fighting wildland fires, and in those areas designated as "Very High Fire Hazard Severity Zones".

General Plan 2020

Pursuant to Section 65302 of the California Government Code, a General Plan must include a Public Safety Element. This Element is intended to protect the community from unreasonable risks from earthquake induced surface rupture, strong ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides, landslides, subsidence and other geologic hazards; flooding; and wildland fire. The Element must include maps of known hazards and policies to minimize potential property damage and human injury by reducing the exposure of people and property to the above hazards.

Sonoma County adopted General Plan 2020 in September 2008. The Public Safety Element's hazard maps were based on the hazard mapping contained in the County's 2006 Hazard Mitigation Plan. Since General Plan 2020 was adopted in 2008, updated hazard maps have been developed by FEMA, U.S. Geological Survey, California Geological Survey, California Department of Forestry and Fire Protection (CalFire), California Division of Safety of Dams, and Governor's Office of Emergency Services. Although the updated hazard maps have been incorporated into the 2011 update of Sonoma County Hazard Mitigation Plan, they have not yet been incorporated into General Plan 2020's Public Safety Element. Therefore, the current General Plan hazard maps need to be updated to incorporate the more recent hazard mapping included in the Sonoma County Hazard Mitigation Plan to assure the best available hazard data is considered in land use and development decisions

Public Safety Element Objectives PS-1.3, PS-2.3, and PS-3.3 call for the Hazard Mitigation Plan to be integrated into the Element and used to reduce risks from geologic, flood, and wildland fire hazards, respectively. When the Board of Supervisors adopted the updated Hazard Mitigation Plan in 2011, it directed staff to incorporate the hazard maps and implementation plan into the Public Safety Element. Mitigation Measure 7 of the Implementation Plan of the Hazard Mitigation Plan calls for the Hazard Mitigation Plan to be incorporated into the Public Safety Element (Exhibit A to this Staff Report):

7. *Amend General Plan Safety Element hazard maps to reflect revised updated mapping of hazard areas identified in this hazard mitigation plan or subsequently mapped and identified by FEMA, CalFire, or the State's Seismic Hazards Mapping Program.*

The proposed amendment of the Public Safety Element has been drafted to comply with the above directives and to: assure: 1) Sonoma County's eligibility for greater state funding for disaster assistance, 2) the General Plan and Hazard Mitigation Plan provide consistent hazard information, 3) the Hazard Mitigation Plan is implemented through a General Plan Work Program, 4) the Public Safety Element

meets state requirements with respect to wildland fire hazards, and 5) the best available hazard maps are used in decision-making.

PROJECT DESCRIPTION

Project Components

The proposed project is a technical amendment to the General Plan Public Safety Element and includes the following four components:

1. Update of Hazard Maps and Information
2. Add Hazard Mitigation Plan Implementation to work program,
3. Text amendments to meet state content requirements with respect to Wildland Fire Hazards
4. Other minor text corrections and modifications.

The proposed project does not involve revising existing policies or adding new policies to the Public Safety Element in the Public Safety Element except to correct terminology and references to hazard maps. The proposed language incorporates the Hazard Mitigation Plan into the Public Safety Element by reference.

The proposed project will apply the updated hazard maps and mitigation measures of the Sonoma County Hazard Mitigation Plan to the inland portion of the county. These maps and mitigation measures will also be applied to the coastal portion of the county through incorporation into the Sonoma County Local Coastal Plan Update currently underway. Once the Local Coastal Plan Update is adopted, there will be consistent hazard mapping and policies throughout the county.

Update of Hazard Maps and Information

The first component of the proposed project is to replace the existing outdated hazard maps in the Public Safety Element with updated hazard maps similar to those included in the Sonoma County Hazard Mitigation Plan and derived from updated mapping and analysis carried out by lead federal or state agencies including the Federal Emergency Management Agency (FEMA), U.S. Geological Survey, California Geological Survey, CalFire, California Division of Safety of Dams, and Governor's Office of Emergency Services. The State Geologist compiles maps identifying seismic hazard zones pursuant to Seismic Hazards Mapping Act, earthquake fault zones pursuant to the Alquist-Priolo Earthquake Fault Zoning Act and landslide hazards pursuant to the Landslide Hazard Identification Program. FEMA maps the 100-year Flood zone as part of the National Flood Insurance Program, Calfire prepares fire hazard severity mapping pursuant to Public Resources Codes 4201-4204 and Govt. Code 51175-89. Public agencies are encouraged to use these maps for land use planning and for decisions regarding building, grading and development permits.

The proposed hazard maps are in a new format that is easier to use and interpret and facilitates analysis using a geographic information system (GIS). Each hazard is mapped on a countywide instead of a Planning Area basis, and only one hazard category is depicted per map. For example, Flood Hazard Areas would be shown for the entire county on one map, as in proposed Figure PS-1e of Exhibit F to the attached Resolution, instead of shown for each Planning Area on nine maps, as in existing Figures PS-1a through PS-1i. The existing hazard maps in Figures PS-1a through PS-1i would be replaced with the updated hazard maps shown in Figures PS-1a through PS-1g of Exhibits B-H of the attached Resolution. This component also includes adding text describing the new hazard information and updating references to the updated hazard maps.

Add Implementation of Hazard Mitigation Plan to Public Safety Element's Work Program

The second component is to add implementation of the mitigation measures in the Implementation Plan of the Hazard Mitigation Plan (Exhibit A to this Staff Report) to the Implementation Program of the Public Safety Element as "Public Safety Program 11: Implementation of Sonoma County Hazard Mitigation Plan". This component of the Public Safety Element Amendment ensures that implementation of the Hazard Mitigation Plan is given high priority, and that it is recognized as a General Plan work program that helps to achieve Element objectives. Most of Public Safety Program 11 would be implemented through existing work programs.

Add Text to Meet State Requirements for Wildland Fire Hazards

The third component is to add text describing and assessing wildland fire hazards in more detail and to incorporate the Hazard Mitigation Plan into the Public Safety Element by reference. The Hazard Mitigation Plan provides a the more thorough assessment of wildland fire hazards and mitigation measures now required in a Public Safety Element under Government Code Section 65302.

Minor Text Changes

The fourth component consists of minor text changes to correct hazard terminology and information and references to hazard maps.

Safety Element Text and Maps

The proposed General Plan Public Safety Element Text Amendment is included as Exhibit A to the attached Resolution, and the proposed Public Safety Element Map Amendments are included as Exhibits B through H to the attached Resolution.

DISCUSSION OF ISSUES

Issue #1: **Format of Hazard Maps**

The existing Public Safety Element contains nine hazard maps, one for each of the nine Planning Areas, titled "Areas Subject to Safety Policies". Each hazard map shows all of the various types of hazard areas in the pertinent Planning Area. In addition to being outdated, these maps are difficult to read and interpret because of the multiple graphic designations (colors, textures, and symbols) used to represent the various hazard types and intensities. In some cases, the graphic designation for one type of hazard overlays and obscures the graphic designation for another type of hazard, resulting in inaccurate representation or interpretation of the actual hazard areas.

To remedy this problem, seven new County-wide, hazard-specific, Public Safety Figures were prepared to replace the nine existing multi-hazard figures which are based on Planning Area. The seven new hazard maps are specific to one type of hazard numbered and titled as follows and are in Exhibits B-H of the attached Resolution:

- EXHIBIT B: Proposed Figure PS-1 a: Earthquake Ground Shaking Hazard Areas
- EXHIBIT C: Proposed Figure PS-1 b: Earthquake Fault Hazard Areas
- EXHIBIT D: Proposed Figure PS-1 c: Liquefaction Hazard Areas
- EXHIBIT E: Proposed Figure PS-1 d: Deep Seated Landslide Hazard Areas
- EXHIBIT F: Proposed Figure PS-1 e: Flood Hazard Areas
- EXHIBIT G: Proposed Figure PS-1 f: Dam Failure Inundation Hazard Areas
- EXHIBIT H: Proposed Figure PS-1 g: Wildland Fire Hazard Areas

Issue #2: Hazard Maps Not Included

Maps of tsunami hazards, coastal high hazard areas, and sea level rise hazards are not included in the proposed Public Safety Element Amendment. The Sonoma County Tsunami Response Plan, Local Coastal Plan, and Hazard Mitigation Plan contain maps of areas subject to inundation from tsunamis. The Public Safety Element refers readers to the above documents for maps of tsunami hazard areas.

FEMA is in the process of mapping coastal high hazard areas (areas subject to high energy wave action) under the Open Pacific Coast study of the California Coastal Analysis and Mapping Project, a detailed coastal engineering analysis and mapping of areas at risk of coastal flooding based on the best available data and science. Once available, the official FEMA maps will be incorporated into the Sonoma County Hazard Mitigation Plan, Local Coastal Plan, and General Plan Public Safety Element.

Maps showing the areas subject to flooding and inundation as a result of sea level rise are included in the Sonoma County Hazard Mitigation Plan, proposed to be incorporated by reference into the Public Safety Element. Under a grant from the Ocean Protection Council, the County is preparing maps of areas subject to flooding and inundation as a result of projected sea level rise based on the best available data and science. Upon completion, these maps will be incorporated into the Sonoma County Local Coastal Plan, Hazard Mitigation Plan, and General Plan Public Safety Element.

Issue #3: California Environmental Quality Act Compliance Findings

Legislative actions to adopt a General Plan or Safety Element are considered a project subject to the California Environmental Quality Act (CEQA) although minor technical corrections or modifications which do not affect the environment may not require environmental review. Actions which have already been adequately assessed by prior CEQA reviews also may not require additional environmental review.

The adoption of the Sonoma County Hazard Mitigation Plan and its proposed implementation measures was considered exempt from CEQA at the time of adoption based on the determination of the California Emergency Management Agency. Though implementation of the mitigating measures identified in the Hazard Mitigation Plan, as part of the Public Safety Element's work program does include some mitigation activities, such as seismic retrofits of bridges, that could result in physical disturbance of the environment, incorporating implementation of the Hazard Mitigation Plan into the Safety Element Work program does not grant any right or entitlement for construction or development that would create physical impacts to the environment. Where mitigation projects are considered a project under CEQA, they would be separately subject to CEQA's environmental review requirements prior to commencement.

The proposed hazard map updates and corresponding text changes are informational and do not grant any right or entitlement for construction or development that would create physical impacts to the environment.

The updated hazard maps generally reflect the existing countywide baseline conditions as derived from the technical analysis of physical and locational criteria for each hazard carried out by lead State and Federal Agencies including the Federal Emergency Management Agency, U.S. Geological Survey, California Geological Survey, CalFire, California Division of Safety of Dams, and Governor's Office of Emergency Services. The County is required to use the source maps from these agencies when preparing its local hazard mapping. The boundaries are technically derived and are not based on subjective judgment or opinion. The adoption of a hazard map which provides a best representation of hazard areas does not convey or add risks to a designated area within the hazard area. The mapping simply informs owners and others of potential hazard risks that already exist within certain areas. As such, that mapping updates that provide more current and detailed information may be considered a technical correction.

Incorporation of updated hazard mapping and the Sonoma County Hazard Mitigation Plan into the Public

Safety Element was specifically called for by the Public Safety Element and is considered within the scope of the General Plan 2020. A Program Environmental Impact Report (EIR) was prepared in compliance with CEQA to disclose, evaluate, and identify mitigating policies to reduce or avoid potential environmental impacts of General Plan policies or reduce them to a level considered insignificant. The potential environmental impacts of General Plan policies with respect geologic, flood, and wildland fire hazards were analyzed in Sections 4.7, 4.5, and 4.9 of the Program EIR, respectively and mitigating policies were identified for inclusion in the General Plan to reduce potential hazard exposure impacts to an acceptable level. The Program EIR was certified by the Board of Supervisors in September 2008.

The proposed project does not add or delete mitigating policies the Public Safety Element and does not revise existing policies except to correct terminology and references to hazard maps.

Though the updated hazard maps available from State and federal agencies, the updated Hazard Mitigation Plan approved in 2011, The 2010 Census Data constitute new information that was not known and could not have been known at the time of certification of the General Plan 2020 Program EIR in 2008. The new information does not substantially increase the severity of impacts previously identified by the Program EIR and does not result in new impacts not previously considered. It also does not affect the effectiveness of mitigating policies in the Program EIR. New maps show the area and intensity of strong earthquake ground shaking to be less than what was previously projected, based on new seismic analysis and modeling carried out by California Geological Survey (2008). Likewise, areas subject to "High" and "Very High" fire hazard severity based on new Calfire mapping are less than previously reflected in the General Plan 2020 Public Safety Element. The areas subject to fault rupture, liquefaction, and flooding are similar to those mapped in the 2008 General Plan Safety Element; only the format, not the substance, has changed. The proposed landslide hazard map is based on California Geological Survey mapping, pursuant to the Seismic Hazards Mapping Act. Use of this map in the Safety Element is mandated by State law. The new map provides a more detailed representation and gradation of the areas with geologic conditions that may be exposed to landslide risk and is considered a refinement of the earlier landslide map. The new information discussed above does not result in any new impacts not previously addressed nor does it affect the findings, determinations and mitigations identified by the General Plan 2020 Program EIR and would not have effects that were not examined in the Program EIR.

As a result of the above considerations, the proposed Safety Element amendments are determined to be within the scope of the project assessed by GP2020 Program EIR and preparation of a new environmental document or addendum is not required pursuant to CEQA Guidelines Section 15168(c)(2). No new environmental document is required because no new effects would occur and no new mitigation measures would be required as a result of the project. Furthermore, the proposed amendments do not convey entitlements for construction or site-specific review of potential development projects. Specific development proposals will be reviewed in accordance with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the proposed General Plan Amendment and adopt the attached Resolution recommending the Board of Supervisors approve the proposed Public Safety Element Amendment to make the General Plan consistent with the Sonoma County Hazard Mitigation Plan.

FINDINGS FOR RECOMMENDED ACTION

1. Incorporation of the updated Sonoma County Hazard Mitigation Plan into General Plan 2020 maintains and improves the County's eligibility for funding and public assistance under the California Disaster Assistance Act.
2. The updated Sonoma County Hazard Mitigation Plan was determined to be consistent with General

Plan 2020 at the time of adoption. Accordingly, incorporation of the updated hazard maps and implementation mitigation measures of the Hazard Mitigation Plan into the Public Safety Element is consistent with the General Plan.

3. Incorporation of the updated hazard maps and implementation mitigation measures of the Sonoma County Hazard Mitigation Plan into the Public Safety Element is also consistent with General Plan 2020 because it was called for in the Public Safety Element; and furthers General Plan goals and objectives to use updated hazard maps and analysis in land use decisions and to use the Hazard Mitigation Plan to help reduce future property damage and human injury from geologic, flood, and wildland fire hazards.
4. The proposed Public Safety Element Amendment is consistent with the Sonoma County Strategic Plan in that it helps ensure that planning and development proceed in a manner protective of the health and safety of the community; and that the community is prepared and responds appropriately to emergencies and natural disasters.
5. The proposed project is within the scope of General Plan 2020 covered by the General Plan 2020 Program EIR, and would not have effects that were not examined in that Program EIR. As a result, pursuant to CEQA Guidelines Section 15168(c) (2), no new environmental document is required.
- 6) The proposed amendments to the General Plan 2020 Public Safety Element are in the public interest because updated maps and policies furthers the goals, objectives and policies of the Safety Element and the County's Hazard Mitigation Plan to help assure that risks and vulnerabilities to hazards are considered during land use and development decision-making. Implementing the proactive hazard mitigation measures identified in the Hazard Mitigation Plan as part of the General Plan Safety Element Implementation Program before disasters occur will reduce property damage, personal injury from hazard events and the cost of disaster aid and recovery. These measures help protect the community from unreasonable risks from wildland fires, earthquake ground shaking, fault rupture, and liquefaction, inundation from flooding, tsunamis, and dam failure, slope instability from landslides.

LIST OF ATTACHMENTS

- Exhibit A: 2012-2017 Hazard Mitigation Plan Implementation Plan
- Exhibit B: Draft Resolution with Exhibits A - H

EXHIBIT A to Staff Report

Sonoma County Hazard Mitigation Plan Implementation Plan for 2012-2017

No.#	Multi-Hazard Mitigations
1	Develop and expand in-house County expertise to conduct loss analysis and risk assessment using HAZUS software program and GIS analysis; coordinate efforts between General Services, Risk Management, PRMD, and Fire and Emergency Services.
2	Provide hazard information to building and design professionals, land developers, real estate professionals, land owners, prospective buyers and the general public so that they have access to all maps identifying high earthquake, flood, wildfire and landslide hazards areas in Sonoma County and related information regarding regulations and restrictions that apply or are recommended and working with real estate agents to improve enforcement and education efforts.
3	Assist in ensuring adequate hazard disclosure by working with real estate disclosure requirements for residential properties with regard to seven official natural hazard zones: 1) 100-yr Flood Hazard Areas from FEMA, 2) Areas of Potential Flooding from dam failure , 3) Very High Fire Hazard Severity Zones, 4) Wildland Fire Zones, 5) Earthquake Fault Zones, 6) Liquefaction and Landslide Hazard Zones.
4	Consider and apply available hazard information on earthquakes, floods, wildfires and landslides in the review of project applications and other decision-making that impact risk.
7	Amend General Plan Safety Element Hazard maps to reflect revised updated mapping of hazard areas identified in this hazard mitigation plan or subsequently mapped and identified by FEMA, CalFire or the State's Seismic Hazards Mapping Program.
8	Enhance the appropriate websites to provide convenient public access to most current hazard maps with respect to earthquakes, floods, wildland fires and landslides.
10	Where needed to facilitate disaster recovery, adopt code regulations, policies and/or interagency memorandums of understanding to set forth the requirements and procedures applicable to the repair and reconstruction of structures damaged by natural and man-made disasters.
13	Incorporate assessments of hazards, including earthquake, flood, landslides and wildland fires, into site selection and design for new buildings and when siting or leasing county facilities.
19	Enhance appropriate County websites to provide convenient public access to earthquake, flood, wildfire and landslide and tsunami hazard zones and educational mitigation materials that identify ways to reduce hazards.
20	Evaluate existing emergency power systems at county facilities and provide emergency power generation capacity, or have rental/lease agreements for these generators, at county facilities critical for emergency response and recovery to ensure continuity of government services.

21	<p>Improve county communications capacity, interoperability capabilities and disaster resilience to help maintain critical post disaster operability by:</p> <ul style="list-style-type: none"> • Transition from older PBX technology to network based Unified Communications to minimize single point of failure • Enhancing radio network to utilize 700MHz. • Incremental replacement of phones and telephone switches with Voice over Internet Protocol (VoIP) capable equipment as funding becomes available • Move of voice services from 445 Fiscal to the ISD Data Center • Provide duplicate IT infrastructure at an offsite data center where backup systems for public safety and financial systems are housed. • Seek funding for a new communications facility in an alternate location that would provide better, more disaster resistant housing for existing and future communications and/or to further harden the existing facility to mitigate risks and improve the existing facility to an "Essential Services" designation. • Upgrade the County's Telephone Emergency Notification System (TENS) to include cellular and texting to better provide alert and warning to the public.
22	<p>To qualify for greater monetary assistance from the State under the California Disaster Assistance Act for disaster recovery projects, assure that the FEMA-approved hazard mitigation plan is adopted into the General Plan's Safety Element by incorporation or reference and file necessary paperwork with CalEMA to confirm</p>
23	<p>Continue to implement countywide road naming and addressing program in order to reduce emergency response times</p>
Earthquake Mitigations	
26	<p>Require all new construction and substantial renovations to comply with seismic building codes mandated California Building Code and Chapter 7 of the Sonoma County Code. Including those specified for site preparation, design, materials, and construction methods to minimize risk from earthquakes. Apply different building code, anchor bolts and wall bracing requirements in the higher risk areas with higher spectral response acceleration, expressed as a percent of gravity. Continue to require dynamic structural analysis for complex new structures.</p>
30	<p>Seek funding and authorization to include seismic upgrades to planned major repairs of county buildings to increase resistance to earthquake damage, especially buildings critical to emergency response and recovery. These include, but shall not be limited to, the buildings proposed for remodeling in the Capital Project Plan:</p> <ol style="list-style-type: none"> 1. Agricultural Building 2. Human Services Building 3. North County Detention Facility 4. Health Services Administrative Building 5. Sierra Youth Center 6. Sebastopol Veterans Building 7. Santa Rosa Veterans Building, and 8. Guerneville Sheriff's Sub-station
31	<p>Seek funding to engage an engineering consultant to conduct a seismic evaluation of facilities critical to emergency response or recovery operations and buildings with high occupancy. Incorporate seismic assessment upgrades in major remodel projects at existing buildings. All new construction shall conform to current codes at the time of the permit.</p>

32	Develop a strategy to strengthen or replace county owned and used emergency response facilities that have structural weaknesses as determined by the priorities identified through the engineering analysis.
33	For critical county leased facilities constructed before the current edition of the California Building Code, review seismic vulnerability prior to renewing leases, and consider not renewing leases on buildings that do not meet appropriate seismic safety standards for the use of such buildings.
34	Work with the County Office of Education, Local school districts and others to develop seismic retrofit projects for existing school buildings on the State's AB300 list and seek funding through the state's School Facility Program Seismic Mitigation Program and/or other sources for seismic retrofit of "Category Two" school structures in areas of potentially high seismic ground shaking.
35	Encourage all school facilities to review and assess their vulnerability from unsecured non-structural components that may fall during a quake increasing injury, property damage and recovery time and expense, and to undertake program to secure and modify nonstructural components to improve seismic safety.
36	<p>Work with the following independent fire districts which have reported unreinforced masonry buildings to carry out necessary structure assessments and seek funding through grants, special assessments, development agreements, mitigation fees or other means for necessary retrofits or structure replacements to assure that the delivery and fire and emergency services is not degraded because of structural failure of URM's in an earthquake. Consider the potential for each site for liquefaction and ground-shaking and fault rupture when prioritizing sites.</p> <ol style="list-style-type: none"> 1. Monte Rio Fire Protection District 2. Kenwood Fire Protection District 3. Glen Ellen Fire Protection District 4. Rincon Valley Fire Protection District 5. Guerneville Fire Protection District 6. Geyserville Fire Protection District 7. Schell vista Fire Protection District 8. Roseland Fire Protection District 9. Valley of the Moon Fire Protection District
37	Assess the earthquake, vulnerability of critical county infrastructure, including roads, bridges, pipelines, water treatment plants, culverts, and other important facilities.
38	<p>Carry out seismic retrofitting or replacement of County owned bridges to make them more disaster resistant. Seek to fund and commence improvements and/or replacements on the following county bridges:</p> <p>Boyes Boulevard at Sonoma Creek- replace King Ridge Rd. at Big Austin Creek – retrofit Watmaugh Rd. at Sonoma Creek – replace Geysers Rd. at Big Sulphur Creek – replace Porter Creek Bridge at Porter Creek – replace Brickway Blvd at Mark West Creek – replace and relocate</p>
39	Evaluate the earthquake ground shaking risks and vulnerabilities to the following radio

	<p>communications tower sites and supporting infrastructure in the County's communications system and implement repairs, replacements and/or upgrades as necessary to better assure post disaster operability is maintained.</p> <ul style="list-style-type: none"> • Emergency Operations Center (EOC) • FishRock • Sheriff's Office • Sleepy • Bodega • Mount Jackson • Seaview • Siri (aka Pool Ridge) • Sonoma Mtn. • Communications Division at Fiscal • Salt Point
40	Encourage the cooperation of utility system providers and cities, counties, and special districts to develop strong and effective mitigation strategies for private infrastructure systems and facilities.
43	<p>Seek funding to continue and expand structural retrofit mitigation activities carried out by the Community Development Commission under their existing successful Earthquake Resistant Bracing Systems Program, such that structural retrofit activities to vulnerable buildings may be carried out or incentivized by the program. Such program shall use adopted earthquake hazard maps to identify priority high risk areas for mitigation work. Retrofit activities would be focused on one or more of the following:</p> <ul style="list-style-type: none"> • Non ductile concrete building/unreinforced masonry buildings in • Redevelopment areas or otherwise considered essential or critical facilities to emergency response and disaster recovery. • Single or multi unit residential wood structures with inadequate foundation bracing, fire place bracing or cripple wall support • Mobile homes with inadequate foundation • Structures with inadequate water heater bracing
44	Develop a strategy and secure funding to relocate critical Information Systems Department equipment and facilities from their current location to reduce their vulnerability to earthquake ground shaking
45	Develop a strategic plan for damage assessment and recovery of essential public facilities following earthquakes, particularly those of high public occupancy.
Flood Mitigations	
46	<p>Commit to improving flood mapping and topographic mapping along the Russian River. Actively participate in FEMA's Map Modernization Program to assure flood maps are based on accurate topographic maps and flood models. Incorporate and utilize up-to-date flood and/or topography data available from flood damage assessment reports, local surveys, repetitive loss studies, site specific flood evaluation determinations, and other local, regional, state or federal sources.</p> <p>Request that FEMA carry out flood studies to provide more accurate mapping of the floodway and floodplain boundaries and flood plain topography, or alternatively consider preparing such maps to FEMA standards locally through the Cooperating Technical Partners Program funding. Consider taking advantage of following programs, funding sources and technical resources to improve flood modeling and</p>

	<p>mapping along the Russian River</p> <ul style="list-style-type: none"> • FEMA's Risk Mapping, Assessment, and Planning • NOAA/NWS Flood Severity Inundation Mapping • NOAA Height Modernization Program • FEMA Cooperating Technical partner(CTP) • FEMA's Map Modernization program • CA Dept. of Water Resources Floodplain Mapping Program. • FEMA Cooperating Technical Partner (CTP) Program • Army Corps flood control and mapping
47	Incorporate digital FIRM flood hazard maps when they become available from FEMA and maintain updated flood hazard maps in County GIS. Review and update the County F1 and F2 Combining District and make changes as appropriate if FIRM maps are amended.
48	Develop ongoing system to maintain more accurate data on status of repetitive loss properties and provide annual update to FEMA. Conduct a review and provide a correction list to FEMA by January 1, 2012 or prior to the next scheduled NFIP Community Assistance Visit (CAV). Corrections should clarify which properties have already been mitigated (elevated), correct errors in the occupancy type, identify properties located within the FEMA-designated floodway; and identify which ones are severe repetitive loss properties. Revise list periodically using updated loss information
49	Coordinate flood hazard analysis and management activities with the USACE, FEMA, DWR and other responsible agencies.
50	<p>Consider revisions to the County Code to address development on existing lots subject to flooding, including consideration of:</p> <ul style="list-style-type: none"> ○ Limitations on rebuilding of legal nonconforming structures in the F-1 Zone ○ Limitations on expansion of legal nonconforming structures in the flood zone ○ Development criteria for parcels in the flood zone that will reduce flood risks. ○ Increasing the merger of existing substandard lots in the flood zones. ○ Increase potential properties qualifying for Increased Cost of Compliance (ICC) flood insurance reimbursements under the NFIP.
54	Consistent with Policy PS-2d of the GP2020 Safety Element, work with the County's Community Development Commission, Fire and Emergency Services Department, Permit and Resource Management Department and other responsible agencies, stakeholders and the general public to develop and implement a long term strategy for reducing repetitive flood losses in the Russian River basin. This strategy shall be incorporated into future updates of the hazard mitigation plan.
55	Seek funding to continue and accelerate the flood elevation program to elevate qualifying flood damage prone properties. Consistent with FEMA/NFIP, give priority to the repetitive loss properties both within and outside the mapped flood zones.
56	In addition to continuing the flood elevation program, explore other means to reduce flood risks such as, but not limited to, public acquisition, flood proofing, and relocation of flood prone properties; give priority to the repetitive loss properties.
57	Encourage wider compliance with flood insurance requirements and provide more frequent verification of flood insurance coverage on parcels in the flood zones.
59	Encourage and provide incentives for private landowners to consolidate undeveloped

	substandard lots in flood zones.
60	Identify possible ways and opportunities to reduce runoff and maintain and/or increase temporary stormwater retention to decrease downstream flooding. Consider increasing storm or flood water retention in the Laguna de Santa Rosa, terrace pits, flood plains, developed sites and development sites and off-channel agricultural reservoirs consistent with regulatory requirements and restrictions.
	Wildland Fire Mitigations
66	Increase Fire Marshal capacity to periodically inspect properties for compliance with vegetation management standards.
67	Coordinate code enforcement for vegetation management between fire districts and CalFire to ensure consistency and frequency of inspections in the highest fire hazard zones.
68	Conduct a systematic fire safety analysis of all County owned and used emergency response and critical facilities that have been identified as being in wildland fire zones to identify site-specific improvements to improve wildfire resistance.
71	Create a "Roadside Hazard Abatement Program" which will help ensure that the required access clearances for vehicles and the required defensible space along roadway infrastructure is provided.
72	Work with the California Division of Forestry and Fire Protection and local fire districts to improve vegetation management consistent with the Public Resources and County Codes and scenic resource policies. Support hazardous fuel reduction programs developed through "Community Wildfire Protection Plans" within the fire districts included in County Service Area 40.
75	Acquire a wood chipper that may be loaned to agencies, community groups throughout the county to help residents reduce wildfire fuels and aid implementation of Community Wildfire Protection Plans, Sudden Oak Death Fuels Mitigation and Defensible Space Project
76	Develop strategies and incentives that may be implemented by the county and/or independent districts to encourage voluntary improvements and upgrades to existing structures and or facilities to bring them more into compliance with current fire safety regulations. Give priority to areas designated as "Very High" or "High" fire hazard severity zones.
77	To aid fire-fighting response and limit the amount of property damage from wildland fire, seek funding to maintain on ongoing basis "Countywide Digital Fire Run Book Project", which delineate and map accessible private roads, ranch and timber roads and driveways and water bodies such as ponds and reservoirs that may be used or accessed for fighting wildland fires
78	Encourage and facilitate district consolidation recommendations of LAFCO Municipal Service Reviews of fire districts and support implementation of any recommendations which would improve fire services, response and readiness, including possible consolidation of fire service districts.
80	Consider additional impact or mitigation fees, or a benefit assessment, to offset the impact of new development on fire services.

Resolution Number

County of Sonoma
Santa Rosa, California

July 17, 2014
GPA13-0001 David Schiltgen

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THE GENERAL PLAN 2020 EIR IS THE CEQA DOCUMENT FOR THE PROPOSED PROJECT AND RECOMMENDING APPROVAL OF AMENDMENT OF THE GENERAL PLAN PUBLIC SAFETY ELEMENT TO INCORPORATE UPDATED HAZARD MAPS, ADD IMPLEMENTATION OF THE SONOMA COUNTY HAZARD MITIGATION PLAN, AND ADD TEXT TO MEET STATE REQUIREMENTS FOR WILDLAND FIRE HAZARDS TO THE BOARD OF SUPERVISORS.

WHEREAS, on October 27, 2006 the Board of Supervisors adopted the Sonoma County Hazard Mitigation Plan; and

WHEREAS, on September 23, 2008 the Board of Supervisors adopted Sonoma County General Plan 2020; and

WHEREAS, in accordance with the requirements of Section 65302 of the California Government Code, General Plan 2020 included a Public Safety Element which establish goals, objectives, and policies to minimize the potential for property damage and human injury from exposure to geologic, flood, and wildland fire hazards and hazardous materials; and included maps of known hazard areas and a Public Safety Work Program; and

WHEREAS, the General Plan Public Safety Element indicates that the Sonoma County Hazard Mitigation Plan is to be incorporated into the Public Safety Element to ensure consistency; and that the Sonoma County Hazard Mitigation Plan should be used to reduce future property damage and human injury from geologic, flood, and wildland fire hazards; and

WHEREAS, on October 25, 2011 the Board of Supervisors adopted an update of the Sonoma County Hazard Mitigation Plan that provides updated hazard maps and includes an Implementation Plan to carry out multi-hazard mitigation measures to reduce exposure and vulnerability to hazards subject to the availability of staff and funding; and

WHEREAS, at the time the Board of Supervisors adopted the 2011 update of the Sonoma County Hazard Mitigation Plan, the Board directed staff to initiate a General Plan Amendment to incorporate the updated hazard maps and Implementation Plan of the Hazard Mitigation Plan into the Public Safety Element; and

WHEREAS, Implementation Plan Mitigation Measure No. 7 of the 2011 update of the Sonoma County Hazard Mitigation Plan calls for the updated hazard maps to be incorporated into the General Plan Public Safety Element; and

WHEREAS, incorporation of the Sonoma County Hazard Mitigation Plan into the General Plan Public Safety Element would qualify the County for greater monetary assistance for disaster response and recovery activities from the State of California under the California Disaster Assistance Act; and

WHEREAS, the Sonoma County Permit and Resource Management Department proposed text

and map amendments to the Public Safety Element to comply with the above directives; and

WHEREAS, the proposed project is to amend the General Plan Public Safety Element as shown in Exhibits "A" through "H" to this Resolution; and

WHEREAS, the Sonoma County Permit and Resource Management Department has referred the proposed General Plan Public Safety Element Amendment to public agencies as required by Section 65302 of the California Government Code; and

WHEREAS, the General Plan 2020 Program EIR is the California Environmental Quality Act ("CEQA") document for the proposed project pursuant to CEQA Guidelines Section 15168(c)(2) based on the following findings:

1. The proposed project would make the Sonoma County General Plan consistent with the County's Hazard Mitigation Plan. The proposed hazard map updates and corresponding text changes are informational and do not grant any right or entitlement for construction or development that would create physical impacts to the environment.
2. The proposed changes to the Public Safety Element - update of geologic, flood, and wildland fire hazard maps based on best available data and science; addition of descriptive text on wildland fire hazards; and addition of an implementation program - are a technical update to reflect the most current hazard data and mapping developed by state and federal agencies which the County is required to use. The updated hazard maps reflect existing hazards within the county that are part of the baseline condition, and do not reflect new policy.
3. The proposed project does not involve revising existing policies in the Public Safety Element except to correct terminology and references to hazard maps; and does not involve adding new policies.
4. The Program Environmental Impact Report (EIR) for Sonoma County General Plan 2020, prepared in compliance with the California Environmental Quality Act (CEQA) and certified by the Board of Supervisors in September 2008, disclosed, evaluated, and mitigated potential environmental impacts of General Plan policies. The potential environmental impacts of and mitigation measures for policies for geologic, flood, and wildland fire hazards were analyzed in Sections 4.7, 4.5, and 4.9 of the Program EIR, respectively.
5. The proposed updated hazard maps and addition of descriptive text and an implementation program would not create physical impacts to the environment, result in any new significant impacts, a substantial increase in the severity of any previously-identified impacts, or new information of substantial importance that was not known and could not have been known at the time of certification of the General Plan 2020 Program EIR in 2008.
6. The proposed project is within the scope of General Plan 2020 covered by the Program EIR, and would not have effects that were not examined in the Program EIR. As a result, pursuant to CEQA Guidelines Section 15168(c)(2), no new environmental document is required.
7. The proposed amendments to the General Plan 2020 Public Safety Element are in the public interest because updated maps and policies furthers the goals, objectives and policies of the Safety Element and the County's Hazard Mitigation Plan to help assure that risks and

vulnerabilities to hazards are considered during land use and development decision-making. Implementing the proactive hazard mitigation measures identified in the Hazard Mitigation Plan as part of the General Plan Safety Element Implementation Program before disasters occur will reduce property damage, personal injury from hazard events and the cost of disaster aid and recovery. These measures help protect the community from unreasonable risks from wildland fires, earthquake ground shaking, fault rupture, and liquefaction, inundation from flooding, tsunami, and dam failure, slope instability from landslides.

WHEREAS, in accordance with the provisions of law, the Planning Commission held a duly noticed public hearing on July 17, 2014 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission recommends that the Board of Supervisors find the proposed project is within the scope of the General Plan 2020 Program EIR, and all mitigation measures have been incorporated into General Plan policies;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. Incorporation of the updated Sonoma County Hazard Mitigation Plan into General Plan 2020 maintains and improves the County's eligibility for funding and public assistance under the California Disaster Assistance Act.
2. The updated Sonoma County Hazard Mitigation Plan was determined to be consistent with General Plan 2020 at the time of adoption. Accordingly, incorporation of the updated hazard maps and implementation mitigation measures of the Hazard Mitigation Plan into the Public Safety Element is consistent with the General Plan.
3. Incorporation of the updated hazard maps and implementation mitigation measures of the Sonoma County Hazard Mitigation Plan into the Public Safety Element is also consistent with General Plan 2020 because it was called for in the Public Safety Element; and furthers General Plan goals and objectives to use updated hazard maps and analysis in land use decisions and to use the Hazard Mitigation Plan to help reduce future property damage and human injury from geologic, flood, and wildland fire hazards.
4. The proposed Public Safety Element Amendment is consistent with the Sonoma County Strategic Plan in that it helps ensure that planning and development proceed in a manner protective of the health and safety of the community; and that the community is prepared and responds appropriately to emergencies and natural disasters.
5. The proposed project is within the scope of General Plan 2020 covered by the General Plan 2020 Program EIR, and would not have effects that were not examined in that Program EIR. As a result, pursuant to CEQA Guidelines Section 15168(c)(2), no new environmental document is required.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors approve the requested General Plan Public Safety Element Text Amendment as shown in Exhibit "A" to this Resolution and Map Amendments as shown in Exhibits "B" through "H" to this Resolution; and directs PRMD staff to incorporate the following into the General Plan Public Safety Element: 1) updated geologic, flood, and wildland fire hazard maps and associated information; 2) addition of implementation of the Sonoma County Hazard Mitigation Plan to the Public Safety Work Program; 3) addition of a more thorough description and assessment of wildland fire hazards and incorporation of the Sonoma County Hazard Mitigation Plan by reference to meet State requirements for wildland fire hazards; and 4) minor text changes to

correct hazard terminology and information and references to hazard maps.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner _____, who moved its adoption, seconded by Commissioner _____, and adopted on roll call by the following vote:

Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.