

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

MONDAY-TUESDAY

NOVEMBER 24-25, 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 generally 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.

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

Santa Rosa CityBus: Rt. 14

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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.

PLEASE NOTE: This meeting has been noticed and posted for November 24 through November 25, 2014. It is anticipated that the Board will conclude this meeting on November 24 and may not need to meet on November 25. For clarification on this schedule, please contact the Clerk of the Board at (707) 565-2241. You may also check the Board website for a notice by the morning of the November 25, 2014 meeting announcing whether the meeting will proceed or not: http://sonomacounty.ca.gov/templates_portal/SupervisorsUpcomingMeetings.aspx?id=2147493737

Monday, November 24, 2014

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 33)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 6)

PRESENTATIONS AT THE BOARD MEETING

1. Adopt a Gold Resolution proclaiming December 1, 2014 as World AIDS Day in Sonoma County. (Health Services)
2. Adopt a Gold Resolution declaring the month of November 2014 as Adoption month. (Human Services)
3. Adopt a Gold Resolution honoring and thanking Supervisor McGuire for his dedicated and exemplary service to the people of the County of Sonoma, and wishing him the best as he assumes his District 2 State Senatorial seat. (Countywide)

PRESENTATIONS AT A DIFFERENT DATE

4. Adopt a Gold Resolution presenting Harry and Karen Bosworth with the Wetzel Community Leadership Award by the Healthcare Foundation, Northern Sonoma County. (Fourth District)
5. Adopt a Gold Resolution presenting Susan Graf with the Wetzel Community Leadership Award by the Healthcare Foundation, Northern Sonoma County. (Fourth District)
6. Adopt a Gold Resolution congratulating Thena Trygstad on being named Sonoma's Treasure Artist of 2014. (First District)

CONSENT CALENDAR (Continued)

COMMUNITY DEVELOPMENT COMMISSION

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

7. Approve the Day Labor Center Funding Policy, and direct Sonoma County Community Development Commission staff to issue a Request for Proposals, and return to the Board of Supervisors with recommendations for funding, using \$80,000 in Fiscal Year 2014-15 Reinvestment and Revitalization funds.

SONOMA COUNTY WATER AGENCY

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

8. Climate Ready Grant –
- (A) Authorize the Chair to execute a cooperative agreement with Napa County and Marin Municipal Water District for funding of project management and technical services related to Climate Ready Grant for Climate Vulnerability Assessment for the amount of \$95,000 (Water Agency share \$35,000); agreement terminates on December 31, 2016.
 - (B) Authorize the Chair to execute an agreement with Pepperwood Foundation for funding of team facilitation services related to Climate Ready Grant for Climate Vulnerability Assessment in the amount of \$19,000; agreement terminates on December 31, 2016.
 - (C) Authorize the Water Agency General Manager to execute an agreement with United States Geological Survey, California Water Science Center, to complete a water resources investigation for the amount of \$75,582; agreement terminates on December 1, 2015; consistent with other agreements, authorize the General Manager to terminate or amend this agreement in ways that do not increase the amount paid or significantly change the scope of work or length of the contract.

AGRICULTURAL COMMISSIONER

9. Authorize the Agricultural Commissioner to execute an agreement with the Richard Bay Puppet Theatre Company to design and build the County's Exhibit for the 2015 State Fair from November 24, 2014 through July 29, 2015 for \$40,000, and to amend the contract for up to an additional \$6,000 in the event that additional funding is secured from private donors.

CLERK-RECORDER-ASSESSOR

10. Recording, Vital Records, and Cashiering System –
Authorize the Clerk-Recorder-Assessor to approve the first amendment to an agreement with Tyler Technologies, Incorporated, expanding the scope of work to include maintenance and support through June 30, 2019, on-site training, and pilot projects to integrate the Tyler system with other County systems, for a new not-to-exceed contract total of \$1,322,298 and end date of June 30, 2019.

COUNTY ADMINISTRATOR/TRANSPORTATION AND PUBLIC WORKS

11. Authorize the Chair to sign a Memorandum of Understanding with Gold Ridge Resource Conservation District and Sonoma Resource Conservation District providing \$160,000 in Fiscal Year 2014-15 and \$220,000 in Fiscal Year 2015-16. The Districts will provide countywide land and water management technical assistance services, grant funding procurement, youth environmental and agricultural education, and multi-agency conservation goals coordination. The agreement term ends on June 30, 2016.

ECONOMIC DEVELOPMENT BOARD

12. Sonoma County Building Economic Success Together (BEST) Annual Report –
(A) Accept the Annual Report from the Building Economic Success Together Program.
(B) Authorize the Chair to execute an amendment to the Memorandum of Understanding between the County and the Santa Rosa Chamber of Commerce regarding funding of the Sonoma County BEST Program extending the term for one year through May 31, 2015 in the amount of \$100,000, and amending the scope of the program activities to include business attraction strategies.

FIRE AND EMERGENCY SERVICES/COUNTY ADMINISTRATOR

13. Receive an Update on the Fire Services Project.

HEALTH SERVICES/ TRANSPORTATION AND PUBLIC WORKS

14. Health Action Committee for Healthcare Improvement Consultant Agreement –
Authorize the Director of Health Services to execute an agreement with Terry Leach to provide consulting and facilitation services for the Department of Health Services, for the period November 1, 2014 through June 30, 2016, in an amount not-to-exceed \$50,000.

HUMAN RESOURCES

AND

SONOMA COUNTY WATER AGENCY

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

AND

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

AND

COMMUNITY DEVELOPMENT COMMISSION

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

AND

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

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

15. Authorize the Director of Human Resources to execute agreements with ten selected training firms, in amounts not-to-exceed \$45,000 per agreement, per annum, for three-year terms.

INFORMATION SYSTEMS

16. Information Technology Equipment Maintenance –
Authorize the Information Systems Department Director to sign an agreement with Signature Technology Group for information technology equipment maintenance for the period of January 24, 2015 through January 30, 2018 for an amount not-to-exceed \$360,000.

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

17. Authorize the Chair to execute a Covenant and Restriction not allowing new occupied structures until a suitable sewage disposal system has been demonstrated as a requirement of a previously approved Lot Line Adjustment on property located at 3560 Wine Creek Road, Healdsburg; Douglas A. Rafanelli Revocable Trust, LLA11-0046, APN 090-130-018. (Fourth District)
18. Adopt a Resolution authorizing the Chair to execute a replacement Land Conservation Act (Williamson Act) Contract for 26.9 acres requested by William P. and Margaret S. Yarak; 201 Jonive Road, Sebastopol; APN 080-210-021. (Fifth District)
19. Authorize the Chair to execute acceptance of a Grant Deed of Protective Easement required as a condition of a previously approved Lot Line Adjustment for John Mattos Jr., John A. Mattos Jr., and Joni E. Mattos located at 900, 804, and 680 Meacham Road, Petaluma; APN 022-020-011 and portions of 022-020-014 and -019. (Second District)
20. Adopt a Resolution authorizing the Chair to execute a replacement Land Conservation Act Contract for 33.63 +/- acres requested by Robert S. Hicks, Jr. for Flax Vineyards, LLC; 6677, 6695, and 6697 Westside Road, Healdsburg; APN 110-240-007. (Fourth District)

REGIONAL PARKS

21. Grant Utility Easement to the Sonoma Valley County Sanitation District –
(A) Adopt a Resolution granting a public utility easement over County property to the Sonoma Valley County Sanitation District.
(B) Authorize the Chair to execute the Grant of an Easement.
(C) Authorize the Director of Regional Parks to execute related documents to complete the transaction and file a Notice of Categorical Exemption pursuant to the California Environmental Quality Act. (First District)
22. Proposed Community Garden at Maddux Ranch Regional Park –
(A) Authorize the Director of Regional Parks to execute a one-year Revocable License Agreement with the Occidental Arts and Ecology Center to construct, operate and maintain a community garden at Maddux Ranch Regional Park.
(B) Authorize the Director of Regional Parks to approve up to four one-year extensions at the expiration of the initial term upon satisfactory performance by the Licensee.
(C) Authorize the Director of Regional Parks to enter into a Landowner Agreement with US Fish and Wildlife Service.
(D) Authorize the Director of Regional Parks to file a Notice of Categorical Exemption pursuant to the California Environmental Quality Act. (Fourth District)

TRANSPORTATION AND PUBLIC WORKS

23. AB 720 Road Commissioner Project List – Fall 2014 –
Adopt a Resolution declaring intent to construct four projects utilizing force account under Road Commissioner authority as authorized under Public Contracts Code Section 22000 through 22045 and accept formal notification of two projects declared on October 20, 2014 under alternative noticing procedures per the attached list. (Second and Fifth Districts)
24. Authorize the Chair to execute a Second Amendment to the Agreement with Brelje and Race Consulting Engineers for construction engineering and technical services on the CSA #41 – Salmon Creek Water District System Wide Improvements project, increasing the not-to-exceed amount from \$254,200 to \$260,600 with a term that expires once the project and all required documentation is completed. (Fifth District)
25. Adopt a Resolution establishing development standards for entities at the Charles M. Schulz – Sonoma County Airport; authorize staff to file a Notice of Exemption under the California Environmental Quality Act. (Fourth District)
26. Wohler Road Bridge over the Russian River Seismic Retrofit –
(A) Adopt a Resolution adopting the Mitigated Negative Declaration, adopting the Mitigation Monitoring Program, and approving the project to seismically retrofit the Wohler Road Bridge over the Russian River; and
(B) Authorize the Director of Transportation and Public Works to execute all required documents to secure a lease agreement with California State Lands Commission for the Wohler Road Bridge over the Russian River. (Fourth and Fifth Districts)

TRANSPORTATION AND PUBLIC WORKS

AND

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

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

27. Approve the temporary appointment of Susan Klassen, Director of Transportation and Public Works, as Interim Air Pollution Control Officer for the Northern Sonoma County Air Pollution Control District, effective November 24, 2014 to sign permits issued by the District and to handle various management duties.

MISCELLANEOUS

28. Approve the Minutes of the Meeting of October 28, 2014 and November 4, 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 Approve the Minutes of the Meeting of October 28, 2014 and November 4, 2014 for the Sonoma Valley County Sanitation District.

APPOINTMENTS/REAPPOINTMENTS

(Items 29 - 33)

29. Approve the appointment of Melissa Struzzo to the Sonoma County Commission on AIDS for a period of two years, beginning December 1, 2014 and ending on December 1, 2016. (Health Services)
30. Approve the reappointment of Delmar Friedrichsen to the Sonoma Resource Conservation District Board of Directors for a period of four years, beginning December 31, 2014 and ending on December 31, 2018. (Countywide)
31. Approve the reappointment of Walt Ryan to the Sonoma Resource Conservation District Board of Directors for a period of four years, beginning December 5, 2014 and ending on December 5, 2018. (Countywide)
32. Approve the reappointment of Earle Cummings to the Sonoma Resource Conservation District Board of Directors for a period of four years, beginning December 5, 2014 and ending on December 5, 2018. (Countywide)
33. Approve the reappointment of Christine Lacedra RN to the Cloverdale Health Care District for a period of 2 years, beginning November 24, 2014 and ending on November 30, 2016. (Fourth District)

**PLEASE NOTE: THE BOARD WILL BREAK AT 10:00 A.M.
FOR A RECEPTION IN HONOR OF SUPERVISOR MCGUIRE.**

IV. REGULAR CALENDAR

(Items 34 through 35)

TRANSPORTATION AND PUBLIC WORKS

34. Adopt a Resolution reading the title, waiving further reading of, and introducing for adoption an Ordinance to revise Article I, General, and add Article IV, Commercial Vehicle Operations, to Chapter 3, Airport, of the Sonoma County Code. (First Reading) (Fourth District)

COUNTY ADMINISTRATOR

35. Accept a report on strategies to reduce poverty in Sonoma County, and direct the County Administrator to return with a Living Wage Ordinance and prioritize investments in the Fiscal Year 2015-16 budget consistent with the recommendations in the staff report.

V. CLOSED SESSION CALENDAR

(Items 36 through 42)

36. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Initiation of Litigation pursuant Government Code Section 54956.9(d)(4), Dry Creek Rancheria Band of Pomo Indians.
37. The Board of Supervisors will consider the following in closed session: Potential initiation of litigation – Lytton Band of Pomo Indians (Gov't. Code Section 54956.9(d)(4)).
38. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation – Renewed Efforts of Neighbors Against Landfill Expansion (“RENALE”) an unincorporated association vs. County of Sonoma, a political subdivision of the State of California; Sonoma Compost Company, a corporation; Sonoma County Waste Management Agency, a public agency, U.S. District Court-Northern District Case No.: 3:14-cv-03804 TEH. (Gov't. Code Section 54956.9(d)(1)).
39. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Existing Litigation – County of Sonoma v. Ken Kushnir, Sonoma County Superior Court Case No. SCV 255620. (Gov't. Code Section 54956.9(d)(1)).
40. The Board of Supervisors will consider the following in closed session: Conference with legal Counsel – Existing Litigation – Friends of Lafferty Park, et al v. Pikachu II, LLC, et al; Sonoma County Superior Court Case No. SCV-253148. (Gov't. Code Section 54956.9(d)(1)).
41. The Board of Supervisors will consider the following in closed session: Public Employee Appointment of Human Resources Director. (Gov't. Code Section 54957(b)(1)).
42. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen. Employee organization: All. Unrepresented employees: All, including retired employees. (Govt. Code Section 54957.6 (b)).

VI. REGULAR AFTERNOON CALENDAR

(Items 43 through 48)

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

43. Report on Closed Session.

2:00 P.M. 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.)

45. 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 Project Review and Advisory Committee
- c) Acts and Determinations of Design Review Committee
- d) Acts and Determinations of Landmarks Commission
- e) Administrative Determinations of the Director of Permit and Resource Management

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2:10 P.M. – AGP14-0189 - (Second District)

- a) APPLICANT: Camozzi Family.
- b) LOCATION: 6188 Bodega Avenue, Petaluma.
- c) ASSESSOR'S PARCEL NO.: APN 022-080-013.
- d) ENVIRONMENTAL DOCUMENT: Categorically Exempt.
- e) REQUEST: Conduct a Public Hearing and Adopt a Resolution:
 - (A) Finding the project exempt from CEQA;
 - (B) Enlarging Agricultural Preserve No. 2-423 by 96.69 acres, for a total preserve size of 759.24 acres;
 - (C) Approving a new Non-Prime Land Conservation Contract and attached Land Conservation Plan for property located at 6188 Bodega Avenue, Petaluma, APN 022-080-013, Supervisorial District 2; and
 - (D) Authorize the Chair to execute the contract requested by the Camozzi family.

2:10 P.M. – ORD13-0002 - (Countywide)

- a) APPLICANT: N/A
- b) LOCATION: Various.
- c) ASSESSOR'S PARCEL NO.: Various.
- d) ENVIRONMENTAL DOCUMENT: Sonoma County General Plan 2020 Program Environmental Impact Report (2008).
- e) REQUEST: Conduct a Public Hearing and
 - (A) Approve an Ordinance amending the Zoning Code to update the Riparian protection policies and add the Riparian Corridor combining zone to properties to reflect the setbacks, as shown in Attachment A;
 - (B) Adopt a Resolution amending five Area Plans to be consistent with the General Plan and repealing eight Area Plans that have been fully implemented, as shown in Attachment B.

48. **ADJOURN TO 8:30 A.M., TUESDAY, NOVEMBER 25, 2014, IF NEEDED.**

Tuesday, November 25, 2014

8:30 A.M.

Board of Supervisors Chambers

575 Administration Drive, Room 102A, Santa Rosa

(This meeting will not be broadcast.)

- I. Continuation of the Board Meeting from Monday, November 24, 2014, if needed.

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

1. December 2nd (PM) - General Plan Amendment/Zone Change, ZCE13-0003.
2. December 2nd (PM) - 2014 Housing Element, GPA13-0009.
3. December 2nd (PM) - Zone Change to remove the Z combining district; ZCE13-0017.
4. December 9th (PM) - Riparian Corridor Zoning Amendments, ORD 13-0002.
5. December 9th (PM) - Third General Plan Amendment Package for 2014; PLP11-0040.
6. December 9th (PM) - Expansion of an Agricultural Preserve 2-335 and a new Land Conservation (Williamson) Act Contract; 640 Carmody Rd, Petaluma; AGP14-0188.
7. December 9th (PM) - Expansion of an Agricultural Preserve (1-249) and a new Land Conservation (Williamson) Act Contract; 2340 Napa Road, Sonoma; AGP14-0174.
8. December 9th (PM) - Expansion of an Agricultural Preserve (2-510) and a new Land Conservation (Williamson) Act Contract; 3645 Roblar Road, Petaluma; AGP14-0184.
9. December 9th (PM) - Land Conservation Act Contract Replacement; Richard Idell for Nuns Canyon, LLC; AGP13-0016.
10. December 9th (PM) - Scenic Landscape Unit designation and Scenic Resource zoning; ZCE13-0003.
11. December 9th (PM) - Agricultural Preserve Expansion and New Land Conservation Contract; George and Loretta Gajdos, Brumdale Road; AGP13-0007.



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 of Sonoma County

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Department of Health Services

Staff Name and Phone Number:

Rita Scardaci, 565-7876

Supervisorial District(s):

Countywide

Title: World AIDS Day 2014

Recommended Actions:

Adopt a resolution proclaiming December 1, 2014 as World AIDS Day in Sonoma County.

Executive Summary:

The Sonoma County Commission on AIDS requests that the Board of Supervisors adopt a resolution proclaiming December 1, 2014 as World AIDS Day in Sonoma County. A coalition of HIV prevention and care agencies are planning a number of events during the week around December 1, 2014. These events are designed to increase awareness and understanding of HIV infection and AIDS, to promote testing for HIV and to encourage Sonoma County residents to get involved locally and globally by volunteering at or donating to one of the many local HIV prevention and care agencies in Sonoma County.

The World Health Organization established World AIDS Day in 1988 to focus attention on the devastating impact of the human immunodeficiency virus infection and acquired immune deficiency syndrome (HIV/AIDS) epidemic and to provide an opportunity for government, local agencies, community groups, associations, and individuals to demonstrate the importance of the fight against HIV/AIDS.

Global HIV/AIDS Statistics in 2013

- An estimated 2.1 million people were newly infected with HIV
- 35.0 million people were living with HIV
- 1.5 million people died from AIDS

United States HIV/AIDS Statistics in 2012 (latest data available)

- 50,000 people received a new diagnosis of HIV infection
- 1.1 million people were living with HIV/AIDS

Sonoma County HIV/AIDS Statistics in 2012 (latest data available)

- 41 people received a new diagnosis of HIV infection
- 13 received a simultaneous diagnosis of HIV infection and AIDS
- Approximately 1600 persons were living with HIV infection
- Sonoma County has the seventh highest prevalence of persons living with AIDS of all 58 counties

In the United States and Sonoma County, approximately 18 percent of people living with HIV are not aware that they have the virus.

On December 1, communities throughout the world commemorate those who have passed on and honor the work of those who strive to increase HIV/AIDS awareness, reduce fear and stigma by providing accurate information, promote testing, reduce risk for HIV transmission, and improve access to treatment and care.

The theme for World AIDS Day this year is “Focus, Partner, Achieve: An AIDS-free Generation.” Our goal is to stop new infections of HIV. Many of us have a loved one, a friend, or a colleague who is HIV positive. Many of us also know someone who has died from AIDS. All of us are potentially at risk for contracting HIV. World AIDS Day reminds us and encourages us to support awareness of HIV/AIDS including awareness of our own HIV status, and to support efforts to decrease stigma, improve HIV prevention, and to improve care for those already infected.

Reach out a helping hand to someone living with HIV, whether they are in your neighborhood or across the ocean. Know your own HIV status by getting tested and encourage others to get tested. Take precautions to protect yourself and others from HIV transmission. If you or a loved one are infected, seek out and stay in medical care. Suppressing HIV virus replication will improve and prolong your life. Viral suppression also reduces transmission of infection to others.

The World AIDS Day committee and the coalition of agencies and individuals dedicated to HIV prevention and care in Sonoma County are on a journey towards our ambitious goal of “Getting to Zero” and “Achieving an AIDS-free Generation.” Proclaiming December 1, 2014, World AIDS Day in Sonoma County provides important support and encourages others to join our effort.

Prior Board Actions:

For several years past, the Board has adopted resolutions proclaiming December 1 as World AIDS Day in Sonoma County.

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

Recognizing this day as a memorial for all who died of HIV/AIDS in Sonoma County and a time to honor those involved in the fight against HIV/AIDS serves to further HIV/AIDS prevention, stigma reduction, and improved care of HIV infected individuals.

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):

There are no fiscal impacts associated with this item.

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:

Resolution, List of World AIDS Day 2014 Events.

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

None



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Proclaiming December 1, 2014 As World AIDS Day In Sonoma County.**

Whereas, the World Health Organization established World AIDS Day in 1988 to focus attention on the devastating impact of the HIV/AIDS epidemic and to provide an opportunity for government, local agencies, community groups, associations, and individuals to demonstrate the importance of the fight against HIV/AIDS;

Whereas, on December 1, communities throughout the world commemorate those who have passed on and honor the work of those who strive to increase HIV/AIDS awareness, reduce fear and stigma by providing accurate information, promote testing, reduce risk for HIV transmission, and improve access to treatment and care;

Whereas, the theme for World AIDS Day 2014 is "Focus, Partner, Achieve: An AIDS-free Generation"; and

Whereas, the Sonoma County Commission on AIDS and a coalition of dedicated HIV prevention volunteers and agencies have mobilized to provide a range of World AIDS Day activities to increase community awareness of HIV, support, and engagement in Sonoma County.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma, does hereby proclaim December 1, 2014 as World AIDS Day in Sonoma County.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



World AIDS Day 2014

December 1st

Sonoma County World AIDS Day 2014 Events

Monday, December 1st

Tuesday, December 2nd @ 5:30 to 8:00 PM

Rainbow Cattle Company - "Give Back Tuesday" Dinner, and Raffle benefiting the AIDS Emergency Fund, 16220 Main St., Guerneville

Thursday, December 4th All Day Event

Dining Out For Life – Help save a life, dine out at over 80 participating restaurants benefit for Food for Thought – Sonoma County AIDS Food Bank

<http://www.diningoutforlife.com/sonomacounty>

Saturday, December 6th 7:30 PM San Francisco Gay Men's Chorus, Wells Fargo Center for the Arts, 50 Mark West Springs Rd, Santa Rosa, a benefit for Face to Face, Sonoma County AIDS Network

Center Point/DAAC Expanded HIV Testing Schedule.

- Dec. 1st. CP/DAAC drop in clinic 12-5:30 pm, 2403 Professional Drive, Santa Rosa
- Dec. 2nd Face to Face drop in testing 9-4:30 pm, 873 2nd St., SR
- Dec. 2nd SSU testing 12-3 pm, Student Health Center, 1801 East Cotati Ave • Rohnert Park

Testing is for SSU students and paid parking is required.

- Dec. 3rd. F2F drop in testing 9-4:30 pm, 873 2nd St., SR
- Dec 4th. F2F Drop in testing 9-4:30 pm, 873 2nd St., SR
- Dec 5th. F2F drop in testing 9-4:30 pm, 873 2nd St., SR
- Dec 5th CP/ DAAC 5:50-7:30 pm, , 2403 Professional Drive, SR



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: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Services Department

Staff Name and Phone Number:

Nick Honey 565-4343

Supervisorial District(s):

All

Title: Adoption Month Recognition

Recommended Actions:

Adopt a Resolution declaring the Month of November 2014 as Adoption Month in Sonoma County.

Executive Summary:

Since 1995, November has been recognized nationally as Adoption Month. In 1998, President Clinton directed the Department of Health and Human Services (HHS) to develop a plan to expand the use of the Internet as a tool to find homes for children waiting to be adopted from foster care. Every November, thousands of community organizations arrange and host programs, events, and activities to share positive adoption stories, challenge the myths, and draw attention to the thousands of children in foster care who are waiting for permanent families.

On July 1, 2013, Sonoma County Human Services Department assumed sole responsibility for the adoption program which was previously provided by California Department of Social Services. On November 15, 2014, Family, Youth & Children's Services hosted an Adoption Awareness Fair at the Hilton Sonoma Wine Country. The Fair promoted foster care adoption to help find a family for every Sonoma County child in need of a safe home.

Children who need adoptive homes are all ages, from infants to teenagers. They come from various backgrounds and types of families. They may be part of sibling groups. Most of them are school-aged, although some are younger. Through no fault of their own, these children often have special needs and challenges as a result of their past experiences and the current disruption in their lives. With the influence of positive role models and the love and stability of foster and adoptive families, these children can grow and thrive.

Sonoma County partners with local Foster Family Agencies to provide families with the highest quality support and training during the process of fostering children who may be adopted if and when it's determined that their parents are unable to provide for them or protect them from harm. The Adoption Awareness Fair provided an opportunity for local families to have all of their questions

about foster care adoption answered. There were two discussion panels, including birth parents, adoptees, adoptive families, and adoption professionals.

Adoption agencies and community partners who attended the event and provided information for interested families include Sonoma County Family Youth & and Children’s Services, Quality Parenting Initiative (QPI), Alternative Family Services, Lilliput Children’s Services, Parent’s Place, Santa Rosa Junior College: Foster and Kinship Care Education Program, Sierra Child & Family Services, and TLC Child & Family Services.

The Adoption Awareness Fair featured kid-friendly activities such as free face painting, free arts and craft activities, and free refreshments for all who attended.

Prior Board Actions:

In past years, Sonoma County Board of Supervisors has expressed their support to find permanency for children by approving the System Improvement Plan, most recently on February 11, 2014.

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

Recognition of Adoption Month promotes the adoption of children in Sonoma County and supports the safe and healthy upbringing of children who have been the victim of abuse or neglect.

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):

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:
Resolution
Related Items "On File" with the Clerk of the Board:
None



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Declaring November 2015 as Adoption Month in Sonoma County.**

Whereas, every young person in Sonoma County deserves the chance to learn and grow under the care of a loving family. Sonoma County families give local children this chance every day. During Adoption Month, we celebrate these families and stand alongside every child still looking for the warmth and stability of a permanent home; and

Whereas, in 2013, Sonoma County had 195 children removed from unsafe and abusive homes. Each year we have children age out of the system without the stability of a permanent home; and

Whereas, Sonoma County has finalized 47 adoptions from July 2013 – June 2014; and

Whereas, Sonoma County celebrates adopted children, teenagers, and their diverse families. We work to give more young people permanent families and promising futures. And we encourage our friends and neighbors to open their hearts and their homes to children in need; and

Whereas, Sonoma County encourages all residents to observe this month by answering the call to find a permanent and caring family for every child in need, and by supporting the families who care for them; and

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors hereby proclaim the Month of November 2014 as Adoption Month in Sonoma County.

Be It Further Resolved

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: November 24, 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):

Countywide

Title: Gold Resolution

Recommended Actions:

Adopt a gold resolution honoring and thanking Supervisor Mike McGuire for his dedicated and exemplary service to the people of the County of Sonoma and wishing him the best as he assumes his District 2 Senatorial Seal.

Executive Summary:

Prior Board Actions:

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	\$	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: 4
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Presenting Harry and Karen Bosworth the Wetzel Community Leadership Award by the Healthcare Foundation Northern 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: November 24, 2014

Item Number: _____
Resolution Number: _____

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Presenting Harry and Karen Bosworth the Wetzel Community Leadership Award by the Healthcare Foundation Northern Sonoma County

WHEREAS, Harry and Karen Bosworth have shown their incredible dedication to improving the lives of countless families in Geyserville, and Northern Sonoma County; and

WHEREAS, Karen Bosworth served on the Sonoma County Board of Education and her contributions enriched the lives of students by bringing improved education experiences to their schools; and

WHEREAS, Harry Bosworth is the unofficial Mayor of Geyserville where he serves on the Geyserville Fire Protection District's Board of Directors, he was instrumental in building the new fire station and he is the owner and operator of the Town's Water District and Cemetery; and

WHEREAS, Karen Bosworth used her nursing education and experience to serve on the Healthcare Foundation board and help support the Alliance Medical Center health services to our neediest families; and

WHEREAS, the Bosworth's have provided resources, advice, and leadership to countless Geyserville and Northern Sonoma County projects; and

WHEREAS, Harry and Karen Bosworth's hard work and commitment to building stronger communities is in line with the same spirit and values of the Wetzel Community Leadership Award; and

WHEREAS, in 2012 she became a published author with her short story contributions to the collection of short stories entitled Tuesday Morning Memories by the Healdsburg Senior Writing Project; and

Resolution #

Date:

Page 2

NOW, THEREFORE, BE IT RESOLVED, that Harry and Karen Bosworth is here by presented with the prestigious Wetzel Community Leadership Award by the Healthcare Foundation Northern Sonoma County, in recognition of their tremendous philanthropy and service geared toward improving and enhancing the quality of life in Sonoma County now and for generations to come.

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 Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Presenting Susan Graf the Wetzels Community Leadership Award by the Healthcare Foundation Northern 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: November 24, 2014

Item Number: _____
Resolution Number: _____

4/5 Vote Required

**Resolution of the Board of Supervisors of the County of Sonoma, State of California,
Presenting Susan Graf the Wetzel Community Leadership Award by the Healthcare
Foundation Northern Sonoma County**

WHEREAS, Susan Graf has shown a passionate interest and concern for the community in which she lives and works through her dedicated and altruistic service to the community; and

WHEREAS, Susan Graf has shown incredible dedication to improving the lives of countless needy families and children in Healdsburg and Geyserville through her work with the Food Pantry and the winter coat drive, and

WHEREAS, Susan Graf has provided innovative leadership and fundraising expertise to the neediest and most loyal in our community – our animals at the animal shelter, and

WHEREAS, through her business Susan Graf, LTD, Susan has provided many fashion shows to Girlfriends for the Cure and Wine Women & Shoes events believing in the power of women to raise funds for healthcare, mammography machine at Healdsburg District Hospital, and clinic funds, and

WHEREAS, Susan Graf has given her talents and enthusiasm to Meals on Wheels to help raise funds for feeding seniors in our community, and

WHEREAS, Susan Graf always says “What can I do?” When community needs arise, and

WHEREAS, her hard work and commitment to building stronger communities is in line with the same spirit and values of the Wetzel Community Leadership Award, and

Resolution #

Date:

Page 2

NOW, THEREFORE, BE IT RESOLVED, that Susan Graf is hereby presented with the prestigious Wetzel Community Leadership Award by the Healthcare Foundation Northern Sonoma County, in recognition of her tremendous philanthropy and service improving and enhancing the quality of life in Sonoma County now and for generations to come.

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

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: No Vote Required

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Susan Gorin, 565-2241

Supervisorial District(s):

First

Title: Gold Resolution

Recommended Actions:

Adopt a resolution from the Sonoma County Board of Supervisors, State Of California, Congratulating Thena Trygstad on Being Named Sonoma's Treasure Artist of 2014

Executive Summary:

Prior Board Actions:

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):

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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):

--

Attachments:

Resolution

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

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County of Sonoma

State of California

Date: November 12, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Congratulating Thena Trygstad on Being Named Sonoma's Treasure Artist of 2014

WHEREAS, first awarded in 1983, the Sonoma Treasure Artist is presented by the Cultural and Fine Arts Commission and honors local artists who, in addition to promoting the arts, help enrich the Valley with their commitment to their craft; and,

WHEREAS, Thena Trygstad is well known for her signature style of transforming found objects into surrealist art; however, it is her efforts to make art accessible for the young people of Sonoma Valley through ARTescape that has earned her the title of Sonoma's Treasure Artist of the Year for 2014; and,

WHEREAS, in addition to ARTescape, Thena is President of the Arts Guild of Sonoma, the oldest artists' collective in the state. She has also served as a guest instructor at the Sonoma Valley Museum of Art, and mentored young artists on her own time; and,

WHEREAS, Thena Trygstad was born on December 11, 1937 and raised in San Francisco; and,

WHEREAS, Thena's path to the art world was circuitous, but the first part of her life would engender valuable skills for later incarnation as an artist and community organizer. She went to work at the UCSF immediately after high school and retired 40 years later as the Vice Chancellor of Human Resources and Student Affairs; and

WHEREAS, Thena married and had two sons. As a working mother, she earned a B.S. degree in Human Relations and Organizational Behavior from the University of San Francisco. In 1975, she and her family moved to Sonoma; and,

WHEREAS, in 1993, she retired from UCSF and for the first time in her life, turned her attention to artistic creativity. Thena started with gourds and was soon drawn to found object sculptures; much of her work is whimsical and relatable. She taught Gourd Art to 4th and 5th graders through the Sonoma Valley Museum of Art (SMVA)' Art Rewards the Student' program for several years; and,

WHEREAS, In 2005, Thena began taking Barbara Jacobsen's Journey Book workshops and for the past three years has been teaching the workshops; and,

WHEREAS, In 2011, in one of the Journey Book classes, she and other artists began discussing the lack of art in the schools, particularly for those on the west side of Sonoma Valley where there were few, if any, opportunities for young people to create art. Together, they lamented the lack of a venue for these

Resolution #

Date:

Page 2

talented children to discover and express their creativity. At that meeting, the idea for ARTescape was born; and,

WHEREAS, located in Boyes Hot Springs, ARTescape. opened two years ago, facilitated and created by the will of five dynamic, creative and committed women: Janis Kobe, Gayle Manfre, Penny MacNaughton, Kate Ortolano and Thena Trygstad; and,

WHEREAS, ARTescape Sonoma has provided a safe place for children to create art. This community outreach program is affiliated with the Arts Guild of Sonoma. The mission of ARTescape is to “offer affordable and accessible creative opportunities in the visual arts to the diverse population of the Sonoma Valley Community”; and,

WHEREAS, Thena as described by a fellow artist and friend: “What I so admire about this extraordinary woman is her creativity, intelligence, humor, reliability, and competence in dealing with any type of situation, and especially her selfless dedication to helping others. She is a fine artist, teacher and craftswoman.” Indeed, the people of Sonoma Valley is blessed to have Thena Trygstad’s talent and heart in the center of our community; and,

Now, Therefore, Be It Resolved that the Board of Supervisors of Sonoma County hereby Congratulates Thena Trygstad being named as Sonoma Treasure Artist of 2014.

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

To: Board of Supervisors and Board of Commissioners

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Community Development Commission

Staff Name and Phone Number:

Kathleen Kane, 565-7505

Supervisorial District(s):

All

Title: Day Labor Center Funding Policy

Recommended Actions:

Approve the Day Labor Center Funding Policy, and direct Sonoma County Community Development Commission staff to issue a Request for Proposals and return to the Board of Supervisors with recommendations for funding using \$80,000 in FY 14-15 Reinvestment and Revitalization funds.

Executive Summary:

This item requests approval of a Day Labor Center Funding Policy that will guide the use of Reinvestment and Revitalization (R&R) funds to address identified and unmet needs of day laborers in the County. Approval of this item would also direct Sonoma County Community Development Commission (CDC) staff to issue a Request for Proposals (RFP) for allocation of \$80,000 in FY 2014-15 R&R funds, and to return to your Board of Supervisors with recommendations for funding pursuant to the Policy.

BACKGROUND

As of November 2014, there are four active day labor assistance programs in the northern, eastern, and western portions of Sonoma County: Graton Day Labor Center, Fulton Day Labor Center, Healdsburg Day Labor Center, and La Luz in Sonoma Valley. These programs primarily provide connections for day laborers with employers, and assist with job training, health and legal services, fair wage assistance, English language classes and workforce development. The programs have historically been focused in large part on providing services to their limited geographic locations and populations, and have competed for scarce resources from limited available funding. Efforts to expand day labor assistance programs in these and surrounding areas, and to establish new day labor assistance programs in the southern portion of the County, are currently underway. This can be expected to add pressure to the competition for available resources.

Your Board has recognized that lack of resources has resulted in unmet needs for day laborers. In FY 2013-14 and 2014-15, the Board committed a total of \$210,000 in R&R funding for day labor assistance programs. Fulton Day Labor Center received \$30,000 in FY 2013-14, and the Graton Day Labor Center and La Luz received \$70,000 and \$30,000, respectively, in FY 2014-15. The remaining \$80,000 is

available for one or more day labor programs in FY 2014-15, to be awarded through a competitive funding process conducted by the CDC. Your Board directed the CDC to return with a proposed Day Labor Center Funding Policy to guide the allocation of these and any future County funds that may become available for day labor programs by establishing the criteria under which proposals will be solicited and evaluated.

A highly desired component of proposals will be a collaborative approach to providing broad regional or county-wide programs for day laborers. This approach will require cooperation and coordination with existing and/or new day labor centers to provide services beyond their current geographic areas and into other regions in Sonoma County. The existing day labor programs are already working towards enhanced collaboration. The Graton Day Labor Center hosted an initial consortium meeting in October to consider how collaboration among day labor centers might benefit the day laborers and domestic workers in Sonoma County. Staff and day laborers from Graton Day Labor Center, Healdsburg/Fulton Day Labor Centers, Petaluma People's Service Center, La Luz, and the CDC attended the meeting. Following discussions about their current activities and plans, the group decided to establish a network of day labor centers and to meet quarterly to share best practices and explore potential areas of coordination.

DAY LABOR CENTER FUNDING POLICY

The attached draft Day Labor Center Funding Policy establishes the criteria that will be used to assess requests for day labor center assistance from the County. These criteria include:

Program-specific criteria:

1. Ability to provide a wide variety of services that meet the needs of the day labor population, including the needs of domestic workers, and inclusion of the members and/or workers served in formulating programs and policies.
2. Ability to achieve and report clear and objective outcomes for program success.
3. Use of a collaborative approach through cooperation and coordination with existing and/or new day labor centers to provide services beyond currently served geographic areas and into other regions in Sonoma County.

General criteria:

1. The project has joint funding from other sources.
2. The applicant demonstrates the administrative capacity to complete the proposed project and will have adequate provisions for long-range maintenance and operations. Applicants can demonstrate capacity through a record of administrative and programmatic capacity using federal, state, local or private grant funds from other sources. New centers or programs lacking prior experience can demonstrate capacity through sponsorship, partnership, or other form of collaboration with another organization.
3. The project will not duplicate existing projects or services.
4. The project will impact significantly on the identified problem.
5. The project will produce visible, permanent results in meeting the immediate needs of lower income persons.
6. Upstream Investments - Funding proposals for programs that are collaborative, evidenced-based,

and outcomes oriented will be given a higher priority for funding.

Upon approval of the Day Labor Center Funding Policy, CDC staff will issue an RFP to solicit requests for funding, and will return to your Board with recommendations for allocation of funds to be used to provide assistance during the remainder of FY 2014-15.

Prior Board Actions:

06/17/14 – Approved FY 2014-15 Sonoma County Budget including \$180,000 for Day Labor Centers, awarded \$100,000 to Graton Day Labor Center and La Luz in Sonoma Valley, and directed staff to return with funding policy to guide investment of remaining \$80,000.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Assistance for day laborers helps to build a strong, diverse and sustainable economy that supports job growth for all residents by enabling day laborers, include domestic workers, to receive services that improve their ability to find and retain work.

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):

None. Adoption of the Day Labor Center Funding Policy will guide future investment of County funds. Specific recommendations for award of funds will be brought back to the Board for approval following issuance of an RFP.

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. Day Labor Center Funding Policy
Related Items "On File" with the Clerk of the Board:

Day Labor Center Funding Policy

November 2014

Background

As of November 2014, there are four active day labor assistance programs in the northern, eastern, and western portions of Sonoma County: Graton Day Labor Center, Fulton Day Labor Center, Healdsburg Day Labor Center, and La Luz in Sonoma Valley. In the future, there may be more day labor centers and or programs. Currently, these programs primarily provide connections for day laborers with employers, and assist with job training, health and legal services, fair wage assistance, English language classes and workforce development. The programs have historically been focused in large part on providing services to their limited geographic locations and populations, and have competed for scarce resources from limited available funding. Efforts to expand day labor assistance programs in these areas and surrounding areas, and to establish new day labor assistance programs in the southern portion of the County, are currently underway. This can be expected to add pressure to the competition for available resources.

The Sonoma County Board of Supervisors has recognized that lack of resources has resulted in unmet needs for day laborers. In Fiscal Years 2013-14 and 2014-15, the Board committed \$210,000 in Reinvestment and Revitalization funding for day labor assistance programs. Fulton Day Labor Center received \$30,000 in FY 2013-14, and the Graton Day Labor Center and La Luz received \$70,000 and \$30,000, respectively, in FY 2014-15. The remaining \$80,000 is available for one or more day labor programs in FY 2014-15, to be awarded through a competitive funding process conducted by the Sonoma County Community Development Commission (CDC). This Day Labor Center Funding Policy will guide the allocation of these and any future County funds that may become available for day labor programs by establishing the criteria under which proposals will be solicited and evaluated, including a significant preference for collaborative approaches to dealing with day labor issues and unmet needs County-wide.

Funding Criteria:

The following criteria will be the basis of evaluating requests for county funding for day labor programs.

Program-Specific Criteria:

1. Demonstrated ability of the applicant to provide services that meet the needs of the day labor population.

- a. Degree to which the services to be provided include job training, health and legal services, fair wage assistance, English language classes, workforce development and/or other services in addition to making employer connections.
 - b. Degree to which the services to be provided will include the needs of domestic workers.
 - c. Degree to which the applicant organization's members and/or workers served have input into programs and policies.
2. Demonstrated ability of the applicant to achieve and report clear and objective outcomes for program success including:
 - a. Total number of unduplicated people assisted.
 - b. Number of people assisted who succeed in finding employment.
 - c. Number of people assisted who achieve identified outcomes in other areas, including job training, health and legal services, fair wage assistance, English language skills.
 3. Demonstrated ability to coordinate regional provision of services and programs.

A highly desired component of proposals will be a collaborative approach to providing broad regional or county-wide programs for day laborers. This approach will require cooperation and coordination with existing and/or new day labor centers to provide services beyond their current geographic areas and into other regions in Sonoma County.

General Criteria:

1. The project will have joint funding from other sources.
 - a. Degree to which the proposal demonstrates the leveraging of other funds and in-kind contributions.
 - b. Degree to which the applicant demonstrates a continuing effort to locate alternate sources of funding.
2. The applicant demonstrates the administrative capacity to complete the proposed project and will have adequate provisions for long-range maintenance and operations.

- a. Degree to which work products, reports, and reimbursement requests from previous County or CDC funding awards were submitted in a complete, accurate and timely manner.
 - b. Degree to which previously awarded County or CDC funds were expended on eligible activities in a timely manner and in compliance with applicable policies, rules and regulations.
 - c. Degree to which new applicants demonstrate a record of administrative and programmatic capacity using federal, state, local and private grant funds from other sources. New centers or programs lacking prior experience can demonstrate capacity through sponsorship, partnership, or other form of collaboration with another organization.
 - d. Cost effectiveness of the project.
3. Geographic Service Area
- a. Degree to which the project's geographic service area will help to ensure all areas of the County are appropriately served.
 - b. The project is appropriate in size, scope and location to successfully address the targeted clientele and defined service area.
4. The project will not duplicate existing projects or services.
- a. Degree to which the project provides unique, non-duplicative services.
 - b. Degree to which a documented and verifiable need for the proposed project/service is demonstrated.
5. The project will impact significantly on the identified problem.
- a. Degree to which the proposal demonstrates that the funded activities will result in outcomes that are clearly defined, measurable and directly related to alleviation of the stated problem.
6. The project will produce visible, permanent results in meeting the immediate needs of lower income persons.
- a. Degree to which the proposal addresses immediate needs in a manner that promotes permanent solutions.

7. Upstream Investments - Funding proposals for programs that have the following characteristics will be given a higher priority for funding.
 - a. Evidence Based
 - b. Outcomes Oriented
 - c. Collaborative



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: Board of Directors, Sonoma County Water Agency

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Directors, Sonoma County Water Agency

Staff Name and Phone Number:

Chris Delaney 547-1946

Supervisorial District(s):

All

Title: Climate Ready Grant

Recommended Actions:

- a) Authorize Chair to execute a cooperative agreement with Napa County and Marin Municipal Water District for funding of project management and technical services related to Climate Ready Grant for Climate Vulnerability Assessment for the amount of \$95,000 (Water Agency share \$35,000); agreement terminates on December 31, 2016.
- b) Authorize Chair to execute an agreement with Pepperwood Foundation for funding of team facilitation services related to Climate Ready Grant for Climate Vulnerability Assessment in the amount of \$19,000; agreement terminates on December 31, 2016.
- c) Authorize Water Agency General Manager to execute an agreement with United States Geological Survey, California Water Science Center, to complete a water resources investigation for the amount of \$75,582; agreement terminates on December 1, 2015; consistent with other agreements, authorize the General Manager to terminate or amend this agreement in ways that do not increase amount paid or significantly change the scope of work or length of the contract.

Executive Summary:

HISTORY OF ITEM/BACKGROUND

The Sonoma County Regional Climate Protection Authority was awarded a \$100,000 California State Coastal Conservancy Climate Ready Grant (Grant) to develop a climate vulnerability assessment as part of the North Bay Actionable Climate Assessment Enabling Planning and Management project (Project) in partnership with the North Bay Climate Adaptation Initiative. The purpose of the Climate Ready grant program is to help advance planning and implementation of on the ground actions that will lessen the impacts of climate change on California's coastal resources.

The vulnerability assessment will integrate climate change predictions for the Russian River Basin, and Sonoma, Marin, and Napa Counties into the decision processes that affect land use and water supply. The vulnerability assessment will be completed by an Assessment Team that includes staff from the United States Geological Survey, Point Blue Conservation Science, and the Pepperwood Foundation.

Sonoma County Water Agency (Water Agency) will use the tools and information developed from this assessment to help inform future climate change and adaptation planning efforts.

The total cost of the vulnerability assessment is estimated to be \$195,000. In order to provide assistance with the remaining required funding to complete the assessment, the Water Agency, the Napa County and the Marin Municipal Water District will provide \$95,000 in funding assistance. Funding amounts and descriptions of work to be completed are provided below..

PROPOSED AGREEMENTS

To fund and carry out the climate vulnerability assessment, Water Agency staff proposes entering into the following agreements:

Agreement for Funding of Project Management and Technical Services between Water Agency, Napa County, and Marin Municipal Water District

Under the proposed agreement, Napa County and Marin Municipal Water District will share in the costs of funding the agreements with Pepperwood Foundation and United States Geological Survey, California Water Science Center.

The total agreement amount is \$95,000 (\$19,000 for Pepperwood Foundation and \$76,000 for United States Geological Survey, California Water Science Center). Water Agency's share is \$35,000, Napa County's share is \$30,000, and Marin Municipal Water District's share is \$30,000.

Agreement for Funding of Team Facilitation Services Related to Climate Ready Grant for Climate Vulnerability Assessment with Pepperwood Foundation

Pepperwood Foundation is the fiscal sponsor for North Bay Climate Adaptation Initiative and, as a subcontractor to Sonoma County Regional Climate Protection Authority, is responsible for a portion of North Bay Climate Adaptation Initiatives Project work plan assignments under the Grant.

Under the proposed agreement, Pepperwood Foundation will act as Chair of the Technical Team, which consists of staff from the United States Geological Survey, California Water Science Center; North Bay Climate Adaptation Initiative; Point Blue Conservation Science; and Sonoma Ecology Center. In addition, Pepperwood Foundation will facilitate the Natural Resources User Group (consisting of staff from the Water Agency, Mendocino County Russian River Flood Control and Water Conservation Improvement District, Sonoma County Agriculture and Open Space District, Sonoma County Regional Parks, Napa County Watershed Protection District, Napa County Planning, Napa County Public Works, and Marin Municipal Water District) and facilitate the Assessment Team.

The total agreement amount is \$19,000.

Agreement for Water Resources Investigations with United States Geological Survey, California Water Science Center - Climate Change Vulnerability Indicator Development and Analysis

Under the proposed agreement, the United States Geological Survey will complete a water resources investigation involving the analysis climate change modeling simulations to assess the vulnerability of landscape and water resource assets for the regions of concern of the Natural Resources User Group. This assessment will include an analysis of water availability and reliability, landscape change, and

changes in environmental water demand.

The total agreement amount is \$75,582.

REQUEST FOR GENERAL MANAGER AUTHORITY TO TERMINATE OR AMEND AGREEMENT

Agreement for Water Resources Investigations with United States Geological Survey, California Water Science Center - Climate Change Vulnerability Indicator Development and Analysis

The standard template used for professional services agreements includes the following language, "Authority to Terminate: Water Agency's right to terminate may be exercised by Water Agency's General Manager." Since the subject agreement was prepared by United States Geological Survey, California Water Science Center using its form, this language is not included. Therefore, staff requests that the General Manager be authorized to terminate the Agreement, if appropriate, in keeping with standard protocol.

In addition, the standard template used for professional services agreements includes the following language, "Minor changes, which do not increase the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules may be executed by the Water Agency's General Manager in a form approved by County Counsel." Since the subject agreement was prepared by the United States Geological Survey using its form, this language is not included. Therefore, staff requests that the Water Agency's General Manager be authorized to amend the Agreement, if appropriate, in keeping with standard protocol.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 3: Invest in the Future

County Goal 3: Invest in the Future. The proposed agreement is consistent with this goal through assessing regional water resources vulnerabilities to climate change and providing the needed information for climate adaptation planning.

Water Agency Water Supply Goals and Strategies, Goal 3: Ensure that water will be available to customers at all times, including during short- term emergencies, such as earthquakes, and long-term challenges caused by extended droughts and global climate change.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 35,000	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Water Resources Planning and Restoration Fees/Other	\$ 35,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 35,000	Total Sources	\$ 35,000
Narrative Explanation of Fiscal Impacts (If Required):			
FY 2014/2015 appropriation of \$35,000 is from the Water Resources Planning and Restoration fund. No additional appropriation is required.			
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:			
N/A			
Related Items "On File" with the Clerk of the Board:			
1) Pepperwood Agreement (Four copies) 2) Tri-Party Agreement (Five copies) 3) USGS Agreement (One copy)			



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: Sonoma County Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Agricultural Commissioner's Office

Staff Name and Phone Number:

Natalie Brunamonte 707-565-2371

Supervisorial District(s):

All

Title: Agreement with The Richard Bay Puppet Theatre Company to Design and Build the County Exhibit at the 2015 State Fair

Recommended Actions:

Authorize the Agricultural Commissioner to execute the agreement for \$40,000 to design and build the County's Exhibit for the 2015 State Fair for November 24, 2014 through July 29, 2015, and to amend the contract for up to an additional \$6,000 in the event that additional funding is secured from private donors.

Executive Summary:

Each year the California State Fair includes an exhibit hall where counties showcase their unique qualities. More than 700,000 guests attend the State Fair annually, and the county exhibits offer an opportunity to promote our county as well as to allure new visitors to come here and experience the beauty and bounty of Sonoma County. This project is supported through the Advertising Fund and private sponsors. The Agricultural Commissioner's Office is Sonoma County's representative to design and build the County Exhibit, which we do in collaboration with partners to produce a display that highlights the natural beauty and agricultural bounty of the County. Since 2010, Sonoma County has contracted with a professional builder/designer to help design and construct our annual exhibit. Gaffney Display was selected through a competitive bid process in 2010, and has served as our builder/designer through 2014. During this time they have assisted us in receiving a number of top awards.

For the 2015 exhibit, the Agricultural Commissioner's Office updated and released a Request for Proposals (RFP) to formally evaluate potential builders/designers. As a result of that process, the Agricultural Commissioner's Office, working with the Community and Government Affairs liaison, selected The Richard Bay Puppet Theatre Company as the designer/builder of the 2015 display. The State Fair maintains a list of builders of county exhibits; our RFP was sent to all five of these firms. Gaffney Display and The Richard Bay Puppet Theatre Company were the respondents to the RFP. The qualifications of the staff of Richard Bay's company, combined with the sense of physical drama they present in their designs were key factors in the evaluation panel selecting them as the successful bidder.

The agreement with The Richard Bay Puppet Theatre Company is for a total of \$39,000 for services related to the design and construction of the exhibit and also allows for a \$1,000 bonus to be paid to the vendor if we win a “Best of Show” award. The \$40,000 in funding has been provided for in the FY 14-15 Advertising Budget. In addition, each year for the past several years, external partners have donated up to an additional \$6,000 toward the design and construction of the exhibit. The Agricultural Commissioner’s Office is in the process of securing these additional donations and is requesting that the Agricultural Commissioner be authorized to increase the agreement amount to include these donations if they are secured, without having to return to the Board for approval. This additional funding will allow us to add enhanced design features such as running water and more use of state of the art technology to create a more dramatic exhibit and better showcase Sonoma County as a premier tourist destination.

In addition to the efforts of county staff and the designer/builder, successful displays would not be possible without the involvement of a wide range of partners. The Agricultural Commissioner’s Office would like to acknowledge the following organizations who contributed to the 2014 State Fair Display: Gaffney Display for their dedication and services in the design/build process; the Sonoma County Tourism Bureau, the Sonoma County Winegrape Commission and the Sonoma County Vintners Associations, who have each provided \$2,000 to the State Fair Display for the past several years. We would also like to recognize the following agricultural producers that have donated their products to help bring the agricultural bounty of Sonoma County to life: Clover Stornetta Farms & Clover Organic Farms, Bloomfield Organics, Cowgirl Creamery, Devoto Gardens and Orchards, Green Valley Organics, Hector's Honey, Kendall-Jackson Wine Estate and Gardens, Kozlowski Farms, Krout’s Sunset Ranch, Matanzas Creek Winery and Lavender Farm, Min-Hee Hill Gardens, Osmosis Day Spa Sanctuary, Petaluma Creamery, Petaluma Farms, Redwood Hill Farm, Soda Rock Farms, Solano Gold, Sonoma Lavender Company, The Girl and the Fig, Tierra Vegetables, Tilted Shed Ciderworks, Valley Ford Cheese Co., and Walker’s Apples.

Prior Board Actions:

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 40,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 40,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 40,000	Total Sources	\$ 40,000

Narrative Explanation of Fiscal Impacts (If Required):

The 2014-15 Advertising budget included \$40,000 for the design and construction of the 2015 State Fair Exhibit.

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:

Agreement with The Richard Bay Puppet Theatre Company



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: Sonoma County Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

William Rousseau – (707) 565-1876

Supervisorial District(s):

Title: Recording, Vital Records, and Cashiering System

Recommended Actions:

Authorize the Clerk-Recorder Assessor to approve the first amendment to an agreement with Tyler Technologies, Incorporated, expanding the scope of work to include maintenance and support through June 30, 2019, on-site training, and pilot projects to integrate the Tyler system with other County systems, for a new not to exceed contract total of \$1,322,298 and end date of June 30, 2019.

Executive Summary:

A Request for Proposals (RFP) was published in February 2012 for a Recording, Vital Records, and Cashiering System. The RFP solicited vendor responses for solutions to further overall department objectives of system and process integration for the Clerk and Recorder, reducing the number of systems to maintain, streamlining processes to generate more efficiency, and providing cashiering support for all divisions in the department. Tyler Technologies was selected as the most responsive and responsible vendor with their Eagle Recorder software solution.

On August 13, 2013, the Board approved a contract with Tyler Technologies in the amount of \$560,250, for the purchase and implementation of a new software system. The contract includes only one year of annual maintenance fees which provide for upgrades to the software and customer service support by phone.

The system was implemented in the Recorder division on April 28, 2014, and in the Clerk division on May 5, 2014. Following the implementation of the system, the Recorder and Clerk divisions required additional on-site training from the vendor in order to maintain a consistent and efficient level of service for the public. The Clerk and Recorder divisions also required additional web services in order to create an interface between the new Tyler system and Selectron, an interactive voice response phone system, to allow the public to have continued access to Official Records information over the phone.

The Clerk-Recorder-Assessor is currently looking at several pilot projects to integrate the Tyler system

with other software systems throughout the County. These systems may include Enterprise Financial System (EFS), Megabyte Property Tax System (MPTS), and Geographic Information Systems (GIS). Other pilot projects include a self-service module for customers to complete electronic applications at kiosks or online, and building an intranet site for County users to have access to public documents.

The Clerk-Recorder-Assessor is requesting that the Board approve additional funds of \$541,003 in order to lock in the rates for annual maintenance fees through June 30, 2019, \$45,040 to pay for the on-site training and implementation of the Tyler System, and the interface with Selectron, and \$176,005 to fund future pilot projects that will improve both the efficiencies of the office and services offered to the public. The maintenance fees will provide essential software updates throughout the year as well as provide software support to staff over the phone or via remote connection.

Funding to support this amendment will come from accumulated fund balance from legislatively established and collected fees [Government Code 27361(c)], available solely to support, maintain, improve, and provide for the operation and modernization of the county's system or recorded documents.

Prior Board Actions:

8/13/13 – Board approved an agreement with Tyler Technologies Inc., to replace the Recording, Vital Records, and Cashiering systems in the Clerk and Recorder divisions.

Strategic Plan Alignment Goal 3: Invest in the Future

The purchase and implementation of a new Recording, Vital Records, and Cashiering System is an investment that replaced several systems used for various functions in the Clerk and Recorder divisions. Implementation has streamlined procedures and improved efficiencies, saving staff time and funds that were dedicated to maintaining multiple software systems.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$ 222,095	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$ 222,095
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 222,095	Total Sources	\$ 222,095

Narrative Explanation of Fiscal Impacts (If Required):

A budgetary adjustment request of \$222,095 to support web services, on-site training, one year of maintenance fees, and one pilot project will be submitted with the FY 14/15 second quarter consolidated budget adjustments. Annual maintenance fees will be included in the applicable fiscal years' budgets.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Copy of the First Amendment to an Agreement with Tyler Technologies, Inc.			
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: 11
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: October 21, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office & Transportation & Public Works
(District Formation)

Staff Name and Phone Number:

Christina Rivera 707-565-2048

Supervisorial District(s):

All

Title: Resource Conservation Districts 2-Year Memorandum of Understanding.

Recommended Actions:

Authorize the Chair to sign Memorandum of Understanding (MOU) with Gold Ridge Resource Conservation District and Sonoma Resource Conservation District providing \$160,000 in FY 2014-15 and \$220,000 in FY 2015-16. The Districts will provide countywide land and water management technical assistance services, grant funding procurement, youth environmental and agricultural education, and multi-agency conservation goals coordination. The agreement term ends on June 30, 2016.

Executive Summary:

The Resource Conservation Districts (Districts) identify local conservation problems and guide conservation solutions, and their natural resource conservation projects create local jobs, support local businesses and create informed and empowered communities. The Sonoma Resource Conservation District covers 919,000 acres, and includes major portions of the Russian River, Petaluma River, Stemple Creek Gualala River, and the entire Sonoma Creek Watershed. The Gold Ridge Resource Conservation District covers 134,000 acres and includes the Willow Creek Watershed, Dutch Bill Creek Watershed, Green Valley Creek Watershed, Pocket Canyon Watershed, Laguna de Santa Rosa watershed, Blucher Creek Watershed, Estero Americano Watershed, Salmon Creek Watershed, Bodega Harbor Watershed and Scotty Creek Watershed.

Government Code Section 26227 authorizes the Sonoma County Board of Supervisors to expend County general funds to support programs deemed by the Board of Supervisors to be necessary to meet the social needs of the population of the County, including but not limited to, health, welfare and education.

Given the current drought conditions and the 2014 Board Priorities, including protection of natural resources, during the FY 2014-15 Budget hearings the Board of Supervisors directed staff to engage the Districts to provide land and water conservations services countywide.

Following the Board of Supervisors’ direction, the County Administrator staff recommends a **one-time** 2-Year Memorandum of Understanding agreement (MOU) providing \$160,000 in FY 2014-15 (Year 1), and \$220,000 in FY 2015-16 (Year 2) only if the Districts have satisfactorily completed Year 1 project deliverables. The project deliverables are described in the attached agreement, and summarized as follows:

Project Deliverable	FY 2014-15 (Yr 1)	FY 2015-16 (Yr 2)
Provide Technical Assistance associated with Drought Preparedness, Water Conservation, LandSmart farming, Water Storage & Conservation, and increase summer in stream flows.	<ul style="list-style-type: none"> 6,000 ac of covered land. 72 landowners. 1 million gallons of stored or saved water. 	<ul style="list-style-type: none"> 9,000 ac of covered land. 108 landowners. 1.5 million gallons of stored or saved water.
Complete Habitat Enhancement Projects	<ul style="list-style-type: none"> Countywide over 1 mile of Improved in stream habitat for fish. 	
Organize Multi-agency Meetings for the Coordination of Conservation Goals.	<ul style="list-style-type: none"> 2 meetings. 	<ul style="list-style-type: none"> 2 meetings.
Expand Youth Environmental and Agricultural Projects.	<ul style="list-style-type: none"> 300-500 Youth 	<ul style="list-style-type: none"> 300-500 Youth
Submit Water Conservation, Water Quality Improvement, and Youth Outdoor Education Grants.	<ul style="list-style-type: none"> At least 8 grant proposals. 	
Submit Water Conservation, Water Quality Improvement, and Youth Outdoor Education Grants.	<ul style="list-style-type: none"> Progress Report 	<ul style="list-style-type: none"> Final Report

In addition, the Districts are land and water conservation partners with Water Agency (WA), and the Agricultural & Open Space District (AOSPD). Below, for additional reference, is the fiscal history of professional services executed with the Districts.

	Agency	FY 11/12	FY 12/13	FY 13/14	FY 14/15 Est.
GOLD RIDGE	WA	\$37,732	\$6,598	\$35,263	\$137,000
	AOSPD	37,273	32,909	55,209	141,204
SONOMA	WA	266,595	308,107	103,754	75,000
	AOSPD	10,840	44,572	26,717	42,204
Total		\$352,440	\$392,186	\$220,943	\$395,408

Prior Board Actions:			
11-14-2014 First Quarter FY 2014-15 Budget Adjustments included appropriations for Year 1 of the recommended 2-Year agreement.			
Strategic Plan Alignment		Goal 2: Economic and Environmental Stewardship	
Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 160,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$ 160,000
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 160,000	Total Sources	\$ 160,000
Narrative Explanation of Fiscal Impacts (If Required):			
FY 2014-15 1 ST Quarter Budget Adjustments included in Transportation & Public Works District Formation Budget appropriations to finance year 1 of the recommended 2 Year agreement. FY 2015-16 appropriations will be included in FY 2015-16 recommended 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:			
Memorandum of Understanding Agreement			
Related Items "On File" with the Clerk of the Board:			

**AGREEMENT BETWEEN THE COUNTY OF SONOMA, THE SONOMA RESOURCE
CONSERVATION DISTRICT AND THE GOLD RIDGE RESOURCE CONSERVATION
DISTRICT**

THIS AGREEMENT dated on _____, 2014, by and between the County of Sonoma, a political subdivision of the State of California, (hereinafter referred to as “County”) and Sonoma Resource Conservation District and the Gold Ridge Resource Conservation District (hereafter referred to as “Resource Conservation Districts”).

RECITALS:

- A. The Resource Conservation Districts identify local conservation problems and guide conservation solutions, and their natural resource conservation projects create local jobs, support local businesses and create informed and empowered communities. The Sonoma Resource Conservation District covers 919,000 acres, and includes major portions of the Russian River, Petaluma River, Stemple Creek Gualala River, and the entire Sonoma Creek Watershed. The Gold Ridge Resource Conservation District covers 134,000 acres and includes the Willow Creek Watershed, Dutch Bill Creek Watershed, Green Valley Creek Watershed, Pocket Canyon Watershed, and Laguna de Santa Rosa watershed, Blucher Creek Watershed, Estero Americano Watershed, Salmon Creek Watershed, Bodega Harbor Watershed and Scotty Creek Watershed.

- B. The Resource Conservation Districts have offered to provide services as set forth below in exchange for funding from the County of Sonoma (hereinafter referred to collectively as “Projects”):
 - 1. Technical assistance for drought preparedness projects and water quality regulatory compliance on private agricultural lands for the benefit of wildlife and underserved rural residential areas. Delivery of a Water Conservation Technical Assistance Program and LandSmart farm water quality planning program available to landowners, which will be broadly publicized. Projects identified through this program will include implementing water storage and conservation projects that increase summer in-stream flows for endangered fish and reduce excess sediment to the local streams. This project will serve an estimated 15,000 acres of land and 180 landowners, saving or storing over 2.5 million gallons of water in small rural areas in the County and prevent tens of thousands of cubic yards of sediment from entering local streams.
 - 2. Deliverable FY 2014/2015: 6,000 acres of land covered, 72 landowners served, 1,000,000 gallons of water stored or saved.
 - 3. Deliverable FY 2015/2016: 9,000 acres of land covered, 108 landowners served, 1,500,000 gallons of water stored or saved.
 - 4. Planning and implementation assistance for voluntary endangered species habitat enhancement projects on private land. These projects include, but are not limited to, work such as: adding habitat structures to tributaries, reducing fine sediment delivery

to streams, re-vegetation, and removal of fish passage barriers. The Resource Conservation Districts will work to improve over a mile of in-stream habitat for fish, remove one fish passage barrier and implement four in-stream flow enhancement projects.

5. Coordination of conservation goals with other County organizations including the Sonoma County Water Agency, the Sonoma County Agricultural Preservation and Open Space District, the Agricultural Commissioner's Office, the Regional Climate Protection Authority, the Sonoma County Food Systems Alliance, and the University of California Cooperative Extension's Office for the purpose of enhancing water quality, conserving water, improving wildlife habitat, demonstrating economic value of working lands and ecosystem services, and providing technical assistance and outreach on rural and agricultural lands. The Resource Conservation Districts will attend and/or organize two County Agency coordination meetings annually.
6. Deliverable FY 2014/15 Minutes from two County Agency coordination meetings
7. Deliverable FY 2015/16 Minutes from two County Agency coordination meetings
8. Expand opportunities for youth to have hands-on restoration experience, including Sonoma Youth Ecology Corps, Sonoma Resource Conservation District's FARMS Leadership program and other youth outdoor experience programs. The Resource Conservation Districts plan to serve over 700 youth, introducing them to their rural heritage and agricultural and natural resources in the County. The Resource Conservation Districts will submit up to 8 grant proposals for projects related to water conservation/storage, water quality improvement and youth outdoor experiential education. For every \$1 that the RCDs receive in County support they will secure \$10 in competitively sought state and federal grants or private fee for service agreements for conservation work benefitting the Counties' watersheds, wildlife and communities, their water quality, and water supply.
Task Deliverable: As part of the final report submitted to County, documentation of 8 grant proposals submitted and funding secured will be provided.
9. The RCDs will investigate all options for financial sustainability and modest growth to serve the conservation needs of their constituents, and recover unrecoverable costs. A report with the findings of this investigation will be provided to the County as part of the final report.

C. Government Code Section 26227 authorizes the Sonoma County Board of Supervisors to expend County general funds to support programs deemed by the Board of Supervisors to be necessary to meet the social needs of the population of the County, including but not limited to, health, welfare and education.

D. The Sonoma County Board of Supervisors has determined that providing no more than \$160,000 in Year 1 and \$220,000 in Year 2 ("Funds") to the Resource Conservation Districts in exchange for services to complete the Projects is necessary to meet the social needs of the population, including improving the health, welfare and educational opportunities provided to under-served residents of Sonoma County.

Therefore, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the County and

Resource Conservation Districts agree as follows:

1. Project Implementation.

- a. California Environmental Quality Act Compliance. The parties acknowledge that the Projects may constitute a project according to CEQA for which environmental study, reports and public comment may be required. For the purposes of this Agreement and the Projects, the Resource Conservation Districts acknowledge that they shall function as the Lead Agency for the purposes of compliance with CEQA. Prior to the performance of any Project Construction tasks, the Resource Conservation Districts will provide the County with a copy of any documentation resulting from their CEQA review process, including any Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, Draft Environmental Report, or similar study, for review. No costs associated with the Projects Construction shall be reimbursable under this Agreement or paid to the Resource Conservation Districts until such time as the County has reviewed the environmental documentation.
- b. Year 1 Funding. Subject to all terms and conditions herein, the County of Sonoma agrees to provide the Resource Conservation Districts no more than the sum of one hundred and sixty thousand dollars (\$160,000) in fiscal year 2014-2015 to be used exclusively for the completion of Projects. At the end of the 2014-2015 fiscal year, the Resource Conservation Districts shall prepare a report for the County Administrator's Office to demonstrate the work that has been completed on the Year One Projects. Year One Projects include the projects as described in section B of this MOU, including the following tasks: provide technical assistance associated with Drought Preparedness, Water Conservation, LandSmart farming, Water Storage and Conservation and increase summer in-stream flows for 6,000 acres of land impacting 72 landowners and demonstrating 1 million gallons of stored or saved water; demonstrate continued work on habitat enhancement projects to improve in stream habitat for fish; organize at least 2 multi-agency meetings for coordination of conservation goals; expand youth hands-on restoration projects; and submit water conservation, water quality improvement and youth outdoor education grant proposals.

If the County Administrator reasonably determines that the Projects are being performed in accordance with this Agreement and the Resource Conservation Districts demonstrate that the Phase One Projects have met the social needs of the population as set forth herein and as required by Government Code section 26227 as determined by the County Administrator's Office, the County Administrator's Office will implement the second year of the Agreement to provide the Resource Conservation Districts no more than the sum of two hundred twenty thousand (\$220,000) for the completion of the Projects in fiscal year 2015-16. If County Administrator's Office deems Resource Conservation Districts do not satisfy Year 1 Project performance, staff will terminate the agreement in accordance with Section 2, Term of Agreement.

- c. **Year Two Funding.** Subject to all terms and conditions herein, the County of Sonoma agrees to provide the Resource Conservation Districts no more than the sum of two hundred twenty thousand (\$220,000) in fiscal year 2015-2016 to be used exclusively for the completion of Projects. At the termination of both phases of the Agreement, the Resource Conservation Districts shall prepare a final report to the County, including a notice of completion of the Projects.

2. **Term of Agreement.** The term of this Agreement shall be from November 24, 2014 to July 31, 2016, unless terminated earlier by the County. At any time and without cause, County shall have the right, in its sole discretion, to terminate this Agreement by giving 5 days written notice. If the County reasonably determines that the Projects will not be implemented or that the purposes of the Projects will not be met within the timeframes provided herein, the County may commence and pursue all available legal remedies to recoup any and all funds disbursed to the Resource Conservation Districts. In such an event, the County shall first send the Resource Conservation Districts sixty (60) days written notice prior to commencing such an action, and reasonably with the Resource Conservation Districts on an alternative solution.

3. **Publicity.** Publicity generated by the Resource Conservation Districts for work performed or services offered or funded by this Agreement, during the term of this Agreement and for one year following expiration of this Agreement, shall make reference to the contribution of the County in making the Projects possible.

4. **Non-Discrimination.** The Resource Conservation Districts agree to comply with applicable federal state and local laws prohibiting discrimination in employment or in the provision of services because of race, color, religion, national origin, age, sex, sexual orientation or mental or physical handicap.

5. **Indemnity.** The Resource Conservation Districts agree to accept all responsibility for loss or damage to any person or entity, including but not limited to County, and to defend, indemnify, hold harmless, reimburse and release County, its officers, agents and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense, including but not limited to attorney's fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in the defense of claims as to which this indemnity applies or incurred in an action by County to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity, including the Resource Conservation Districts, arising out of or in connection with the performance of the Resource Conservation Districts hereunder, whether or not there is concurrent negligence on the part of County, but, to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of County. If there is a possible obligation to indemnify, the Resource Conservation Districts' duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. County shall have the right to select its own legal counsel at the expense of the Resource Conservation Districts, subject to the Resource Conservation Districts' approval, which approval 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

the Resource Conservation Districts or their agents under workers' compensation acts, disability, benefit acts, or other employee benefit acts.

As part of this Agreement, the Resource Conservation Districts agree to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul the approval of this Agreement or the adoption of the environmental document which accompanies it. This indemnification shall include but not be limited to, damages, costs, expenses, attorneys' fees or expert witness fees that may be asserted by any person or entity, including the Resource Conservation Districts, arising out of or in conjunction with the approval of this Agreement, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification provision is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

6. Insurance. With respect to performance of work under this Agreement, the Resource Conservation Districts shall maintain insurance as described below. The Resource Conservation Districts shall require of all its contractors and their subcontractors to maintain the Workers Compensation, General Liability and Automobile insurance as described below:

- a. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California. Said policy shall be endorsed with the following specific language:

"This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the County of Sonoma."

- b. Commercial General Liability Insurance covering bodily injury and property damage utilizing an occurrence policy form, in an amount not less than \$1,000,000 for each occurrence, \$2,000,000 General Aggregate and \$2,000,000 Products/Completed Operations Aggregate. Said insurance shall include, but not be limited to, premises and operations liability, independent contractors' liability, products and completed operations liability, contractual liability and personal injury liability.

The Commercial General Liability insurance policy shall be endorsed with the following specific language:

- i. The County of Sonoma, its officers and employees, is named as additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this agreement.
- ii. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured,

but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.

- iii. The insurance provided herein is primary coverage to the County of Sonoma with respect to any insurance or self-insurance programs maintained by the County, and no insurance held or owned by County shall be called upon to contribute to a loss.
 - iv. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the County of Sonoma.
 - d. Automobile liability insurance covering bodily injury and property damage in an amount not less than \$1,000,000 for each accident. Said insurance shall include coverage for owned, hired, and non-owned vehicles.
 - e. Documentation: The following documentation shall be submitted to the County:
 - i. Properly executed Certificates of Insurance clearly evidencing all coverages, limits, and endorsements required above. Said Certificates shall be submitted prior to the execution of this Agreement.
 - ii. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply separately to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.
 - iii. Signed copies of the specified endorsements for each policy. Said endorsement copies shall be submitted within thirty (30) days of County's request.
 - iv. Upon County's written request, certified copies of insurance policies. Said policy copies shall be submitted within thirty (30) days of County's request.
 - h. Policy Obligations: The Resource Conservation Districts' indemnity and other obligations shall not be limited by the foregoing insurance requirements.
 - i. The Resource Conservation Districts shall provide County with current certificate(s) of insurance endorsed with the aforementioned specific language and will maintain valid certificate(s) on file with County for the duration of this contract.
7. Compliance with Laws, Prevailing Wages. To the extent any portion of the services performed on the Projects constitutes the performance of a "public work" within the meaning of Labor Code section 1720, the Resource Conservation Districts shall comply with all applicable wage and hour laws, including without limitation Labor Code sections

1775, 1776, 1777.5, 1813 and 1815 and California Code of Regulations, Title 8, section 16000 et seq. The Resource Conservation Districts shall also ensure compliance with the Americans with Disabilities Act (ADA).

8. Right to Audit and Inspect. The Resource Conservation Districts understand and agree to permit County the right to audit and inspect all records, notes and writings of any kind to the extent permitted by law, for the purpose of monitoring compliance with the terms and conditions of this Agreement.
9. Obligations After Termination. The following sections shall remain in full force and effect after termination of this Agreement: (1) Paragraph 3, Non-Discrimination; and (2) Paragraph 4, Indemnification.
10. No Political or Religious Activity. County funds shall be used only for the purposes specified in this agreement and in any attachments hereto. No County funds shall be used for any political activity, or to further the election or defeat of any candidate for political office. No County funds shall be used for purposes of religious worship, instruction, or proselytizing.
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 Code of Civil Procedure 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. Severability. In the event that any provision of this Agreement shall be held by a court to be invalid or illegal for any reason, said invalidity or illegality shall not affect the remaining provisions of this Agreement.
13. Method and Place of Giving Notice. All notices, bills and payments shall be made in writing and may be given by personal delivery or by mail or email. Notices, bills and payments sent by mail should be addressed as follows:

COUNTY

County Administrator's
Office Attn: C. Rivera
575 Administration Dr.
Room 104-A
Santa Rosa, CA 95403

RESOURCE CONSERVATION DISTRICTS

Gold Ridge
Attn: Brittany Heck
2776 Sullivan Road
Sebastopol, CA 95472

Sonoma
Attn: Kara Heckert
1221 Farmers Lane, Suite F
Santa Rosa, CA 95405

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.

14. Assignment/Delegation. Neither party shall assign, sublet, or transfer any interest in or delegate any duty under this Agreement without the written consent of the other, and no assignment shall have any force or effect whatsoever unless and until the other party shall have so consented.
15. Status of Parties. This Agreement shall not be construed to create a joint venture or partnership. Neither party is the agent of the other for any purpose. There are no third party beneficiaries to this Agreement, and it may be enforced only by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as set forth below.

RESOURCE CONSERVATION DISTRICTS

DATED: _____

By: Signature Forthcoming
Sonoma Resource Conservation District
Kara Heckert, Executive Director

DATED: _____

By: Signature Forthcoming
Gold Ridge Resource Conservation District
Brittany Heck, Executive Director

COUNTY OF SONOMA

DATED: _____

By: _____
Chair
Sonoma County Board of Supervisors



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Economic Development Board

Staff Name and Phone Number:

Michelle Arellano, 565-3776

Supervisorial District(s):

All

Title: Sonoma County Building Economic Success Together (BEST) Annual Report

Recommended Actions:

- A. Accept the Annual Report from the Building Economic Success Together (BEST) Program.
- B. Authorize the Chair to execute an amendment to the Memorandum of Understanding (MOU) between the County and the Santa Rosa Chamber of Commerce regarding funding of the Sonoma County BEST Program extending the term for one year through May 31, 2015 in the amount of \$100,000 and amending the scope of program activities to include business attraction strategies.

Executive Summary:

Building Economic Success Together (BEST) Program staff will provide a presentation to the Board on their annual report, including achievements and status of current efforts and future direction. This item also requests Board approval of an amendment to the Memorandum of Understanding (MOU) between the County and the Santa Rosa Chamber of Commerce (Chamber) regarding funding of the Sonoma County BEST Program.

Background

On March 15, 2011, the Board adopted a resolution commending the Santa Rosa Chamber of Commerce for developing the Building Economic Success Together (BEST) program and expressing support for the program's declared intent to work collaboratively with existing County programs. BEST has five strategic initiatives, these initiatives are: Business Retention and Expansion, Foster Innovative Businesses, Attract New Businesses Providing High Quality Jobs, Building a World Class Workforce Based on Educational Attainment and Create a Strong, Vibrant, and Supportive Business Climate.

On May 24, 2011, the Board approved a resolution entering into a Memorandum of Understanding (MOU) between the County and the Santa Rosa Chamber of Commerce, to support the BEST Program, for a term of three years, and providing \$100,000 for each year of the term. In consideration for the County funding, two seats on the BEST Board of Directors were allocated to be filled by the Board of

Supervisors. Currently, Supervisor David Rabbitt and Supervisor Shirlee Zane sit on the BEST Board of Directors.

Amendment to the MOU

The MOU between the County and the Chamber for support of the BEST Program has a term of June 1, 2011 through May 31, 2014, with an option for the County to extend the term for an additional two years. The MOU specifies the Chamber will work with the County's Workforce Investment Board (WIB) and Economic Development Board (EDB) and regularly discuss and coordinate projects with similar efforts. Sherry Alderman, the WIB Director, and Ben Stone the EDB Director regularly meet with Carolyn Stark, the BEST Director.

The MOU emphasizes business recruitment and attraction efforts and reporting requirements focused on business leads, and new jobs created. The County currently does not fund County staff for business attraction efforts. The proposed Amendment to the MOU extends the term of the agreement for one year through May 31, 2015 and amends the scope of program activities to include business attraction strategies to draw companies to relocate or expand into Sonoma County. The strategies are outlined in the proposed business attraction scope of program activities (Exhibit A of Attachment 1).

Should your Board approve the proposed Amendment, BEST will make their next annual report in the fall of 2015 to report on business attraction efforts.

BEST Annual Report

Per the MOU, the Chamber is to provide an annual report to the Board of Supervisors for each year of this MOU, which is what is before the Board today.

2014 Accomplishments

During 2014, Sonoma County BEST focused on actions within the BEST industry groups that assist cluster expansion. BEST has met with 97 companies in their Business Retention and Expansion (BRE) process, 23 of which have been startups. BEST has 12 prospects in the attraction pipeline, and very recently launched an improved website designed to generate additional leads by aggressively attracting online attention through use of video, blogs and news announcements, and digital advertising. As of this date, BEST is at 127.8% of its 2014 goal, to create 478 direct jobs, with 611 direct jobs created by companies after being assisted by BEST and overall BEST has helped businesses add 2,586 total jobs to Sonoma County and is at 62.9% of the five year goal of 4,100 total jobs (indirect and direct).

BEST defines jobs created by a company after BEST meets with the company, identifies business assistance requests, and acts upon them. Jobs created by that company subsequent to the resolution of the business assistance request are counted by BEST. BEST monitors its progress with a Board-approved dashboard that measures actuals to plan and in this way provides its Board with monthly metrics to track goal attainment (Attachment 3).

Job Growth Through Business Retention and Expansion

The Business Retention and Expansion team has met with 97 companies to date in 2014 with a year-end goal of 100. The following is a description of recent meetings:

- Revive Drinks is a Windsor company that is growing very rapidly. Their kombucha products are found in many natural products and grocery stores in the western U.S. They have outgrown their production facility in Windsor and are spending about 150 hours per week between their 18 employees moving things around their current location just for normal operation. Sean Lovett, CEO of Revive, is working to find a new location that fits their needs and has been an active member of the BEST Food Industry Group (FIG) since the first meeting in February. Through this first meeting, he connected to Warren Capital, an investor in BEST that is active in the FIG, who has been crucial at helping them find the capital to make this necessary move. By identifying needs through a BRE meeting, BEST has helped Sean navigate through possible tax incentives for purchasing new manufacturing equipment, connect to the EDB for access to the customized business development tools, and connected him to BEST partner Manex for consulting in moving their manufacturing in a design efficient way to improve operations, efficiency and safety in their new location. Revive currently has 16 employees and plans to add 3 by the end of the year.
- DriWater is a Santa Rosa company with a time released irrigation solution that saves time, water and money for residential, commercial and some agricultural use. DriWater's facility can meet much higher demand but they need to improve marketing of the product. Though a connection from the BEST Tech Industry Group (TIG) Chair Rich Schroeder, we are working with a grant writer to help apply for government grants for both DriWater and some of the companies that utilize this product to maintain certain types of agriculture through the drought.
- Krave Jerky, a company in Sonoma that has four co-packing plants that process the meat and package it (Fairfield, Virginia, Idaho Falls, & Salt Lake City) is considering options to either get rid of a one or two co-packers and increase production among the others, find a single co-packer that can do it all, or possible look into Krave creating its own packing plant (which would be much more capital intensive). BEST connected Jeremy Soine, COO of Krave to the regional representative of Manex to consult on moving production to local co-packers and discuss what it would take to create a manufacturing plant in Sonoma County.
- Shuffles Ice Cream is an ice cream and magic shop in Santa Rosa that is now looking to begin manufacturing ice cream for distribution. BEST has involved Shuffles in the FIG and gave them information on the Manufacturing Sales and Use Tax Exemption as they continue to grow their manufacturing. After showing interest in making goat milk ice cream, BEST connected Shuffles to another FIG member who is looking to begin producing ice cream. They are currently in talks about partnering.
- Costeaux French Bakery's owner, Will Seppi, attended the FIG meeting with Harvinder Singh, local forager for Whole Foods. During this meeting, we briefed everyone in the room about the Sales and Use Tax Exemptions and the California Competes Tax Credits. Will Seppi, among several others, asked that BEST follow up to discuss these incentives. Costeaux is expanding their manufacturing

operations in Santa Rosa and will be constructing a \$6M building and adding about \$500,000 in new equipment. BEST helped navigate through some of these incentives and connected him to Patrick McGuire of GoBiz for additional support.

- Brooks Job Fair. After hearing that Brooks Automation in Petaluma was closing their doors, the City of Petaluma and BEST sought to help retain these high-quality employees in the area. Working with Sonoma County Job Link, and with help from Brooks management, we hosted a job fair to help 85 employees connect to other Sonoma County manufacturers looking for this type of talent. About 20 companies attended, most of which were manufacturing companies from the FIG and TIG. Through a survey we have found over a dozen people are going through an interview process and some have already been hired.

Job Growth Through Business Attraction

The BEST recruitment strategy has several components: (1) marketing, (2) outreach, (3) leveraging of the BEST industry groups, and (3) working to improve business readiness.

1. Marketing:

The new BEST website is designed to promote Sonoma County and generate leads. BEST hired Santa Rosa firm Abra Marketing to create videos and to implement an online marketing program to further attract visitors to the site. Resources for businesses as well as individuals looking to relocate are available through the Sonoma County BEST website at www.sonomacountybest.com.

Marketing Metrics 2014 (to date):

- Launched new website to increase communications/ traffic and business attraction leads
- 2,256 unique website sessions since July when new BEST website launched up from 1,500 average unique website visits with the old website
- Monthly newsletter from BEST to investors with an “open rate” which averages 40%. This is higher than the average for other non-profit newsletters (20%) according to MailChimp, a provider of online newsletter services
- BEST created a shared online forum for the Food Industry Group (FIG)
- BEST applied for and received a Google Ad Grant valued at \$120,000 per year for Google Ads
- Since September, BEST has had 88,000 ad impressions and over 350 clicks to the BEST website from these Google Ads
- Each Facebook BEST post is seen by average of 75 people

2. Outreach:

BEST has derived many of its currently active leads for attracting businesses to Sonoma County by attending meetings and conferences out of the region.

- EXPO West, the country’s largest specialty food conference in Anaheim.
- San Francisco Fancy Food Show in San Francisco with representatives from the City of Petaluma, City of Healdsburg, and a local specialty food company.
- Specialty Food Association outreach in the North Bay.
- BEST is an active partner of the new North Bay Lifescience Alliance working to attract lifescience companies to the North Bay.

- BEST participated in the Team California Meet the Consultants event in Carlsbad and met with site relocation consultants who specialize in assisting corporate expansion and relocation decisions. BEST is Host Sponsor of the Team California Meet the Consultants meeting to be held in March 2015 which the BEST Board voted to sponsor.
- Area Development Forum in Chicago and met with site consultants and corporate real estate executives who make decisions about corporate expansion site locations.

3. Leverage Industry Groups for Business Attraction:

- Working closely with BEST Tech Industry member Labcon, the City of Petaluma, PG&E, and GoBIZ, BEST assisted in the attraction of Synergy Health to Petaluma. Synergy will build a sterilization facility on the Labcon site in Petaluma next year. Synergy offers an important service to companies in the medical device industry and the life science industry and will help grow the medical device cluster in Sonoma County.
- The North Bay Business Journal Food and Ag Conference on November 12, 2014 will draw food companies from throughout the North Bay. The FIG is hosting an awards reception on November 11, 2014 from 5-7 p.m. at the Hyatt Hotel in Santa Rosa honoring Rachel and Andy Berliner and Carlos Tamayo as Sonoma County food pioneers and furthering awareness of Sonoma County as the epicenter of specialty foods.
- The BEST Tech Industry Group Supplier Fair on July 25, 2014 engaged 50 companies with some of Sonoma County's biggest manufacturers. The purpose was to further connect suppliers with purchasing agents of Keysight, JDSU, L3, Labcon, Trivascular, IDEX, SPT, and others. The event was held at the Redwood Credit Union community room and co-sponsored by Sonoma State and Manex. BEST also partnered with 101 MFG and GoBIZ. BEST surveyed participants two weeks after the event and 77% of attendees said they expected new or increased business because of the Supplier Fair. The estimated value of this new business was calculated to be as much as \$4M annually.
- The BEST FIG Growth Committee works with specialty and natural food companies in Sonoma County that have products that are already in distribution (therefore not "artisan" or distributed via farmer's markets) and want to scale their business. The Growth Committee has compiled a list of resources for these companies, recently hosted a meeting of partners including SoCo Nexus. The Growth Committee is also exploring the feasibility of a venture fund for Sonoma County-based companies.
- The FIG Marketing Committee is sharing new developments and requirements for consumer packaging and talking about conjunctive labeling (a common landmark for Sonoma County products), best practices for re-branding, and identifying ways to get the most from their trade show dollars.
- BEST hosted a meeting for the BEST Food Industry Group (FIG) on August 27, 2014. Whole Foods Forager Harvinder Singh met with 45 FIG members. Whole Foods represents a significant advance for a food company that wins Whole Food distribution. Harvinder Singh shared advice for companies seeking distribution, as well as ideas for companies that already have regional distribution with the company but are looking to expand nationally.

4. Readiness:

Business readiness is the region's ability to attract and secure business investment. This is a key tactic for job growth, retention, attraction and expansion. An outcome of the 2013 BEST Board

retreat was a recommendation to find ways to achieve and promote regional business readiness. This year the BEST Board established a Readiness Committee which also involves economic development professionals from throughout Sonoma County.

2014-2015 Business Attraction Program Activities

In addition to job growth from existing businesses in Sonoma County through expansion, retention and supporting start-ups in Sonoma County, BEST works to attract companies to relocate or expand into Sonoma County.

Sonoma County is largely known as a tourism destination. There is very little awareness that Sonoma County is also a destination for business. Sonoma County BEST endeavors to add jobs to our local economy in many ways, but attracting business through promoting the value propositions of lower cost of doing business/affordable living, access to talent, collaborative business climate and high quality of life is a critical next step in maintaining our economic momentum.

BEST believes that effective marketing for business attraction has several components: interacting with prospects at industry trade shows, developing and maintaining relationships with site consultants and corporate real estate directors, and marketing through online tools such as social media and advertising. BEST also wishes to leverage the marketing efforts of Sonoma County Tourism, Winegrowers, and Vintners (the Trio). The business attraction program activities are supported by a multi-part strategy described in Exhibit A of the Amendment to the MOU.

Organizational Capacity

The Sonoma County BEST Board of Directors members are:

Ingrid Alverde, City of Petaluma
Bill Arnone, Merrill, Arnone & Jones LLP
Bobbi Beehler, Redwood Credit Union
Carl Campbell, Kaiser Permanente Medical Center
Raymond D'Argenzio, D'Argenzio Winery
Dan Drohan, Solairus Aviation
Steve Falk, Sonoma Media
Sonna Farrugia, Nelson Staffing
Kevin Haslebacker, Alvarado Street Bakery
Blair Kellison, Traditional Medicinals
David Meddaugh, Bank of America Merrill Lynch
Anthy O'Brien, Top Speed Data
Bryce Pattison, Royal Petroleum
Mike Purvis, Sutter Medical Center of Santa Rosa
Bill Silver, Sonoma State University
Supervisor David Rabbitt, County of Sonoma
Mark Rubins, Moss Adams
Che Voigt, Crossover Ventures
Joshua Townsend, Pacific Gas & Electric

Supervisor Shirlee Zane, County of Sonoma

Areas of Collaboration between Sonoma County BEST, the EDB, the WIB and others

BEST holds monthly Economic Development (ED) committee meetings composed of Santa Rosa, Sonoma, Rohnert Park, Petaluma, Cloverdale, Windsor, Healdsburg and EDB economic development professionals. This group shares developments affecting the regional economy and discusses projects, marketing efforts, lead handling, sharing of resources, and other forms of regional collaboration. This group has provided critical feedback to the BEST Readiness Committee.

BEST is working in partnership with the Economic Development (ED) Committee and County Board of Supervisors to create a collaborative regional assessment that will be used to improve our region's readiness and ability to attract new companies and talent, while also highlighting our strengths for marketing purposes.

BEST invited each member of the ED Committee to the upcoming November 11, 2014 BEST Food Industry Pioneer Awards.

BEST brought Supervisor Susan Gorin to meet with Sonoma Creamery in the town of Sonoma to discuss how to help the company's growth efforts.

BEST worked closely with the City of Petaluma and Job Link to host a job fair for the 85 employees affected by the Brooks Automation layoff in September. This event helped other local manufacturers recruit skilled manufacturing talent, while helping to retain the talent in the area.

BEST is participating as an auditor in the EDB's NEXt Economy project, a call to action among community partners to intentionally leverage information about future trends and emerging opportunities to advance the Sonoma County economy.

Carolyn Stark, BEST Executive Director, holds monthly meetings with the Ben Stone, Executive Director of the EDB and Sherry Alderman of the Workforce Investment Board.

BEST staff members Brandon Jewell and Bryan Bell meet quarterly with EDB staff members Tim Ricard and Ethan Brown to discuss collaboration efforts.

Number of Referrals (as of this date) from BEST to EDB, WIB, and others as gathered from BEST Business Retention and Expansion (BRE) interviews:

- 18 – Business Development Tools
- 9 – Sonoma County Green Business Program
- 2 – iWork Well Sonoma County Healthy Business Program
- 8 – Goodwill/Job Link Subsidized Employment Program / On the Job Training Program
- 6 – Sonoma Small Business Development Center
- 2 – Foreign Trade Zone

Total: 45 referrals from BEST to the EDB/WIB/Others

Prior Board Actions:			
3/15/11: Resolution commending the BEST program and expressing support. 5/24/11: Resolution for entering into a Memorandum of Understanding between the County and the Santa Rosa Chamber of Commerce to support the BEST Program. 9/25/12: Resolution accepting the BEST Annual Report 2012 9/17/13: Presentation of BEST Annual Report 2013			
Strategic Plan Alignment		Goal 2: Economic and Environmental Stewardship	
The County's support of the BEST Program demonstrates support and investment in jobs, workforce growth, business attraction and encourages a diverse community economic base.			
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):			
On May 24, 2011, the County entered into a MOU providing \$100,000 per year to the BEST Program. To date, \$300,000 has been paid. Following approval of this Annual Report, as required by the MOU, the forth installment of \$100,000 will be provided to the Program. These funds have been included in the Economic Development Board department budget through Advertising funds.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
1. Proposed County/BEST MOU Amendment and Exhibit 2. County/BEST MOU 3. BEST Annual Report			

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

**AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN COUNTY OF SONOMA AND
THE SANTA ROSA CHAMBER OF COMMERCE REGARDING FUNDING OF THE
SONOMA COUNTY BEST PROGRAM**

On May 6, 2011, the County of Sonoma, a political subdivision of the State of California, (hereinafter COUNTY), entered into a Memorandum of Understanding regarding the Funding of the Sonoma County BEST (“Building Economic Success Together”) Program (hereinafter MOU) with the Santa Rosa Chamber of Commerce, a non-profit corporation (hereinafter CHAMBER).

Pursuant to Provision 18 of the MOU, the parties hereby evidence their intent and desire to amend the MOU as follows:

A. Section 1 of the MOU is hereby deleted and replaced in its entirety with the following:

1. CHAMBER shall carry out an economic development , job creation, business recruitment and business attraction program (hereinafter PROGRAM) that may include, but need not be limited to supporting projects important to the regional economy, creation of a marketing plan, and supporting entrepreneurship programs.

CHAMBER shall perform PROGRAM activities to attract business and relocation and expansion to Sonoma County as described in the Business Attraction scope of program activities attached hereto as Exhibit “A” and within the times or by the dates provided for in Exhibit “A.”

B. Section 2 of the MOU is hereby deleted and replaced in its entirety with the following:

2. This MOU shall be effective from and including June 1, 2011 through May 31, 2015, unless terminated earlier as provided in Sections 11 and 12 below.

C. Section 3 of the MOU is hereby deleted and replaced in its entirety with the following:

3. COUNTY shall allocate \$100,000 per year for PROGRAM expenses for the period of June 1, 2011 to May 31, 2015. COUNTY will evaluate the success of the Program before the end of this term and may at that time extend its participation in the Program for an additional year. Any such extension must be evidenced by a writing signed by both parties.

D. Section 4 of the MOU is hereby deleted and replaced in its entirety with the following:

4. CHAMBER will be paid in accordance with the following terms:
CHAMBER will administer the program budget and will invoice the COUNTY annually in the amount of \$100,000 per year, subject to the limitations set forth in Section 3. CHAMBER shall provide claim of program expenses incurred in accordance with Section 6 on or before July 31, 2015. Each claim shall identify the

services completed, expenses incurred and the amount charged, and shall include copies of receipts for all program expenses.

- E. All other provisions of the MOU are unchanged, and shall remain in full force and effect throughout the remaining balance of the term of the Agreement.
- F. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement, together with exhibits, 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.
- G. The Recitals are incorporated into and form a part of this First Amendment.

COUNTY AND CHAMBER HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

Date: _____

SANTA ROSA CHAMBER OF COMMERCE

Jonathan Coe, Executive Director

Date: _____

COUNTY OF SONOMA

Chair, Board of Supervisors

Exhibit A

Scope of Business Attraction Program Activities

Overview

Sonoma County BEST is a public-private partnership operating as an affiliate of the Santa Rosa Chamber of Commerce. Its primary goal is to help create 2,570 direct jobs or 4,100 total in Sonoma County over a five year period. In almost three years of operation, BEST has helped businesses create 2,586 total jobs or 63% of our five year goal.

In addition to job growth from existing businesses in Sonoma County through expansion, retention and supporting start-ups on Sonoma County, BEST works to attract companies to relocate or expand into Sonoma County. This “business attraction” work is supported by a multi-part strategy described below. BEST is requesting financial support from the County of Sonoma for this strategy.

Business Attraction

Sonoma County is largely known as a tourism destination. BEST talks to business people throughout the country, and the common first reaction is “Sonoma is my favorite place to travel to!” When it is pointed out that we have a large industrial base with over 22,000 people involved in manufacturing, the response is always one of surprise. There is very little awareness that Sonoma County is also a destination for business.

Sonoma County BEST endeavors to add jobs to our local economy in many ways, but attracting business through promoting the value propositions we articulate on our website is a critical next step in maintaining our economic momentum.

We believe effective marketing for business attraction has several components: interacting with prospects at industry trade shows, developing and maintaining relationships with site consultants and corporate real estate directors, and marketing through online tools such as social media and advertising. We also wish to leverage the marketing efforts of Sonoma County Tourism, Winegrowers, and Vintners (aka “the Trio.”)

1. Trade Shows

Partner with Team California to develop leads and prospects through trade show attendance. Team California is a private, non-profit California organization that brings together economic development organizations from across the state to market their communities for business investment and job creation in California. Team California contracts with 17 different global trade shows in relevant industries to Sonoma County. By partnering with Team California, BEST is able to leverage statewide economic development resources and activities to promote Sonoma County.

Team California Events, Conferences and Trade Shows

Team California is a statewide marketing organization for marketing California to business. It is a 501(c)3 that implements a California business brand, similar to Visit California, the statewide destination marketing organization for tourism and hospitality. Just as Sonoma Tourism is a

member of Visit California, Sonoma County BEST will represent the county through membership in Team California.

Team California cooperatively markets California to key industry markets. Specifically, industries that Sonoma County and Team California have as common targets are: specialty food and food manufacturing, medical device manufacturing, and bioscience.

Team California exhibits at trade shows and conferences that target these specific industries. Hundreds of representatives from these industries attend these conferences and represent prospects for Sonoma County BEST. By partnering with Team California at these trade shows, we are able to leverage their marketing and development resources (i.e., their staff, their booth, their relationships, etc.) while maintaining our unique branding. These opportunities represent venues and conduits for targeted outreach to industry markets and decision makers.

Deliverables:

- List of leads from each show
- List of new jobs created by industry, company and payroll

Budget:

Team CA Annual Membership for Regional Marketing Economic Development Agency: \$5,000

Trade Show:

- Medical Device and Manufacturing, Anaheim CA, February 10-12, 2015
 - a) Flight, travel expenses, and hotel \$700
 - b) Meals \$300
 - c) Registration and Team CA package \$2,000
- California League of Food Processors, Sacramento, CA, February 18-19, 2015
 - a) Travel expenses \$ 150
 - b) Hotel \$ 350
 - c) Registration and Team CA package \$1,500

TOTAL for Team California, Conferences and Trade Shows \$10,000

2. Developing and Maintaining Relationships with Site Consultants

Mid-market companies and larger (companies with revenues between US \$5 million and \$3 billion per year) use site consultants 65% of the time to choose a location to expand or relocate. By targeting our marketing and outreach to site selection consultants, we are working to optimize our outreach efforts providing BEST a targeted approach to business attraction. Selling and marketing to site selection consultants is based on building relationships with them and promoting awareness of the county as a good option for corporate expansion and relocation.

The Board of Directors of BEST has approved the host sponsorship of a statewide site consultant meeting scheduled for March 4-5-6, 2015. This event is put on by Team California and called “Meet the Consultants” or MTC. The event will be held in Sonoma County and will give BEST the opportunity to showcase and promote Sonoma County. BEST is working in conjunction with

Sonoma County Tourism, and the local Convention and Visitor Bureaus to develop tourism itineraries that leverage tourism as part of this effort.

There are several strategies to promote Sonoma County through this target audience:

- Meet the Consultants (MTC) event in Sonoma County, March 4-5-6, 2015. With the vote of support from the BEST Board of Directors, BEST has secured the Host Sponsorship (\$25K) for this event. (*see attached agreement between Team CA and Sonoma County BEST)
- The International Asset Management Council (IAMC) Spring 2015 Forum will be held in Palm Desert, CA. IAMC is one of the primary professional conferences for site selection consultants and corporate real estate managers. This year Team California is hosting the event and will be arranging private events for Team California members. Sonoma County will be represented through the participation of BEST in this event.

Deliverables:

Number of Requests for Information (RFI) from national and global corporate site selectors and corporate real estate professionals

Budget:

Meet the Consultants (MTC) Host Sponsorship	\$25,000
IAMC Spring Forum	
- Travel and hotels	\$1,000
- Registration and Team CA package	\$4,000
- Total IAMC	<u>\$ 5,000</u>
 Total Site Consultant Marketing and Outreach	 \$30,000

3. Marketing

Critical to the sales effort is promoting Sonoma County through an active online presence and effective use of social media. BEST has developed and actively maintains a website that promotes Sonoma County for business and collects leads through its search engine optimization and social media advertising. BEST is also investing in video marketing as this tool has been shown to exponentially grow awareness and direct leads to our website. For the 4-month period from July-October 2014 there were 2,525 visits to the BEST website (an average of 631 visits per month).

BEST will market to business prospects in partnership with Sonoma County Tourism, the Winegrape Growers, and the Sonoma County Vintners (“the Trio”) to maximize marketing outreach from Sonoma County. This would involve travel to Trio events such as “Sonoma in the City” as well as participating in print advertising such has been done in 2013 and 2014 by the Trio in the Wall Street Journal.

Deliverables:

Website traffic as measured by “visits”.

Draw additional visits to the BEST website or a goal of 2,500/month. Videos are shown to drive traffic more than other tool in the online world at this time.
Leads derived from contact form on the BEST website.

Budget:

Website Development (done internally by BEST staff)	\$15,000
Video Production	\$20,000
Online marketing (SEO, social media advertising)	\$15,000
Travel to Trio out of market events (“Sonoma in the City” – Chicago)	\$2,000
Print Advertising (in conjunction with Trio advertising in WSJ 2xyear)	<u>\$8,000</u>
Total Marketing	\$60,000

Request for Funding: \$100,000 for 2014-15

As a public-private partnership, BEST actively works in partnership with existing economic development efforts, and is committed to being targeted, collaborative and metrics driven.

5/24/11
#20
EDB

MEMORANDUM OF UNDERSTANDING
Between
THE COUNTY OF SONOMA and
THE SANTA ROSA CHAMBER OF COMMERCE
REGARDING FUNDING OF SONOMA COUNTY BEST PROGRAM

This Memorandum of Understanding regarding Funding of Sonoma County BEST ("Building Economic Success Together") Program (hereinafter MOU) is entered into this 6th day of May 2011, by and between the Santa Rosa Chamber of Commerce, a non-profit corporation, (hereinafter CHAMBER), and the County of Sonoma, a political subdivision of the State of California (hereinafter COUNTY).

WITNESSETH

WHEREAS, COUNTY and CHAMBER wish to operate and fund a program to create jobs and further economic development within Sonoma County through job retention and creation, building a better business climate, and improving the job skills of the Sonoma County work force and providing business recruitment and related services;

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

1. CHAMBER shall carry out an economic development, job creation, and business recruitment program (hereinafter PROGRAM) that may include, but need not be limited to supporting projects important to the region's economy, creation of a marketing plan, and supporting local entrepreneurship programs.
2. This MOU shall be effective from and including June 1, 2011 through May 31, 2014, unless terminated earlier as provided in Sections 11 and 12, below.
3. COUNTY shall allocate \$100,000 per year for PROGRAM expenses for the period of June 1, 2011 to May 31, 2014. COUNTY will evaluate the success of the PROGRAM before the end of this term and may at that time extend its participation in the PROGRAM for an additional two years. Any such extension must be evidenced by a writing signed by both parties.
4. CHAMBER will administer the program budget and will invoice COUNTY annually in the amount of \$100,000 per year, subject to the limitations set forth in Section 3 above.
5. CHAMBER will allocate two (2) seats on the PROGRAM's advisory board to be filled by members of the Sonoma County Board of Supervisors.
6. Quarterly written reports shall be provided by CHAMBER in a format approved by COUNTY's Economic Development Director, summarizing the activities of PROGRAM and progress on work programs or special projects. Reports will include the following:
 - a. Number and types of activities performed and how these activities were of direct benefit to the County.
 - b. Lists of leads delivered for all business parks, with breakout of leads for unincorporated area business parks.
 - c. Outcome of leads, e.g. how many new businesses relocated to Sonoma County, where they were recruited from, and how many associated jobs were brought in to Sonoma County overall, separately noting those located in the unincorporated areas and cities.

- d. List of new jobs created, by industry, company and payroll, both countywide, as well as a breakout for the unincorporated areas and cities and noting the total number of green jobs created.
 - e. Amount of sales and property tax generated by new jobs created using agreed-upon measurements.
 - f. Marketing activities, site visits, and technical assistance provided to businesses.
 - g. Financial statements indicating the purposes of which the County's funds were expended. Statements will include a detailed comparison of actual expenses and revenues against approved budget for overall BEST program
7. CHAMBER will provide an annual report of activities to the Board of Supervisors for each year this MOU is in effect. Annual reports will be coordinated thru the COUNTY's Economic Development Board.
8. CHAMBER will work with the COUNTY'S Workforce Investment Board (WIB) and Economic Development Board (EDB) staff. The teams will meet regularly to discuss issues critical to specific companies and to coordinate special projects and initiatives. With regard to economic development/workforce development policy and procedures, BEST's responsibilities are as follows:
 - a. Notify EDB and WIB immediately when aware that a company located in the unincorporated area is either considering relocation or expansion within or outside of the unincorporated area. The COUNTY recognizes that companies may approach BEST with confidential inquiries/requests, however it is the COUNTY's expectation that BEST will advise the company that it is in their best interest to provide the COUNTY with the first opportunity to meet the company's needs or propose solutions within the COUNTY. BEST will then assist the COUNTY in every way to meet the needs and interests of these companies within the COUNTY. If the COUNTY informs BEST it cannot meet the particular needs of the company, BEST will then undertake efforts to retain the company in the surrounding region.
 - b. Include the EDB/WIB and appropriate County officials in client meetings where issues relating to COUNTY permitting or other requirements are discussed.
 - c. Recognize the EDB/WIB staff's role in client projects in BEST annual and quarterly reports to the COUNTY.
 - d. Invite EDB/WIB staff, members of the the Board of Supervisors, CAO, etc. to ground-breaking or ribbon-cutting events, and request such invitations when clients host events.
9. CHAMBER will avoid duplicating services already provided by the COUNTY, and will use COUNTY services for BEST projects where appropriate, e.g. for workforce issues, consult with WIB about the availability of using WIB resources; for economic development, consult with the EDB regarding availability of using EDB resources.
10. CHAMBER 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 CHAMBER, that arise out of, pertain to, or relate to CHAMBER's performance or obligations under this Agreement. CHAMBER agrees to provide a complete defense for any claim or action brought against COUNTY based upon a claim relating to CHAMBER's performance or obligations under this Agreement. CHAMBER'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 CHAMBER's expense, subject to CHAMBER'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 CHAMBER or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts. This indemnity provision survives the Agreement.

11. The CHAMBER shall comply with all applicable federal, state, and local laws, rules, and regulations with 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. During the term of this MOU, CHAMBER shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit A.
12. Neither party hereto shall assign, sublet or transfer any interest in or duty under this MOU without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.
13. At any time and without cause, COUNTY shall have the right in its sole discretion to terminate this MOU by giving written notice to the CHAMBER thirty (30) days prior to the intended termination date. Upon such termination, CHAMBER shall return to COUNTY funds in an amount equal to (a) the amount of PROGRAM funding received by CHAMBER from COUNTY for the year of termination, minus (b) the product of (x) the amount of PROGRAM funding received from County in the year of termination times (y) the quotient of the number of days in the year prior to termination date date divided by 365.
14. The CHAMBER covenants that it presently has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The CHAMBER further covenants that, in the performance of this contract, no person having any such interest shall be employed or be otherwise assigned to perform any task arising hereunder. At any time and without case, CHAMBER shall have the right in its sole discretion to terminate this MoU by giving written notice to the COUNTY ninety (90) days prior to the intended termination date.
15. In the event any party brings an action or proceeding for damages arising out of the performance of any other party under this MOU or to establish the right or remedy of any other party or parties, the prevailing party shall be entitled to recover reasonable attorney's fees and costs as a part of such action or proceeding. Any action to enforce the terms of this MOU or for the breach thereof shall be brought and tried in Santa Rosa, California.
16. Nothing contained in the MOU shall be construed to create and the parties do not intend to create any rights in third parties.
17. Notices shall be mailed to the parties at the following addresses:

COUNTY
County of Sonoma
Economic Development Board
401 College Ave, Ste D
Santa Rosa, CA 95401

CHAMBER
Santa Rosa Chamber of Commerce
637 First Street
Santa Rosa, CA 95404

18. This MOU represents the entire and integrated agreement between COUNTY and CHAMBER and supersedes all prior negotiations, representation or agreements, either written or oral. This MOU may be modified or amended only by a subsequent written agreement signed by all parties.
19. The laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this MOU and shall also govern the interpretation of this MOU.

20. The parties intend that CHAMBER, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. CHAMBER is not to be considered an agent or employee of COUNTY and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits COUNTY provides its employees. In the event COUNTY exercises its right to terminate this MOU, CHAMBER expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.
21. None of the funds paid to CHAMBER under this MOU shall be used for lobbying or for any partisan political activity, or to further the election or defeat of any candidate for public office.
22. CHAMBER agrees to make available for inspection and audit to representatives of COUNTY all books, financial records, program information, and other records pertaining to the PROGRAM and this MOU to maintain said records for a minimum of four (4) years.

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

Date: 5/17/11

SANTA ROSA CHAMBER OF COMMERCE


Jonathan Coe, Executive Director

Date: 5/24/11

County of Sonoma


Efren Carrillo, Chair, Board of Supervisors

Approved as to Form:


Steven S. Shupe
Deputy County Counsel

Exhibit A
Insurance Requirements

With respect to performance of work under this Agreement, CHAMBER shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described below.

A. Workers' Compensation Insurance. Workers' compensation insurance with statutory limits as required by the Labor Code of the State of California. Said policy shall be endorsed with the following specific language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days' prior written notice to the Sonoma County Economic Development Board.

B. General Liability Insurance. Commercial general liability insurance covering bodily injury and property damage using an occurrence policy form, in an amount no less than Two Million Dollars (\$2,000,000) limit for each occurrence and Two Million Dollars (\$2,000,000) each for the general aggregate and the products/completed operations aggregate. Said commercial general liability insurance policy shall either be endorsed with the following specific language or contain equivalent language in the policy:

a. County of Sonoma, its officers and employees, is named as additional insured for all liability arising out of the on-going and completed operations by or on behalf of the named insured in the performance of the MOU re. Santa Rosa BEST Program between the COUNTY and the CHAMBER.

b. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.

c. The insurance provided herein is primary and non-contributory coverage to the COUNTY with respect to any insurance or self-insurance programs maintained by the COUNTY.

d. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the COUNTY.

C. Automobile Insurance. Automobile liability insurance covering bodily injury and property damage in an amount no less than One Million Dollars (\$1,000,000) combined single limit for each occurrence. Said insurance shall include coverage for owned, hired, and non-owned vehicles. Said policy shall be endorsed with the following language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the County of Sonoma.

D. Documentation. The following documentation shall be submitted to the COUNTY:

a. Properly executed Certificates of Insurance clearly evidencing all coverages and limits required above. Said Certificates shall be submitted prior to the execution of this Agreement. CHAMBER agrees to maintain current Certificates of Insurance evidencing the above-required coverages and limits on file with the COUNTY for the duration of this Agreement.

b. Copies of properly executed endorsements required above for each policy. Said endorsement copies shall be submitted prior to the execution of this Agreement. CHAMBER agrees to maintain current endorsements evidencing the above-specified requirements on file with the COUNTY for the duration of this Agreement.

c. Upon COUNTY'S written request, certified copies of the insurance policies. Said policy copies shall be submitted within thirty (30) days of COMMISSION'S request.

d. After the Agreement has been signed, signed Certificates of Insurance 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. Policy Obligations. CHAMBER's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

SONOMA COUNTY BEST

BUILDING ECONOMIC SUCCESS TOGETHER

Annual Report to Sonoma County Board of Supervisors
November 24, 2014

AGENDA

Annual Report to the Sonoma County Board of Supervisors, 2014

Message to Investors

BEST Timeline: 2011 to 2014

2014 Dashboard

- Job Growth Metrics

- Job Growth 2014

Business Retention and Expansion

- Top Requests for Business Assistance

- Volunteers and Partners

- Industry Groups: Food Industry Group (FIG) and Tech Industry Group (TIG)

- Support for Startups

- Business Retention

- Talent Retention

A Look Ahead

- Amplify Marketing and Outreach

TRUMPETER
CHRIS BOTTI



Grammy winner performing at Rodney Strong outdoor concert series **TimeOut**

PREVIEW:
PREP FOOTBALL
After a tough 2013 season, Elise Allen hopes to build a foundation for winning **Sports**

The Press Democrat

SANTA ROSA, CALIFORNIA

WWW.PRESSDEMOCRAT.COM

FRIDAY, AUGUST 15, 2014

Amy's expanding with new SR facility

Company reverses course 7 months after shelving plan for huge production plant

By KEVIN MCCALLUM
THE PRESS DEMOCRAT

Fast-growing food maker Amy's Kitchen is moving forward with expansion plans in Santa Rosa, seven months after

it shelved the idea of building a huge new production facility in the city.

The Petaluma-based company will begin producing a new line of entrees and snacks in a former food processing facility the company has leased in southwest Santa Rosa.

"Our growth has been faster than we expected this year, so we had to move quickly," said Andy Berliner, who founded the

organic frozen and packaged foods company with his wife in 1987.

The multimillion-dollar project is expected to create 150 new jobs, fewer than the 800 jobs once envisioned as part of a \$50 million state-of-the-art facility first proposed in March 2013.

That project hit a snag when the company realized how costly it would be to hook up to the city's water and wastewater sys-

tem. It instead decided to build a \$95 million facility in Goshen, N.Y., to be closer to its large East Coast market.

But the New York plant won't be up and running for two years, and in the interim, the company continues to see significant demand for its vegetarian products. It forecast growth of 12 to 15 percent this year, but that number has come in closer to 23 percent, and would have been

30 percent if the company had sufficient capacity, Berliner said.

The strong demand for its products, combined with a positive relationship with the city of Santa Rosa and the Sonoma County BEST program, helped the company see that a more modest expansion in Santa Rosa still made sense, Berliner said.

Local economic development
TURN TO AMY'S, PAGE A5

UC Davis, Kaiser partner on new fast-track medical program to chip away at widespread shortage of primary care physicians

Doctors needed, stat

Missouri takes over city policing

Advertisement for Health Managers featuring a diagram of a person's head and neck with various health-related icons.

Labcon bringing sterilization firm to Petaluma

Local facility likely to benefit region's medical device sector

By JAMES DUNN
BUSINESS JOURNAL STAFF REPORTER

PETALUMA - Labcon, a manufacturer of disposable laboratory equipment based in Petaluma, plans to lease a 31,000-square-foot building to Synergy Health, which provides electron-beam sterilization services to health organizations.

The building, located on a 10-acre site Labcon owns at 3200 Lakeville Highway in Petaluma, will be part of a campus envisioned for medically related companies, said Jim Happ, president of Labcon. Now the property has two buildings totaling



Jim Happ, Labcon president

71,000 square feet. A new building will add 40,000 square feet for warehousing.

Labcon, which has 220 employees in Petaluma and revenue of \$34 million, also has a 127,000-square-foot manufacturing plant at 3700 Lakeville Highway in Petaluma, about half a mile away.

Synergy Health, based in Swindon, England, about 100 miles west of London, has worldwide operations in several continents, and overall revenue of about \$650 million. The company grew more than 5 percent in the past year. In the Americas, Synergy has four plants in the United States,

including one in San Diego, and another in Costa Rica, with some 150 employees total. Petaluma's plant would employ about 20 people.

Synergy Health plans to employ electron beam sterilization technology. The process involves accelerating electrons in an electron gun and beaming them through boxes on a carrier.

Labcon is a wholly owned subsidiary of Helena Laboratories, with headquarters in Beaumont, Texas. Labcon makes pipettes and many other laboratory supplies, using polypropylene and other materials. In recent years, Labcon has pushed for sustainable packaging and practices, as well as recycling of some products. The company was founded in 1959 in Marin County.

See Labcon page 3

Amy's expansion, Labcon deal both local wins



BRAD BOLLINGER
Business Journal
Editor in Chief

Two events in the last two weeks bode well for the North Bay economy. First was the decision by fast-growing organic food producer Amy's Kitchen to undertake a 150-employee expansion in Santa Rosa.

Secondly, Labcon of Petaluma an-

ounced it leased substantial space to a global medical device sterilization lab, Synergy Health.

In Amy's case, the expansion represents a positive new spirit of cooperation between government agencies, utilities, economic development officials and jobs-producing companies.

Clocking 23 percent annual growth, Amy's is a homegrown company whose organic products are in increasing demand across the U.S. and globally. In addition to creating healthy food, Amy's is a model

company when it comes to how it treats employees, including offering onsite health care.

An earlier and larger expansion plan was stalled in part by \$34 million in potential city wastewater and water fees.

But this time, the city, state and PG&E came forward with support on water, sales taxes and power. Their efforts, along with the help of the Santa Rosa Chamber of Commerce BEST economic development program, means 150 badly needed quality

See Bollinger page 3

A Message to Investors

November 24, 2014

BEST has utilized its core competency of creating “business to business” connections to help companies grow and thrive. The BEST Food Industry Group and the BEST Tech Industry Group have engaged over 50 different companies in collective problem solving and opportunity development. Results of this work include the recently completed BEST Tech Industry Group Suppliers Fair that connected Sonoma County component manufacturers with major Sonoma County end product manufacturers. Nearly 80% of component manufacturers expect to get new or increased business within the next six months as a result of this event. The value of this business could be as much as \$4M annually in new investment in Sonoma County.

On August 27, the BEST Food Industry Group hosted the Whole Foods regional representative, or “forager,” to meet with local food companies and discuss how to maximize their interactions with Whole Foods. Whole Foods is an important customer for the natural and specialty foods industry, often making the difference for a company’s success.

While the project is still facing challenges, BEST’s biggest win to date will be realized when Amy’s Kitchen invests in a \$20M plant expansion in Santa Rosa and create 150 new jobs. BEST worked with PG&E to qualify Amy’s for utility incentives and lined up the company to take advantage of state incentives offered through the Governor’s Office for Business and Economic Development. More than anything else, this case shows how economic development is a process, and not an isolated activity. It is also an excellent demonstration of the collaborative nature of economic development as the state, PG&E, the City of Santa Rosa, and BEST worked together to help this important company expand in Sonoma County.

BEST is aggressively tackling the most challenging source of job growth: business attraction. Given its limited resources, the BEST Board directed staff to focus on recruiting companies that supply or complement businesses in our industry clusters. This approach enables us to take advantage of the connections of existing Sonoma County companies to businesses that have good business reasons to locate here. That approach has already born fruit with the recent announcement that Synergy Health will locate here and create 20 new jobs. Not only are those jobs welcome, but the company itself becomes an important member of our medical device industry cluster.

An economic development program like BEST engages and represents the voice of business, making the program an effective tool for job growth. In just three years, BEST has made a difference to over 300 companies, and helped them create 2,586 total jobs in Sonoma County. On behalf of the Board of Directors and the staff of Sonoma County BEST, our gratitude is extended to our BEST investors for their ongoing support as we work to create economic vitality in Sonoma County.



Blair Kellison
CEO Traditional Medicinals
Chairman of the BEST Board of Directors



Carolyn Stark
Executive Director, Sonoma County BEST



Sonoma County BEST

BEST Vision

Sonoma County is a region with a broad and diverse industrial base that supports a high quality of life and a healthy and sustainable economy.

BEST Mission

Sonoma County BEST is a public-private partnership for economic development whose mission is to help create jobs by working to help business grow and thrive in Sonoma County. Sonoma County BEST works to retain existing businesses, assist them with growth, and attract new companies.

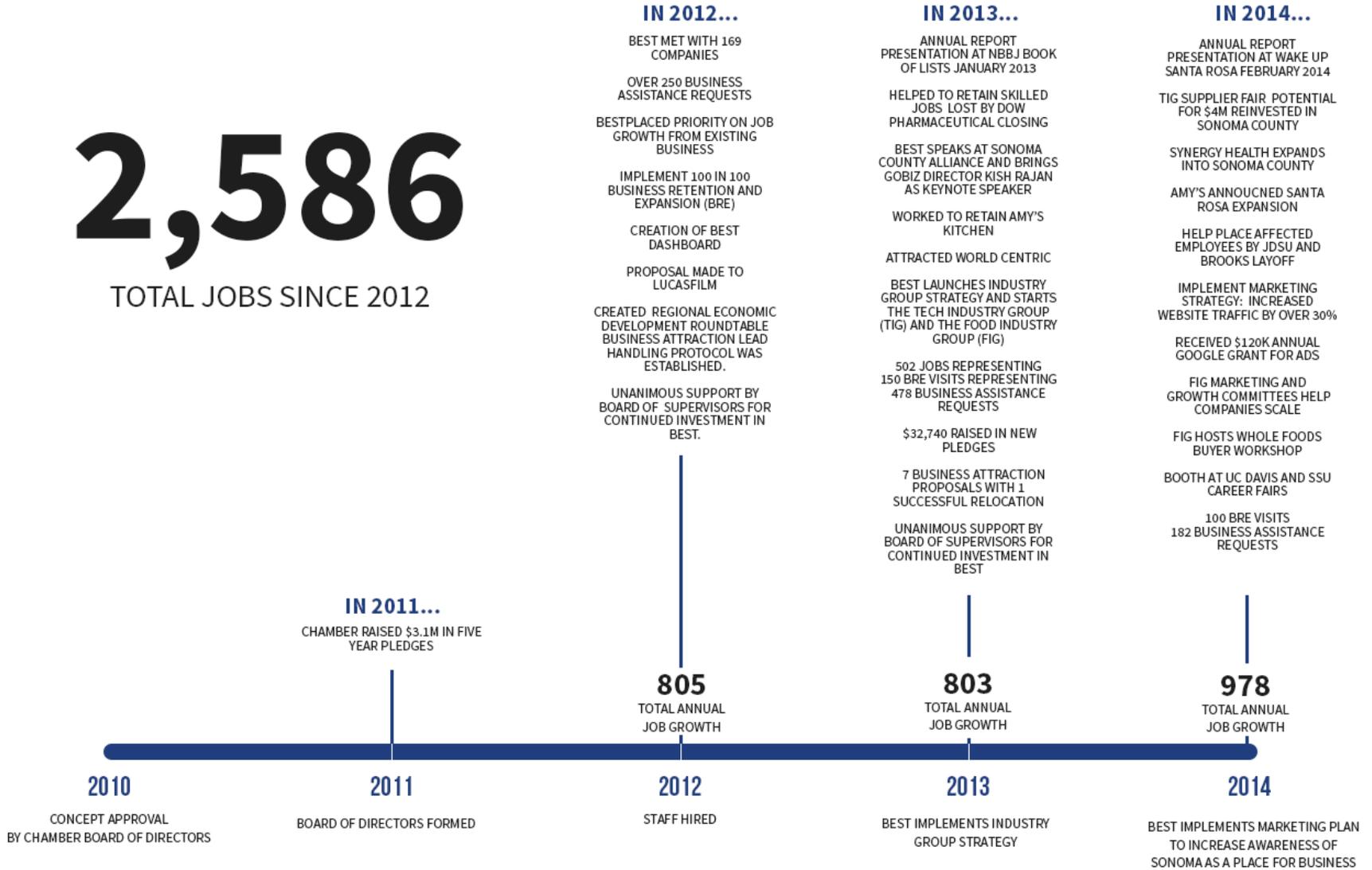
Primary Goal

BEST will work with businesses to create 2,500 jobs through initiatives and programs that promote economic vitality in the region.

BEST TIMELINE

2,586

TOTAL JOBS SINCE 2012



JOB GROWTH METRICS

SONOMA COUNTY BEST
DASHBOARD 2014

11/6/2014

Current Quarter: Q4

Target Metrics	Current Q to Date	Current Q	YTD	Year End	%	Notes
Business Retention, Expansion and Attraction	Actual	Plan	Actual	Plan	Complete	
Direct jobs added through business retention and expansion	113	94	527	373	141%	
Direct jobs added through startups	20	8	62	30	207%	29 companies in 2014 startup pipeline
Direct jobs added through business attraction	0	22	22	75	29%	1 attraction in 2014: Synergy Health
Total jobs	133	124	611	478	128%	
BRE Meetings	10	25	97	100	97%	
Attraction Prospects in Pipeline			12			
Awareness Campaign:		Fund		Execute		Fund 1Q, Execute 2Q and 3Q
Organization Sustainability	Actual	Plan	Actual	Plan	Complete	Notes
Fundraising Plan/Sustainability Plan						Plan complete by start of 3Q
Board Development			complete		100%	
Communication w Investors	2m	3m+1QR	4m	12m=4QR	34%	quarterly reports, monthly e-newsletter
Committee Formed and Meeting			6x	7x	85%	
Financials	Actual	Plan		Plan	Variance	Notes
Budget	\$281,252.00	\$292,908.00		\$447,067.00	-\$11,656.00	As of August 31, 2014.
Actual Net vs. Budget Net						note: added \$25,000 to marketing budget June 2014.
Accounts Receivable at Risk						

*BEST defines a **JOB** as a position created and filled by a company after BEST has met with the company, identified one or more business assistance requests, and resolved one or more of these requests.

*BEST defines a **STARTUP** as a company that has started in Sonoma County during the tenure of BEST. It is categorized as a startup for the life of the company.

*BEST defines a **BUSINESS ATTRACTION** as a company that received BEST's assistance during their decision making and/or efforts to expand or relocate to Sonoma County. It is categorized as a business attraction for the life of the company.

YTD Direct Job Growth	YTD Direct + Indirect Job Growth	YTD Job Progress to Annual Goal	Total Direct Jobs Since 2012	Total Direct + Indirect Jobs Since 2012	Job Progress to 5YR Goal Since 2012 (Goal: 2570 Direct Jobs)
611	978	127.8%	1616	2586	62.9%

JOB GROWTH 2014

Job Growth		
	Direct Jobs	Direct + Indirect Jobs
2014 <u>BRE</u> Jobs	53	84.8
2014 Direct <u>FIG</u> Jobs	64	102.4
2014 Direct <u>TIG</u> Jobs	224	358.4
2014 Direct <u>Startup</u> Jobs	15	24
2014 Direct <u>Attraction</u> Jobs	20	32
Added Direct Jobs from <u>2012 and 2013 Companies</u>	186	297.6
Added Direct Jobs from <u>2012 and 2013 Startups</u>	47	75.2
Added Direct Jobs from <u>2012 and 2013 Attractions</u>	2	3.2
Total Direct Jobs	611	977.6

(As of November 7, 2014)

JOB GROWTH THROUGH BUSINESS RETENTION AND EXPANSION

Top Requests for Assistance:

Business to Business Connections

Workforce Acquisition and Talent Attraction

Business Assistance Programs

Small Business / Entrepreneur Assistance



JOB GROWTH: INDUSTRY GROUPS

SONOMA COUNTY BEST FOOD INDUSTRY GROUP FIG

Talent Recruitment Assistance

Supply Chain Connections

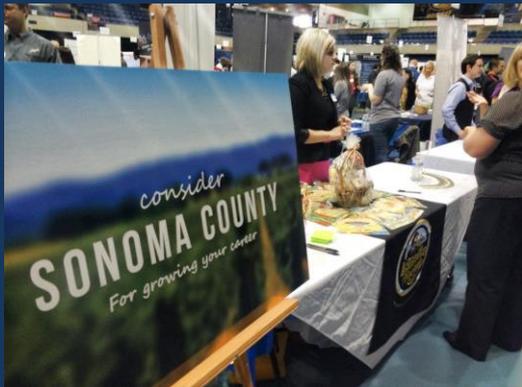
Growth Resources

Marketing Collaborations



"BEST has helped us in several ways, from connecting us with state level resources for tax credits for capital investments to the work of the Food Industry Group, or "FIG." Because of the BEST FIG, our company is very confident that growing our company in Sonoma County is the right thing to do for our company."

Robert McGee
President, Straus Family Creamery



JOB GROWTH: Industry Groups

SONOMA COUNTY BEST TECH INDUSTRY GROUP TIG

TIG Supplier Fair July 25, 2014

*Facilitated local sourcing worth as much as \$4M
annual new investment in Sonoma County*



"I think Sonoma County Best did a fabulous job in organizing then presenting the final result. Congratulations to everyone involved you have started a trend that will grow into something much bigger in many ways. The concept was professionally envisioned and done."



Derek Lane
Quality Assurance Manager, Reltek



"BEST's ongoing assistance has given us the capability to grow at a faster rate and make some crucial connections that will help in years to come. We have been able to employ an additional 20 people since we began collaborating with BEST and the TIG."

Jim Happ
President, Labcon

JOB GROWTH: SUPPORT FOR STARTUPS

BEST helps innovative companies and entrepreneurs connect to people and organizations that incubate, mentor and support small business growth.

SCORE

SOCO Nexus

Sonoma State University

Small Business Development Center

North Bay Angels

Sprout Incubation

Share Exchange

Work Petaluma

Venture Greenhouse



Sean Lovett, Founder and CEO, Revive Kombucha at his Windsor, CA headquarters

Startups Assisted in 2014

Express Employment Professionals

Link Creative

David Roehl Design

Sea of Change

Rally Good Bread Company

Apollo Credit and Finance

Solutions

Everett's Online Books

Segway Tours of Petaluma

Stand Out Graphics / Fuze Viewer

Vinsource

Bluetail Industries

Drivater

Bluebarrel

Revive

Sonoma Ciders

Yuba Bikes

Atera prime / Engage

Add Garlic

Krave Jerky

Motopia MX Park

AVRS

Simply Solar

Miss Ginger's

OptiRev

Connect

2013 and 2014

- Engaged Amy's Kitchen with Food Industry Group
 - Marketing
 - Human Resources
 - Quality Assurance
 - Growth
- Connected Amy's executive team to GoBiz (state level) to discuss state incentives
- Assisted Amy's through application of Manufacturing Sales & Use Tax Exemptions and California Competes tax credits
- Acted as liaison between Amy's and PG&E to discuss incentives

Carolyn Stark, Blair Kellison, Patrick McGuire, Kish Rajan, and David Meddaugh meet with Andy Berliner, Rachel Berliner and Mark Rudolph of Amy's Kitchen

JOB GROWTH: Business Retention



JOB GROWTH: TALENT RETENTION



JDSU was forced to reduce their workforce when closing the Santa Rosa optics division.

BEST worked to help place the affected employees into other positions in the county

Assisted 16 companies in their talent attraction efforts

JDSU active member of BEST's TIG and TIG HR meetings.



Brooks laid off 80 employees

BEST worked with collaborative team - City of Petaluma and the WIB to help retain workforce



“I know that your efforts really made a difference and were greatly appreciated by JDSU, the HR team, and our employees. The Santa Rosa community is stronger thanks to your efforts.”

Luke Scrivanich
Vice President and General
Manager, JDSU

JOB GROWTH: BUSINESS ATTRACTION

Marketing:

New website

Attraction Tools: *Business Resource Guide* and *Guide to Living in Sonoma County*

Videos

SEO

Social Media

Outreach:

Winter Fancy Food Show in San Francisco

Expo West in Anaheim

Specialty Food Forum in Sonoma

Small Business Expo in San Francisco

Specialty Food Forum in San Rafael

Meet the Consultants in Carlsbad—Feb '14

Area Development Forum in Chicago—Oct '14

North Bay Life Science Alliance

Team CA Meet the Consultants in Sonoma County – Mar 2015

Leverage Industry Groups

Supply Chain Partners (e.g., Synergy Health)

Cluster Growth (e.g., Supplier Fair)

Support Startups (e.g., FIG Growth Committee)



Abra Marketing crew films engineer at Keysight Technologies for BEST marketing campaign.

JOB GROWTH: BUSINESS ATTRACTION



- Catalyst for growing medical device sector in Sonoma County
- \$4 million investment in Sonoma County
- Adding 20 jobs initially
- Collaborative effort between BEST, City of Petaluma, PG&E, GoBIZ and Labcon
- BEST helped Synergy obtain state incentives and PG&E incentives
- In 2015 will form Medical Device Industry Group (mDIG)



“Sonoma County BEST connected us with PG&E and industry leaders. PG&E offered us financial incentives related to our energy use. The City of Petaluma worked with us to assure our business could operate in the Labcon building. With each agency working together, we were able to make the business case to move to Sonoma County quickly”

Todd Gabele
Business Development
Account Manager, Synergy
Health

Economic Development

A deliberate, consistent, and collaborative approach to strengthening a community by creating opportunities that elevate the standards of living and create a healthy community for every citizen.

This is hard work.

This work is ever changing.

This work challenges the status quo everyday.

This is about innovation – ***change.***

ECONOMIC DEVELOPMENT: Volunteers and Partners

Abraham Daniels | County of Sonoma Department of Health Services

Bob McGee | Straus Family Creamery

Brian Ling | Sonoma County Alliance

Chet Laws | Wells Fargo

Clay Stephens | Warren Capital

Dan Ancheta | Bank of Marin

Danielle Surdin-O'Leary | City of Santa Rosa

Dick Herman | 101MFG

Don Schwartz | City of Rohnert Park

Gil Roberts | Getaway Adventures

Jennifer LeBrett | Healdsburg Chamber of Commerce

Jerry Miller | Santa Rosa Junior College

Jodi Shubin | Pisenti and Brinker LLP

John Mackie | Carle Mackie Power and Ross LLP

Kish Rajan | Governor's Office of Business and Economics

Kurt Hoffman | Abra Marketing

Laura Arreguin | Redwood Empire Goodwill

Laurie Decker | Sonoma Valley Economic Development

Lynn Stauffer | SSU School of Science and Technology

Marsha Zolkower | Joblink

Mary Cervantes | Sonoma SBDC

Monica Garcia | Nelson Staffing

Patrick McGuire | Governor's Office of Business and Economics

Gary Panepinto | Manex

Rich Schroeder | BEST Tech Industry Group

Richard Adler | SCORE

Ryan Buxbaum | Artizen Staffing

Santa Rosa Chamber of Commerce Staff

Sarah Dove | SSU School of Business and Economics

Sonoma County Economic Development Board Staff

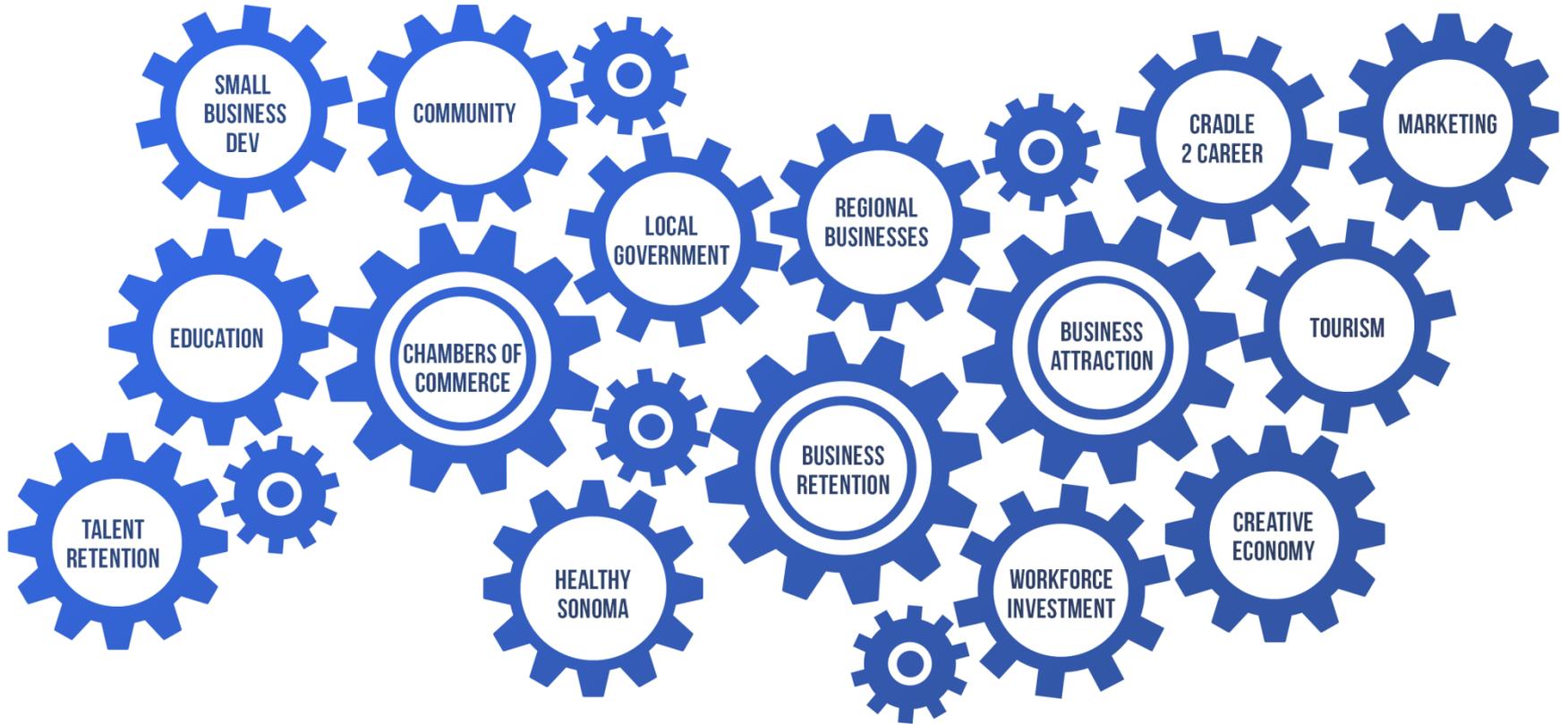
Stephen Jackson | SCOE

Steve Hinch | Team Logic

Workforce Investment Board Staff

And the Entire BEST Board of Directors

Collaborative Economic Development



BEST 2015

Objective: Job Growth through Business Retention, Expansion and Attraction

Business Retention and Expansion

Tactics:

Utilize Proven BRE Methodology
Expand Impact of Existing Industry Groups
Additional Industry Groups

Business Attraction

Tactics:

Amplify Marketing Effort:

- ✓ Maintain and Continually Update a Dynamic Website
 - ✓ Enhanced Online Marketing and Advertising
 - ✓ Engage in State-wide and National economic development initiatives with Team California
 - ✓ Medical Device and Manufacturing Conference, Anaheim, February 20
 - ✓ Build Relationships with Site Consultants, Corporate Real Estate Decision Makers
 - ✓ BEST Host Sponsorship of Team California Meet the Consultants, March 2015
 - ✓ Industrial Asset Management Council (IAMC), April 2015
 - ✓ Partner with Sonoma County “Trio” in print advertising opportunities and outreach
-
- Leverage Industry Groups to Identify Prospects and Additional Investment in Sonoma County
 - Continue Support Startups through the Industry Groups
 - Collaborate with Regional Partners to Create a “Business Ready Climate”
 - Develop a Scorecard to Assess our Region’s Business Readiness
 - Utilize a Regional Business Lead Protocol to Assure Prospects are Won for Sonoma County

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INVESTORS

PLATINUM
\$75K+

Comcast
County of Sonoma
Henry Trione

Kaiser Permanente Medical Center
Luther Burbank Savings
Moss Adams LLP

Pacific Gas & Electric Co.
Pure Luxury Transportation
Redwood Credit Union

GOLD
\$25K - \$75K

Agilent Technologies, Inc.
American AgCredit
Bank of America Merrill Lynch
Bank of Marin
Clover Stornetta Farms, Inc.
Coddling Investment
Exchange Bank
Fairmont Sonoma Mission
Inn & Spa
Finley Foundation (Ernest L. & Ruth W.)

Friedman's Home Improvement
George Petersen
Insurance Agency
Leap Solutions
Nelson Staffing
North Bay Business Journal
North Bay Biz Magazine
Republic Services
Sonoma Raceway
Spring Lake Village

St. Joseph Health System
Summit State Bank
Sutter Medical Center of Santa Rosa
The Press Democrat
TLCD Architecture
Traditional Medicinals
Wells Fargo
Wright Contracting

SILVER
\$10K - \$25K

Airport Business Center
American River Bank
Burr Pilger Mayer
Carle, Mackie, Power & Ross LLP
Dal Poggetto & Company LLP
Firma Design Group
Healdsburg Chamber of Commerce

Hyatt Vineyard Creek Hotel & Spa
Innovative Business Solutions, Inc.
Linkenheimer CPAs and Advisors
Mary's Pizza
Perry, Johnson, Anderson, Miller &
Moskowitz LLP
Pisenti & Brinker

Simons & Woodard
Snoopy's Home Ice
Solairus Aviation
Top Speed Data Communications
Umpqua Bank
Vantreo Insurance Brokerage
Warren Capital

BRONZE
UP TO \$10K

Alliance Redwoods Sonoma
Canopy Tours
AXIA Architects
City of Petaluma
Clement, Fitzpatrick & Kenworthy
Direct Mailing Systems

Empire College School of Law &
School of Business
Environment Control
Merrill, Arnone & Jones LLP
O'Brien Watters & Davis Law Firm
Premier Digital Display

Ron Allen Enterprises
Royal Petroleum
VeVa Communications
Vinson Advertising



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: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office and Fire and Emergency Services

Staff Name and Phone Number:

Veronica Ferguson 707-565-2431
Al Terrell 707-565-1152

Supervisory District(s):

Countywide

Title: Fire Services Project Update

Recommended Actions:

Receive Update on the Fire Services Project

Executive Summary:

As a part of the 2014 Board priorities, 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 and to develop a project that would result in recommendations for a more efficient, effective and sustainable fire services system in the county for the future.

The results of the Ad Hoc Committee's work, a project charter for a three phase project, was approved by the Board in September 2014 and the project was initiated. This item reports on the efforts of the first phase of the project which will be coming to a close in December of 2014.

The first phase was to explain the project to the various stakeholder groups; assemble an Advisory Committee to assist staff with the development of recommendations in the second phase; collect input from the stakeholders and the community about the project and, in particular, about the data and other information to be collected and analyzed in order to assist with developing the recommendations; and to report out in a community meeting in December on the results of this information and input gathering. This community meeting is being referred to as a "summit" and has been scheduled for December 11, 2014 from 6:30 pm to 8:30 pm at the Santa Rosa Veterans Memorial Building.

Since September 9, 2014, staff have made presentations to 31 individual fire agencies, 7 presentations to the two public ambulance provider agencies, the Emergency Medical Care Council, the City Managers, the Fire District's Association, the Volunteer Fire Company Association, LAFCO and provided updates and information to the Fire Chief's and other stakeholder groups. In addition, staff have held 11 community meetings throughout the county to explain the project to the stakeholder groups and gather

input. A recap of the input gathered with a full list of all the presentations and meetings is attached. It is currently in the form of unsorted notes. Staff met with the Board Ad Hoc Committee to review the common themes heard and will work with the Advisory Committee to incorporate the suggestions into the scope of the data to be collected and analyzed in the project. Staff will also work with the Advisory Committee to generate a list of frequently asked questions and the responses to those questions to share at the December Summit and to place on the project website which can be found at www.sonomacounty.ca.gov/CAO/Fire-Services-Project.

Prior Board Actions:

3/18/14: Chair established Facilities Ad Hoc Committee. 9/9/14 Board approved project charter

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	\$ 140,000	County General Fund	\$ 140,000
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 140,000	Total Sources	\$ 140,000

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:
Fire Services Project – Input and Feedback from Community and Stakeholders in Phase 1
Related Items “On File” with the Clerk of the Board:

Fire Services Project – Input and Feedback from Community and Stakeholders in Phase 1

Want to understand how the various fire agencies are financed – where does the money come from and how much from each source for each entity providing fire services

What does the County do to train and develop chief officers?

Where are the duty chiefs located, geographically, under the County program?

Concerns raised regarding paying for the duty chief program but not getting the benefit from it.

Would like to see Prop 172 funds in the County redirected to Fire agencies.

Concerns raised about providing other funding to County Fire programs but not getting a benefit commensurate with the funding provided from those fire programs.

Interests noted to create an independent district in the northwest county for local control and more direct benefit to the area. Prior study (2009) included recommendation that this should be considered. This project should not derail any effort to form such a district.

Observation that neighboring public districts in the northwest county are currently solvent and not facing financially difficulties.

Northwest County residents have a strong interest in maintaining good relationship with CalFire as has a greater presence in the northwest than County Fire.

Northwest County needs new volunteers.

Concerns raised about the potential of losing things (money, services) as a result of this Fire Services Project.

Concerns raised about the number of hours involved to train volunteers, may be prohibitive in recruiting and retaining volunteers. In addition, in areas far away from Santa Rosa, travel time and costs to participate in training make the situation worse, potentially more prohibitive. Desire to have trainings in the area.

Project should acknowledge what is/are the successes happening in each area of the County being served under the current models; should acknowledge the effectiveness of the current models of providing services and the sense of trust in those current models, the feeling that the residents in the area are being taken care of.

If it works, don't fix it.

How many times are various areas using the trainers provided under the County Fire Program?

How many times are various areas using the chief officer provided under the County Fire Program?

What is the assessed valuation in each area that is being protected?

Concern that the project will take too long, and service level will not be able to be maintained at funding levels provided.

Are the cities in Sonoma County going to be involved in this project and if so, how?

The project should identify how active individual volunteers are.

The project should include NFPA standards 1710 and 1720 as some of the benchmarks used for analysis and comparison.

Suggestion that subcommittees of the Advisory Committee be formed to break up the work. Perhaps one should look at benchmarks including focusing on what to use out of the NFPA 1710 and 1720 standards.

The project should be careful about drawing conclusions based upon data from small sample sizes.

The project should look at the difference between baseline costs of providing services and incremental costs for providing services. The notion that any particular call may have incremental costs but in order to respond to any calls there are baseline costs needs to be understood and, where possible, these different costs should be quantified.

Another area that will provide data is Standards of Cover efforts that may have been completed or the guidance for completing them in general.

The project should be wary of focusing only on traditional numbers such as calls for service totals but should analyze deeper.

An observation was made that each of the four cities that do not have municipal fire departments and are covered by an independent fire district, each have somewhat different circumstances and it may be important to understand the distinctions between each of them and from the cities that do have municipal fire departments.

A suggestion was made as to another way to collect information from stakeholders would be to ask what they would be concerned about losing.

Are we considering fire prevention measures such as vegetation management?

Focus on overall statistical information, not anecdotal information. There will always be someone who is worse off, but need to focus on the greater good – example: relocating a fire station to a more efficient area will still be worse for the person who was next door to the old station.

A suggestion was made to include an analysis of the costs for fire vehicle and equipment repair due to the condition of the roads they use for responses to the community.

A concern was raised that the project would result in another layer of bureaucracy and therefore the need for more taxes.

A concern was raised about the potential financial impact on fire agencies due to the requirements of the Affordable Care Act, particularly with respect to volunteer firefighter's coverage requirements.

A concern was raised that the funding for this project might get diverted to other needs as the project continues.

A suggestion was made that an analysis of water infrastructure available to fire agencies, both at their stations (primary wells and other) and in the areas that these agencies protect, should be included in the project.

A concern was raised that interests and actions to contain urban sprawl might be used for or have an adverse impact on the ability to provide for fire services.

There was a concern raised that there was a very limited time provided for public comment at the community meeting.

There were questions about why the project came about.

A suggestion was made to analyze the costs and benefits for having cell phone antennae sharing fire facility properties weighing the revenues gained against the adverse health impacts experienced by individuals who had increased exposure to electromagnetic forces as a result of their paid or volunteer fire protection work at the facility.

There was a suggestion made to increase contributions to fire protection from individuals with more financial assets.

A concern was raised about the consensus model of decision making and whether some committee members might be forced to agree with a decision they did not support.

Why have calls for service increased faster than population growth?

A suggestion that we weigh the cost of volunteers versus paid responders. A comment that costs are not comparable 1 to 1 because more than one volunteer is needed to do the work of a paid responder.

An observation was made that fire agencies serve a significant number of individuals from outside of the area that provides funding for the fire agencies.

There was a question about why are we looking for volunteer ages?

There was a suggestion that the project look at services being provided by fire agencies that are duplicated by others or could be provided by others.

There was a suggestion made that the project look at the amount of resources sent to responses and whether those resources deployed were more than needed.

There was a suggestion made that the project identify how many other counties and similar counties allocate Prop 172 funds to fire agencies.

There was a suggestion that the project identify the number of 911 calls made from cell phones going out of the county to a regional call center for handling and the impact that has on the provision of timely services or any other impacts.

There was a suggestion that the project identify the % of calls for service coming from cell phone callers as a part of the analysis.

There was a suggestion that the project include analysis of cell service coverage and the impact that might have on the data and the provision of service, if any.

There was a suggestion that the project include analysis of ways to pinpoint the geographic location of all calls for service.

There was a suggestion that the project look at better ways to get the word out about fund raising.

There was a suggestion to evaluate assessing fees countywide for base services.

There was a suggestion to be clear about what services are currently contracted for between independent districts; between County Fire and others, and between any other entities.

Folks expressed an interest in being compensated for services provided for tourists or those passing through their jurisdictions.

There was a question about whether there were any precedents for working with an advisory group as large as the one proposed for this project. One answer provided was the EMS redesign and Future vision process another was the Environmental Management Task Force.

There was a comment that access to healthcare for volunteers may assist with the recruitment and retention of volunteers.

There were concerns raised about volunteers aging out and not being replaced as quickly.

There were concerns raised about the long distance some volunteers have to travel to be trained and desire for training to be offered locally.

There was a request to add Fire Prevention to the scope of the project.

There were suggestions that the project should consider the risks of unoccupied rural lots and how fire prevention activities should be carried out on these parcels.

There was a suggestion to be sure that the water capacity information be up to date for this project.

There was a suggestion to charge fees for EMT services.

There was a suggestion to set up a structure for voluntary donations or contributions

There was a suggestion to look at the use of labor from the jails to provide fire prevention assistance in the reduction of potential fire fuels in the rural areas.

There was a suggestion to make the data available to folks who might be interested, particularly those who might be motivated as volunteers as a result both for the fire service and, potentially as volunteers with data analysis for this project (crowdsourcing).

There was a question as to whether there would be any imposition of anything on independent districts or other agencies as a result of this project.

There was a suggestion that the project include looking for underassessed parcels, particularly those who might have built without permits who might also pose an increased fire risk if they did not follow fire codes in the building of structures.

There was a suggestion regarding when permitting facilities in the rural areas to be sure to evaluate the public safety impacts.

There was an observation that specific hazards in the different areas require different special training such as rope rescue.

There was a question as to whether this project might result in additional funding for independent districts.

There was a suggestion that when looking at the allocation of TOT as a funding source that it be linked to area impacts as opposed to area of generation.

There was an observation that parcel taxes may not be the most equitable way of financing as opposed to taxes on houses.

There was a suggestion to evaluate fees for use and support, by way of example of charging fees for pedestrian and bicycle use of the Golden Gate Bridge as not only equitable but necessary.

There was an observation that in the past the onus for liability was on firefighters and now it will be on the County as a result of the condition of the roads.

There was a question as to whether there was a statewide template for this project to follow in resolving how to transition from a rural model of fire service provision to a more urban or suburban one.

There was a desire expressed to ensure that districts could maintain their autonomy and local control.

There was a suggestion that community value/support could be in part measured by the ratio of (volunteer) fire fighters to population.

There was a request to look at how many volunteers are employed outside of their jurisdiction.

There was a suggestion that the project should follow the money closely to see where it is generated and where it is spent.

There was a request to see the materials from the Community Meetings on the project website.

There was a recognition that the project must look at fire and ambulance services particularly for the outlying rural areas.

There was a request that the project look at the value of the impact of the services provided and assess the services qualitatively.

There was a suggestion that the County be prepared to decide what it wanted to do vis a vis being more fully in the fire business or completing a divestiture of being in the fire business.

There was a suggestion to measure the exposure in the community to a variety of different risks as a part of the project.

There was a request to re-evaluate the criteria for being a volunteer firefighter, perhaps lesser levels could be used specifically with respect to level and types of training.

There was a suggestion that in evaluating capability of volunteer firefighters, training and experience needed to be looked at, not just certifications.

There was a suggestion that we look how underutilization may affect volunteer retention.

There was a suggestion that the project take into account the different safety factors that are unique to different areas in the county.

There was a request to evaluate carefully the types of events that occur in the county and their impacts and specific hazards.

There was a question about how decision get made for the deployment of resources

There was a suggestion that first response might not be as useful as other services and an acknowledgement that this subject would have to be examined carefully.

There was a question as to whether the reporting services tool used by the fire service was reliable.

There was a question as to whether we need a management information system throughout the county fire service.

There was a question about how well event permitting was integrated with public safety providers and whether more can be done at the permitting stage to make events safer and have less of an impact on public safety service provision both in sources of incidents and in access while responding to incidents.

There was a question as to who (what agency) should all fire operations in the county report to, or to be the recipient of total county information “rolled up together”.

There was a question on “what do the people want and expect” with respect to fire service.

There was a suggestion that the problems that may be driving this project are both geographic and public relations oriented.

There was a suggestion that rather than looking at the whole county, smaller areas should be considered individually.

There was a suggestion to provide more context information about what an independent fire district is.

There was a suggestion that Rancho Adobe would be a more central location than some of the other choices already made for Community meetings.

There was a suggestion that we provide the public with approx. 8x10 inch maps as handouts to take home with various informational displays for this project.

There was a request for a more complete explanation of what is provided for the \$800,000+ spent on administrative salaries and benefits in County Fire Services. (pie chart)

There was a suggestion that cost/call would be a simple and useful metric to provide for each agency as a result of this study.

There was a request for an explanation of the total IRP payments (\$55,000), perhaps checking the complete breakdown for accuracy.

There was a request for a more complete breakdown of the 6% of total CSA 40 revenues coming in as contracts for services.

There was a question about how the data will be collected for this project.

There was a suggestion to include CalFire and the Cities more thoroughly in the project.

There was a suggestion that sometimes a helpful way of understanding something is to see what would happen if some element of the item or issue being studied or evaluated was subtracted or removed from the picture.

There was a request to be sure to evaluate where water storage is in the county.

There was a suggestion to include fire prevention in the mix of services to be providing and evaluate how Marin County includes Fire Prevention prominently in their service mix.

There was a comment that Volunteer Fire Companies wind up being training facilities for future career fire fighters and a suggestion that we look at ways to make that official.

There was a discussion of recruitment and retention programs and a suggestion that more effort needs to be made to recruit women and minorities.

There was concern expressed that the study would hold up other potential boundary changes.

There was an emphasis that one size does not fit all, and a suggestion that we not try to fix well-functioning districts.

There was a question about whether we were looking at administrative costs in County Fire and assessing its cost effectiveness.

There was a question about how CALfire fits into this project.

There was a question about what consensus means for this project.

There was a question as to whether Cloverdale and Geyserville are in negotiations with the County.

There was a question about how the project was addressing risks that we are not responsible for, such as wildland fire hazards.

There was a question as to why there wasn't more information in the meeting about the hosting agency.

There was an observation that local volunteer fire companies have a great deal of local knowledge, particularly about access to areas they serve. There was a suggestion to look at how many agencies get lost trying to respond outside of their area,

There was a suggestion to use a Standards of Cover approach where possible in this project.

There was a suggestion that other services are provided by fire agencies and they should be looked at too in this study, an example was the provision of reflective addressing in the rural areas.

There was an observation that often the fire agency is the most prominent feature of community in the area, that the chief acts as a quasi mayor and the board, a council.

There was a suggestion to look at medical outcomes as a result of services provided.

There was an observation that a high proportion of weekenders live in certain rural areas and therefore are not volunteer firefighting supply and won't be as involved in governance, won't, for example, come to meetings like these in the middle of the week.

There was a request for an opportunity for interested members of the community to make presentations to the advisory committee.

There was an observation that many of the areas in the county served by local fire agencies have a rare, high, level of cooperation.

There was a suggestion that the demographics of each area be studied and come up with a target of volunteers for the area. This was taken both to mean the number that should be able to be garnered as well as the likely need given the demographic mix.

There was concern expressed that the Advisory Committee might be too big to function effectively.

There was a suggestion that we find out why changes that have occurred in Sonoma County fire services over the last 30 years occurred and whether the changes resulted in better service.

There was a suggestion to increase fire prevention activities.

There was a suggestion to evaluate and plan for “surge capacity” to handle extreme drought based fires.

There was a question as to what the County is doing to encourage the state to return funds or services to the areas paying the CALFire fee.

There was a suggestion that the provision of a redundant 911 communication capability be achieved for the north coast of Sonoma and south coast of Mendocino counties as both have suffered outages in that service in the last few years and one solution for redundancy could serve both.

There was a question as to whether the project is taking into consideration different reasonable expectations of service levels for different areas.

There was a suggestion that we look carefully at anomalies in the data.

There was a question as to whether the study might help find resources for a district that wanted to remain independent.

There was a suggestion that we look into reimbursement for emergency medical services, particularly in areas that have large numbers of very low income residents/large homeless population.

There was a suggestion to evaluate how much PG&E is responsible for in terms of incidents requiring fire service response and why, what is causing this.

There was a question as to what is recourse when CalFire takes some private water resource without compensating for it. There was also a concern that it isn't right to be taxed for providing this resource on top of other costs borne by the property owner to maintain.

There was a suggestion to look ahead and take into account increased freight and SMART train service and likely increased development in the North County

There was a suggestion to track who actually responds to what incidents, particularly those in an agency's area where the primary agency does not always respond.

There was a question about when someone does assist, who makes decisions and how do deployment decisions work. Perhaps more is being sent than needs to go.

There was an observation that demand for service and call volume has grown as well as the types of calls, some areas used to be more self-reliant.

There was a concern that the small town atmosphere might disappear as we grow over the next several years.

There was an observation that a 5 year event horizon is a short one. Should be as long as possible into the future, including planning for replacement and additions of fire stations (60 years) and apparatus (20 years) as these are large capital efforts and may be difficult to fund.

There was an observation that this project needs to spend a significant amount of time educating the public, informing and reaching out. A sense that the fire professionals know how and are responding to the challenges but that the public needs to better understand what these are and that their professionals are handling it.

There was an observation that keeping the information transparent would also be important for the success of the project and that the public would not provide support should any hint of discrimination, hazing, or substance abuse be present in the professionals serving them.

There was a suggestion that installing cooperative fire service would be essential, particularly if more taxes are needed to fund the future of fire service in the county.

There was a question about how the aging of the population in various areas affected services required.

There were questions about how preparation for major disasters fit into this project.

There was a concern that the county would look to take funds from fire districts that were doing well.

There was a lot of interest in Prop 172 funding and some questions about ERAF.

There was concern that this project would make people think that their own fire providers were not doing a good job or were in trouble.

There was general skepticism that the project would lead to any real changes.

There was concern that "Citizens" were not mentioned on the Stakeholders slides.

There was concern that we would not be taking sufficient account of difficult travel conditions and need for service based in isolated areas.

There was support for the county looking seriously at fire services.

There was support for thinking seriously about volunteer recruitment and retention.

There was concern about how creating parks and open space areas affected tax revenue.

There was support for the changes that County Fire has been making and increased support and assistance with vehicles.

What will happen when Supervisor McGuire transitions off the Ad Hoc and what role might the Board of Supervisors Ad Hoc Committee play in the next phase?

Is it possible to study regional options?

Can the local board or the Board of Supervisors decide not to approve some recommendations?

An observation that Cloverdale citizens can't afford to have Cloverdale Fire fail

Questions as to whether the purpose of the project is to take local agency funds.

How is this project connected to ambulance providers?

There is a need to look at history of districts formed in last 30 years, some were told that the County was out of money in 1993/4.

Agree EMS needs to be included.

A concern that there hasn't been time for the public to evaluate this project, it feels like shoved down their throats.

What funding is there for this project?

County seems to be doing it again, making decisions that affect rural areas in Santa Rosa without checking with rural residents

Need to learn how the community feels about its Fire District.

Some communities suffer from lack of services in a variety of other areas, we need the county's energy on those.

Why not come out and say what you intend and have a debate about it?

Can a community opt out?

There is a need to streamline what it takes to be a volunteer, costs \$1500 in gas alone, not to mention time to train a rural volunteer centrally. Our volunteers are aging out. We need to look at the longevity of our volunteers.

Our call volume does not support more robust financing but the local volunteers are all we have to provide emergency response.

Seems like the project can only really have any two of the guiding principles (somewhat like the old adage: You can have good, fast, or cheap – pick 2) not all three.

1 in 3 responders from out of area get lost up in some of the most remote rural areas when trying to respond to our calls.

The CALFire fee/tax is not helping with support for the local fire agencies.

Why do volunteer fire companies get paid \$50 per call when districts get paid \$450 per call in the IRP areas?

One local agency noted that 80% of their accidents that they respond to are folks going through to somewhere from out of the area.

Include in survey whether people know whether their services are provided by paid or volunteer, and whether they are satisfied with service or not. The key to response is local knowledge of the people, familiarity, the roadways, and the correct size equipment to deal with infrastructure.

Fund raising events increase the community's access to their volunteers, supporting identity.

Concern that the districts took the heart of the melon and left the rind in carving up the county.

Don't want to spin our wheels with this effort.

The devil will be in the details in this project but it will need you to not get bogged down in things we don't really need to address for the problem.

How are we going to learn from the successes of the previous studies?

Don't fix what isn't broken.

Someone should look at where the risk/exposure is.

We don't want to see this project as a delaying tactic for taking action on other initiatives. We don't want recommendations that nothing happens with. Nonetheless, we do remain somewhat optimistic about the project.

Need Tourist \$ to address tourist impacts.

State lands comprise 48% of the district yet produce no revenue for district.

We don't get any taxes from a newly approved high risk development.

Need to connect with South Mendocino Fire as a part of this project.

Background and TB tests take a long time and are problem for volunteers from remote rural areas.

What are the impacts of this project to the cities?

Will this impact existing projects going on with cities?

Why this project and why now?

What does consensus mean?

The dry period funding changes of the past year were not efficient, effective, or friendly to districts.

Concerns raised about areas with small amounts of voters losing money to areas with larger numbers of voters.

Question raised about how we can effectively engage Napa and Mendocino Counties as a part of this project.

In some county border areas, the residents on each side of the border rely heavily on each other's local agency to provide services. Far more heavily than the reliance on any other agency in their respective counties so important to recognize this aspect and include in the project considerations.

How will it affect ambulance providers?

Lots of questions regarding budget of County Fire and Department of Fire and Emergency Services.

Questions about why is the County helping out Cloverdale.

Questions about the current status of the Zone 6 project.

Concerns about the big cars and high salaries of County Fire and leaving the Volunteers without enough money.

Concerns that if any consolidations occur, they should be run by anybody but County Fire.

Suggestion that training be provided by agencies who are doing well to those agencies who are not doing so well in that aspect.

While budget has been static for many years, a need is seen in about 5 years to ask voters for more money.

Suggestion to quantify how much time is provided by volunteers on top of their paying jobs.

An observation that there are two mindsets that may be prevalent in the county: those who volunteer and those who are paid and go home after their shift.

There was a suggestion to capture how much time is provided in Admin for everyone doing things like fund raising, accounting, non-response operations and maintenance, etc.

There was an observation that many services are provided, added value, in helping the community (caring for livestock after incident was example) beyond just response.

There was a suggestion that longevity may help identify operations that are successful in one of more key aspects and should be investigated further as to what those aspects are and how they can be shared.

Concern that County fire is too top heavy with more managers than needed.

Suggestion that there should be one countywide fire department.

Suggestion that a zone model of several regional agencies should be looked at as another alternative.

A concern raised that inviting more people than have interest to be involved in the project will dilute the effort.

A concern was raised about the difficulty in managing personal agendas while working through the project.

There was a concern raised about the county having preconceived outcomes intended for this project.

Prior studies should be required reading for the advisory committee.

How can we account for community value?

How can we address what would have happened if we had not been able to get there when we did (first response)?

There was a suggestion to talk with Abermarle County in Virginia to learn from their experiences.

Should look at opportunities to purchase services from the County.

Should use prior studies to focus the discussion.

One size is not going to fit all.

CalFire is a partner to all, protecting 800,000 acres in the county with wildland fire risk.

Concern about running into union related issues such as callback vs closest resource.

Concern about some of the financial difficulties as a result of overspending (e.g. more expensive fire stations than should be)

Concern that unions and municipalities shouldn't have the same say as other stakeholders.

Community meetings were held in:

Bodega, Geyserville, Schell-Vista, Wilmar, Timber Cove, Sea Ranch, Windsor, Forestville, Kenwood, Monte Rio, Cloverdale.

Additional Presentations and discussions held with individual agencies included:

Monte Rio Fire Protection District, Forestville Fire Protection District, Glen Ellen Fire Protection District, Bennett Valley Fire Protection District, Graton Fire Protection District, Bodega Bay Fire Protection District, Bodega Volunteer Fire Company, Geyserville Fire Protection District, Wilmar Volunteer Fire Company, Knights Valley Volunteer Fire Company, San Antonio Volunteer Fire Company, Central Fire Authority of Sonoma County, Occidental Community Services District, Rancho Adobe Fire Protection District, Two Rock Volunteer Fire Company, Coast Life Support District, Annapolis Volunteer Fire Company, Timber Cove Fire Protection District, Sea Ranch Volunteer Fire Company, Camp Meeker

Volunteer Fire Company, Lakeville Volunteer Fire Company, Fort Ross Volunteer Fire Company, Russian River Fire Protection District, Cloverdale Fire Protection District, Cloverdale Healthcare District, Valley Ford Volunteer Fire Company, Bloomfield Volunteer Fire Company, Cazadero Community Services District, Roseland Fire Protection District, Mayacamas Volunteer Fire Company, Sonoma Valley Fire and Rescue Authority, Kenwood Fire Protection District, Mountain Volunteer Fire Company, and City of Santa Rosa.

Additional presentations and discussions held with associations or other stakeholder groups included:

City Managers Association, Sonoma County Fire Chiefs Association, Sonoma County Volunteer Fire Companies Association (at Wilmar), Sonoma County Fire Districts Association (at Gold Ridge Fire Protection District), Emergency Medical Care Council, and LAFCO.



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: Board of Supervisors of Sonoma County

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Department of Health Services

Staff Name and Phone Number:

Rita Scardaci, 565-7876

Supervisorial District(s):

Countywide

Title: Health Action Committee for Healthcare Improvement Consultant Agreement

Recommended Actions:

Authorize the Director of Health Services to execute an agreement with Terry Leach to provide consulting and facilitation services for the Department of Health Services, for the period November 1, 2014 through June 30, 2016, in an amount not to exceed \$50,000.

Executive Summary:

This item requests approval of an agreement with Terry Leach, former Director of the University of California Center for Health Policy Innovation, to provide consulting and facilitation services to the Department of Health Services in support of strategic efforts, for the period November 1, 2014 through June 30, 2016, in an amount not to exceed \$50,000. Services include supporting strategic efforts of the Committee for Healthcare Improvement, a Health Action subcommittee focused on the priority area of health system improvement, as outlined in the Health Action: Action Plan (2013-2016).

Health Action is a partnership of local leaders, organizations, and individuals committed to creating a healthier community through collective action. Health Action, which was convened by the Department of Health Services in 2007, establishes our collective community vision to be the healthiest county in California. To this end, the Health Action Council established ten broad goal areas, with particular attention to key priorities identified in the Health Action: Action Plan (2013-2016): economic security, educational attainment, and health system improvement.

The Health Action Committee for Healthcare Improvement (CHI) is a cross-sector partnership of clinical and community health leaders which aims to align and leverage support for system-wide improvement in health outcomes. In May 2014, the Health Action CHI voted to develop a countywide project to reduce heart attacks and strokes in Sonoma County by bringing stakeholders together with the common aim of standardizing guidelines for screening and treatment of hypertension. This strategic effort is aligned with the national Health and Human Services "Million Hearts" campaign that aims to prevent a million heart attacks and strokes nationally by 2017. The Million Hearts campaign was selected by the Health Action CHI because of its potential impact. Cardiovascular disease accounts for more than 30

percent of deaths in Sonoma County and cardiovascular disease risk reduction is a recommended priority of the 2013-2016 Sonoma County Health Needs Assessment. While estimates vary, the success of this initiative may prevent many hundreds of deaths and disabilities in Sonoma County, and correspondingly millions of dollars in direct medical costs and economic impact locally. The local initiative of Health Action’s CHI will include efforts related to smoking prevention and cessation to address the significant negative impact of tobacco on cardiovascular health and the alarming findings in *A Portrait of Sonoma County* that indicate an increase in youth smoking in our communities.

In August of this year, DHS released a Request for Qualifications (RFQ) for the purpose of identifying qualified organizations and consultants to provide facilitation services required to support the Department’s mission to promote and protect the health and well-being of the community and vision to be the healthiest county in California by 2020. The RFQ was posted on the General Services and DHS websites and sent by email to 54 vendors. The submissions received in response to the RFQ were reviewed and scored by a review committee consisting of Department staff representing each of the functional divisions within the Department. The RFQ submissions were scored based on the following: 1) years of experience related to facilitation services, 2) education and certification related to facilitation services, 3) quality of the examples included with the submission, 4) experience with agencies similar to the County, 5) overall impression, and 6) local vendor preference. Of the 31 vendors who responded, 27 were deemed qualified to provide facilitation services to the County and have been included on a list of organizations and consultants from which the County may contract with as needed. Terry Leach is included on the approved vendor list.

Terry Leach has in the past successfully provided consulting services to the Department, utilizing skills and expertise not currently available with Department staff. With Terry’s successful, hands-on expertise in convening and facilitating healthy systems collaboration, she has been instrumental in establishing a strong foundation for the Countywide Million Hearts Initiative and in providing facilitation support to Health Action’s CHI. In addition, Terry’s professional network and knowledge about statewide and national healthcare improvement efforts are relevant to the mission and goals of Health Action and critical to the strategic direction of the Department. Based on past work and relevant experience and skills as detailed in her RFQ response, the Department desires to execute a consulting services agreement with Terry Leach.

Prior Board Actions:

None

Strategic Plan Alignment Goal 3: Invest in the Future

The work to support the Committee for Healthcare Improvement represents upstream investment in preventive healthcare as well as in systems change to save money in the long-term through achieving the “Triple Aim” of higher quality care, healthier residents, and lower costs. In addition, the work performed by CHI, which is supported through this agreement, serves to optimize health care delivery systems, a necessary facet of improving health equity for all. As stated in *A Portrait of Sonoma County*, the Committee for Healthcare Improvement assesses local data to identify issues across a spectrum of areas that affect health and recommends specific actions to improve health.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 25,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 25,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 25,000	Total Sources	\$ 25,000
Narrative Explanation of Fiscal Impacts (If Required):			
The FY 14-15 budget includes \$25,000 of Intergovernmental Transfer (IGT) funding for this agreement. The additional \$25,000 will be included in the FY 15-16 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:			
Services agreement with Terry Leach.			
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: 15
(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: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Ric Giardina (707) 565-3145

Supervisorial District(s):

All

Title: Training Vendor Agreements

Recommended Actions:

Authorize the Director of Human Resources to execute agreements with ten selected training firms, in amounts not to exceed \$45,000 per agreement, per annum, for three-year terms.

Executive Summary:

The requested Board action authorizes the Human Resources Director to execute agreements for training and development services with 10 firms that were selected through a Request for Proposals (RFP) process conducted in July and August 2014.

Background:

The Human Resources Department (HR) through its Workforce Development Division is responsible for providing training to all County departments and agencies. This fiscal year Workforce Development launched the first County-wide training program since County-wide training was eliminated in Fiscal Year 2010-2011 using in-house training resources almost exclusively. However, to fully implement a robust County-wide training program, additional training resources are necessary to expand the course offerings into areas in which Workforce Development trainers either do not have capacity or the level of expertise and/or experience necessary to provide world-class training experiences.

Examples of subjects where augmentation of in-house training services are needed include:

- Emotional Intelligence, Becoming a Trusted Leader, and Values-Driven Leadership;
- Critical Thinking, Problem Solving, and Collaboration Skills;

- Cultivating Humor in the Workplace, Stress Resilience, Effective Listening Skills;
- Computer programs such as Word, Excel, and PowerPoint;
- Other training programs as may later be identified.

To ensure an appropriate level of expertise, that the broadest training curriculum is made available to County employees, and to meet a desire to provide an efficient and cost effective manner to contract for these services, Staff recommends the establishment of service agreements with a pool of pre-approved training vendors capable of providing a variety of courses.

Balancing the objectives of the best training services at most competitive rates and resource availability, Human Resources issued a Request for Proposals (RFP) on July 9, 2013, after identifying firms likely to have the requisite expertise. The RFP was circulated to sixty (60) firms both inside and outside Sonoma County. Twenty-one (21) proposals were received and a comprehensive evaluation was conducted involving representatives of the Water Agency, Probation Department, and HR.

As a result of the selection process, HR recommends the County execute agreements, administered by the Human Resources Department with the following ten firms. They were evaluated to be the best qualified to meet the anticipated training needs of the County:

- Dr. B.J. Bischoff, DBA Bischoff Performance Improvement Consulting
- Cassel Consulting Group
- CPS HR Consulting
- Elevate USA, Inc.
- Enid Berman, DBA E.S.B. Management
- Kristie Oxford DBA Oxford Computer Specialists
- Liebert Cassidy Whitmore
- Nelson Communications
- Public Sector Excellence
- Simma Lieberman Associates

The curricula that HR will be developing with these vendors will be coordinated with the Information Systems Department (ISD) to include courses in computer software training such as for Microsoft Office products, Adobe Acrobat, and the like at various user levels. ISD does not provide this training to County departments as these functions were also eliminated in prior years. ISD agrees that a coordinated approach to workforce development that allows departments to be able to access a pool of qualified software training specialists along with other topic areas will complement technical support functions provided by ISD.

These training vendors can also be utilized by individual departments for courses specific to their needs under the proposed agreements, as recommended by HR.

Fees range from \$750 to \$3,300 per full day class depending on the level of expertise of the individual provider and the area of specialty.

It is recommended that individual agreements with each of the selected vendors provide for up to \$45,000 per annum maximum. While the potential total of the cost of these agreements appears to be greater than the Budgeted Amount indicated below, the agreement amounts were determined based on providing the maximum flexibility for each vendor and to permit HR to refer vendors to individual departments for intact training to be paid from departmental budgets. HR will track and manage the aggregate cost of services to ensure that the Budgeted Amount is not exceeded. These agreements are all fee-for-service contracts with no minimum amount of work guaranteed to any firm. With the establishment of a pool of qualified training and development vendors, HR's capacity to support the training needs of the County workforce consistent with the goal of developing and maintaining the County as a High Performing Organization (HPO).

Prior Board Actions:

Not Applicable

Strategic Plan Alignment Goal 3: Invest in the Future

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 110,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 110,000	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

The amount above is already budgeted for training expenses. At this time, no additional appropriations are being requested. Additionally, any direct use of these training providers by County departments will be expended from amounts previously budgeted for individual departmental training expenses.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):
Not Applicable.
Attachments:
None.
Related Items "On File" with the Clerk of the Board:
Sample Agreement for County of Sonoma Workforce Development Training Professionals – RFP 2014



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: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Information Systems Department

Staff Name and Phone Number:

Susan Scott (707) 565-3389

Supervisorial District(s):

Countywide

Title: Information Technology Equipment Maintenance

Recommended Actions:

1. Authorize the Information Systems Department Director to sign an agreement with Signature Technology Group for information technology equipment maintenance for period of January 24, 2015 through January 30, 2018 for an amount not to exceed \$360,000.
2. Authorize the Information Systems Department Director to execute minor changes to the agreement which do not increase the amount of payment under the agreement by more than \$25,000 from the original amount.

Executive Summary:

The Information Systems Department (ISD) is responsible for supporting peripheral equipment located in the various County departments. The Department supports over 450 printers of various types and capacities, over 150 uninterruptible power supply (UPS) devices in County data closets to protect data and communications functionality during power outages, and a significant number of scanning devices associated with the new Electronic Document Management System (EDMS) and the Enterprise Financial System (EFS) implementations. Rather than increase staffing and warehousing costs to support this equipment, ISD has found that it is more cost-effective and efficient to provide support for these devices through the use of an outside contractor. Such support services include readily available specialized technicians, as well as the warehousing and provision of parts.

The Department conducted a Request for Proposals (RFP) process in June of 2014 to solicit proposals for maintenance services for Printers, UPSs and peripheral devices. Five vendors responded to the RFP; two were disqualified for not meeting minimum requirements. The remaining three proposals were evaluated by a team of staff from ISD and the Department of Health Services, one of the biggest consumers of this service. The criteria for evaluating proposals included cost of services, ability of vendor to service existing equipment, and vendors' quality control, staff screening and management procedures. Signature Technology Group, Inc., the company that is currently providing these services,

scored the highest in the evaluation process.

The proposed Agreement with Signature Technology Group is for three years, with an option for two one-year extensions. The current scope of work includes printer and UPS maintenance with provisions to add additional equipment such as scanners, once devices are out of warranty. The Agreement has a provision for the Information Systems Director to approve changes to the scope of work and additional costs up to no more than \$25,000 over the original contract amount. The total Agreement is for \$120,000 per year, not to exceed \$360,000 over a three year period. These costs include all non-consumable printer parts and UPS replacement batteries.

Prior Board Actions:

January 14, 2014 – Approved a one year extension of the Agreement with Signature Technology Group for Printer Maintenance and a one year extension of the Agreement with Signature Technology for data center equipment maintenance.
 February 1, 2011 - Approved a three year Agreement with Signature Technology Group for data center equipment maintenance.
 January 25, 2011 - Approved a three year Agreement with Signature Technology Group for printer maintenance.
 January 18, 2008 - Approved a three year Agreement with Signature Technology Group for printer maintenance.
 January 18, 2001 - Approved a three year Agreement with Signature Technology Group for printer maintenance. Approved subsequent amendments to extend this contract.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 120,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 120,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 120,000	Total Sources	\$ 120,000

Narrative Explanation of Fiscal Impacts (If Required):

Cost recovery for the expense is incorporated into the Information Systems and Telephone billing rates.

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:			
None			
Related Items “On File” with the Clerk of the Board:			
Service Agreement with Signature Technology Group, Inc.			



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

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Traci Tesconi 565-1903

Supervisorial District(s):

Fourth

Title: Covenant and Restriction; Douglas A. Rafanelli Revocable Trust, LLA11-0046.

Recommended Actions:

Authorize the Chair of the Board of Supervisors to execute a Covenant and Restriction not allowing new occupied structures until a suitable sewage disposal system has been demonstrated as a requirement of a previously approved Lot Line Adjustment on property located at 3560 Wine Creek Road, Healdsburg; APN 090-130-018.

Executive Summary:

Background:

On February 12, 2013, the Board of Supervisors approved a Lot Line Adjustment (LLA11-0046) between two parcels 35.45 acres (Lot A) and 41.9 acres (Lot B) resulting in two parcels 37.2 acres (Lot A) and 40.1 acres (Lot B) in size. Because both parcels are under Land Conservation Act contracts (Williamson Act contracts), the Lot Line Adjustment had to be approved by the Board under Section 51257 of the Government Code.

The purpose of the Lot Line Adjustment was to satisfy a Court Settlement Agreement filed on December 12, 2011, whereas 1.80 acres of Lot B (Doug Rafanelli) is to be transferred to Lot A (A. Rafanelli Winery). Years ago vineyard was planted on the 1.8 acres because at the time it was thought to be part of the existing commercial vineyard and winery operation. The winery is now under fourth generation of being family owned and operated. Lot A contains an existing winery facility, a detached office, two residences, and an agricultural building. Lot B is undeveloped and contains a large grove of mixed woodlands and 3.5 acres of vineyard. Lot B does not contain any structures.

Lot Line Conditions of Approval:

The Conditions of Approval (Health) for the Lot Line Adjustment (LLA11-0046) required on Lot B that evidence of soils suitable for subsurface sewage disposal system for at least a one- bedroom system be provided to the Well and Septic Section of PRMD, prior to recording the Lot Line Adjustment grant deed. This was required because there is no residence on Lot B and the parcel s being reduced in size (1.80

acres) from 41.9 acres to 40.1 acres as a result of the Lot Line Adjustment. To ensure the Lot Line Adjustment does not result in an undevelopable lot, proof that the subject parcel can support at least a one-bedroom septic system was required.

On June 8, 2013, PRMD received a letter from a local Registered Civil Engineer (Atterbury & Associates) stating that in an effort to satisfy conditions, their office exhausted all efforts to find suitable soils for a potential septic system on Lot B of LLA11-0046 and in their opinion the parcel does not possess adequate soil deposit for a one bedroom dwelling.

Covenant and Restriction Document:

Recognizing that the Lot Line Adjustment was a requirement to satisfy a Court Settlement Agreement between the two private property owners, and under the advice of the Office of County Counsel, PRMD staff determined that the Covenant and Restriction could be done in place of finding suitable septic system on the subject property. The County was not a part to this litigation, but is supporting successful implementation of the settlement agreement with this action.

Under the Covenant and Restriction document, the “Covenantor” (property owner) hereby agrees that no new occupied structures shall be allowed on the subject parcel unless and until it is demonstrated that County requirements can be met for a suitable sewage disposal system to serve the subject parcel. The property owner agreed to the terms of the Covenant and Restriction by signing the document on July 14, 2014. The Covenant and its restrictions shall run with the land and shall be binding to any future owner. The Covenant and Restriction document will be recorded against the subject property for disclosure in future title reports. By the Board executing the Covenant and Restriction, it will allow the Grant Deed of the Lot Line Adjustment to be approved

Staff Recommendation:

Staff recommends the Board find that the requirement to record the Covenant and Restriction on the subject parcel in lieu of demonstrating a suitable sewage disposal system is in substantial conformance with the Conditions of Approval for the previously approved Lot Line Adjustment (LLA11-0046). Staff also recommends authorizing the Chair to execute the Covenant and Restriction prior to it being recorded by the Clerk of the Board.

Prior Board Actions:

On February 26, 2013, the Board of Supervisors approved the Lot Line Adjustment (LLA11-0046) between two parcels under separate Land Conservation contracts (Williamson Act contracts).

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):			
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:			
Exhibit A: Lot Line Adjustment Final Conditions of Approval, dated February 26, 2013 Exhibit B: Letter from Atterbury & Associates, dated June 8, 2013			
Related Items "On File" with the Clerk of the Board:			
Original Covenant and Restriction			

SONOMA COUNTY BOARD OF SUPERVISORS

Conditions of Approval

Time: 8:30 a.m. **Date:** February 26, 2013
Staff: Traci Tesconi **File No.:** LLA11-0046
Owner 1: A. Rafanelli Winery and Vineyards LP **APN:** 090-120-028 and 090-130-018
Owner 2: Douglas Rafanelli
Address: 4865 W. Dry Creek Road, Healdsburg

Project Description: Request for a minor Lot Line Adjustment between two parcels of 35.45 acres and 41.9 acres in size resulting in two parcels of 37.2 acres and 40.1 acres in size with both parcels being subject to Williamson Act contracts.

NOTE: Amendments and changes to approved Lot Line Adjustment conditions may be considered by the Board of Supervisors at a later date if additional information justifies the changes and does not increase the intensity of use approved by the original approval. The Director of the Permit and Resource Management Department will determine if a public hearing is necessary and if additional fees are required.

NOTE: These conditions must be met and the application validated within 24 months (September 11, 2014) unless a request for an extension of time is received before the expiration date.

HEALTH

SEPTIC:

1. On the proposed Lot B, evidence of soils suitable for subsurface sewage disposal system for at least a one- bedroom system shall be provided to the Well and Septic Section. This will include, but not be limited to, soil profiles and percolation tests done in accordance with current standards of the Well and Septic Section of PRMD. The work must be certified by a State Registered Civil Engineer, Environmental Health Specialist or Geologist and refer to this Lot Line Adjustment number. This demonstration may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate primary and reserve area is available.
2. Provide by means of a (topographic) Plot Plan drawn to a 1"=20' scale, that the existing Lot B contains sufficient area to accommodate a one-bedroom private sewage disposal system and a 200% unencumbered future reserve area. The plan shall include the location of any existing and potential domestic well site(s). Location of neighboring wells and septic systems within 150 feet of the proposed lots shall be shown, as well as existing and proposed driveways, grading cuts, and drainage ways. The plan is to be prepared by a registered Civil Engineer or Environmental Health Specialist. This demonstration may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate primary and reserve area is available.
3. If the water well on Lot B drilled under permit number WEL98-0264 is being adjusted to Lot A, then a replacement water well or an easement and water covenant is required.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

4. Submit verification to Planning that taxes and/or assessments, which are a lien and termed as payable, are paid to the Treasurer-Tax Collector's Department on all parcels affected by the adjustment. The Treasurer-Tax Collector knows the amount of the tax due.

5. A draft description, prepared by a licensed land surveyor or civil engineer authorized to practice land surveying, showing the combination of lots or transfer of property shall be submitted to the County Surveyor for approval. The following note shall be placed on the deed or deeds. "The purpose of this deed is for a Lot Line Adjustment for the combination of a portion (1.80 acres) of the Lands of Douglas Rafanelli as described by deed recorded under Document No. 1993-0129160, Sonoma County Records, (APN 090-130-018)with the Lands of A. Rafanelli Winery and Vineyards as described by deed recorded under Document No. 2004-192587, Sonoma County Records, (APN 090-120-028) pursuant to LLA11-0046 on file in the office of the Sonoma County Permit and Resource Management Department. It is the express intent of the signators hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels." It is the responsibility of the surveyor/engineer preparing the deeds to insure that the information contained within the combination note is correct. Note: The County Surveyor may modify the above described note.
6. After approval by the County Surveyor, a grant deed or deeds shall be prepared and submitted to the Planning Division for approval prior to recording. An approval stamp will be placed on the face of the grant deed or deeds.
7. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."
8. After approval by Planning, the grant deed shall be recorded and a copy of the deed shall be submitted to the Permit and Resource Management Department.
9. The property owner(s) shall execute a Right-to-Farm Declaration on a form provided by PRMD to be submitted before the Lot Line Adjustment is cleared by PRMD for recordation. The Right-to-Farm Declaration shall be recorded concurrently with the PRMD approved lot line adjustment grant deed(s) to reflect the newly configured parcels.
10. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owners shall submit two separate applications and applicable filing fees for Lot A and Lot B to rescind and replace the two existing Williamson Act contract with two, new Williamson Act contracts with Lot A under a prime-Type I contract, and Lot B under a non-prime, open space Type II contract, or similar contract. The request must also include modifying the two Agricultural Preserve Areas (2-479 and 1-291) by removing 1.80 acres from 2-479 and adding 1.80 acres to 1- 291. This is required in order for the contracts to reflect the new legal descriptions for Lot A and Lot B as a result of the Lot Line Adjustment.
11. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owner of resultant Lot A shall submit a General Plan Amendment and Zone Change application with the applicable filing fees (i.e. Condition of Approval fees) in order to eliminate the split zoning designation on the parcel as a result of the Lot Line Adjustment. The 1.80 acre area transferred from Lot B to Lot A must be re-designated from RRD 40 to LIA 20 and rezoned from RRD B6 40 acre density, SR to LIA B6 20 acre density, Z, SR, VOH in order to eliminate the split zoning on resultant Lot A as a result of the Lot Line Adjustment.
12. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."

ATTERBURY & ASSOCIATES, INC.
Consulting Civil Engineers – Land Planners

June 8, 2013
Jn. 13-02

Traci Tesconi
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: One Bedroom Percolation Test – A. Rafanelli Winery
4685 West Dry Creek Road Healdsburg, CA 95448
Reference: Conditions of Approval - LLA11-0046

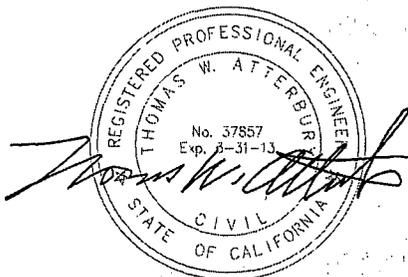
Dear Traci,

This office was retained in early January of this year to prospect for suitable soils which potentially could support a 1 bedroom dwelling's septic system. All prospecting occurred on 3560 Wine Creek Road, APN. 090-130-018, or Lot B as referenced in LLA11-0046.

Potential areas conforming to Sonoma County regulations for suitable soil and septic disposal were thoroughly prospected for soil depth and soil texture. Those efforts were thoroughly exhausted.

Based on the extent of the above prospecting, it is my opinion this parcel does not possess an adequate soil deposit for a one bedroom dwelling.

Sincerely,



Thomas W. Atterbury, RCE

Cc: David Meeker, Attorney
David Rafanelli

16109 Healdsburg Avenue, Suite D
Healdsburg, CA 95448-7060
Phone: 707-433-0134; Fax: 707-433-0135; tatterbury@aol.com

EXHIBIT B



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: Board of Supervisors

Board Agenda Date: November 25, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Traci Tesconi 565-1903

Supervisorial District(s):

Fifth

Title: Land Conservation Act Contract Replacement; Yarak; AGP13-0027.

Recommended Actions:

Adopt a Resolution authorizing the Chair of the Board of Supervisors to execute a replacement Land Conservation Act (Williamson Act) Contract for 26.9 acres requested by William P. and Margaret S. Yarak; 201 Jonive Road, Sebastopol; APN 080-210-021.

Executive Summary:

Action Requested of the Board of Supervisors: Sonoma County's Land Conservation Act program has three contract-types available: Prime, Non-Prime, and Open Space contracts, which have minimum parcel size requirements of 10 acres or 40 acres, respectively. A property owner can file an application to replace the original contract, which is recommended when the parcel is no longer in compliance with its original contract and may qualify for another type of contract. The property owners have requested to replace the original Non Prime contract with a new Prime contract to bring the parcel into conformance with the Land Conservation Act program. The subject parcel meets the 10 acre minimum parcel size requirement and is planted in vineyard which is consistent with the Prime contract qualifications. Your Board is requested to adopt a Resolution to rescind the existing Non-Prime contract and replace it with a new Prime contract for the 26.90 acre parcel within Agricultural Preserve 2-353 and authorize the Chair to execute the replacement Land Conservation Act Contract and attached Land Conservation Plan.

Location, Zoning and Project Description: The project site is located on Jonive Road in the Sebastopol. The project site is 26.90 acres with an existing single family residence, a barn, a workshop, two pump houses (wells), a fresh-water irrigation pond, and 13.45 of existing vineyard. The property owner intends to plant an additional 5 acres of vineyard within three years. The parcel is zoned Diverse Agriculture (DA) with a 20 acre density and combined zones of Z (Second Unit Exclusion) and SR (Scenic Resources).

Background: The original land was first placed under a Land Conservation Act Contract in 1976. In 1986,

the original land was subdivided into two parcels, with the subject parcel (26.90 acres) being Lot 1 of Parcel Map 86-540. The original Non-Prime contract remained on the two newly created parcels. Under the current Uniform Rules for Agricultural Preserves, even in a multi-parcel contract, a legal separate parcel must individually meet the contract requirements. In 2013, PRMD notified the property owner that the County would be initiating phase out of the original contract (Notice of Non-Renewal), but that the parcel appears to qualify for a Prime contract. An application was filed for a replacement contract in a timely manner and the County withdrew its Notice of Non-Renewal.

As part of the Board of Supervisors' December 2011 update of the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* ("Uniform Rules") the Board eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The subject land at issue here is within an established Preserve (2-353).

Also as part of the update of the Uniform Rules, the County has implemented use of a Land Conservation Plan which is attached to and incorporated into a Land Conservation Act Contract. The Land Conservation Plans show locations of various agricultural, open space, permitted, and compatible land uses on contracted land. Future changes to the Land Conservation Plan may be approved by the Director of PRMD and recorded on title of the subject parcel.

The subject parcel qualifies for a Land Conservation Act Contract for prime agricultural land for the following reasons:

- a) Land is within an Agricultural Preserve: The parcel is currently located within an Agricultural Preserve 2-353. No expansion of the existing Agricultural Preserve is necessary.
- b) Prime farmland: A contract for a parcel under 40 acres in size must be on designated prime farmland. Prime agricultural land is defined as land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years (permanent crop) and meet the minimum income requirements. The parcel contains 13.45 acres of existing vineyard with another 5 acres of vineyard to be planted in three years, and woodland areas. The vineyard is comprised of Chardonnay and Pinot Noir grapes which for more than five years has exceeded the \$1,000.00 gross per acre income required for a Prime contract. The parcel's agricultural commodity (vineyard) meets the definition of prime agricultural land.
- c) Minimum Parcel Size: The land must be at least 10 acres in size for a Prime Land Conservation Act contract. The 26.90 acre parcel exceeds the 10-acre minimum parcel size for a new Prime Land Conservation Act Contract.
- d) Agricultural Use of the Land: The land must be devoted to an agricultural use. The 26.90 acre parcel has 13.45 acres of existing vineyard with another 5 acres of vineyard to be planted in three years. With 50% of the parcel being planted in vineyard, the land meets the criteria and considered devoted to an agricultural use.
- e) Non-Agricultural Compatible Uses: Non-accessory agricultural uses and structures of the land are

considered compatible uses in the Uniform Rules. Such uses are listed as “compatible uses” in Uniform Rule 8.3. Compatible uses must be limited to 5 acres or 15% of the total acreage, whichever is less. Here the 15% standard applies which calculates to 4 acres. The single family residence with landscape and parking areas are the only compatible use on the site. Whereas, the barn, workshop, two pump houses (wells), a fresh-water irrigation pond are considered accessory agricultural structures because they serve the vineyard. The compatible use occupies approximately 2 acres which is within the allowable area for compatible uses.

f) Minimum Income Requirement: For vineyard land, the minimum income requirement is \$1,000.00 per acre gross annual income. The vineyard operation generates an income ranging from \$7,302.00 to \$12,370.00 per acre gross annual income between the years of 2008 and 2012.

g) Single Legal Parcel Requirement: The land proposed for the contract is comprised of a single legal parcel created as Lot 1 of Parcel Map 86-540.

Staff Recommendation: Staff recommends the Board of Supervisors approve the request because all of the state and local requirements for a Prime Land Conservation Act Contract for the 26.90 acre parcel within the existing Agricultural Preserve have been met.

Prior Board Actions:

On December 13, 2011, the Board approved the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Resolution No. 11-0678). In addition, this Board of Supervisors Resolution authorized PRMD to non-renew substandard sized parcels unless a replacement contract is obtained.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Land Conservation Act Contracts support agriculture and agribusiness by assisting in the preservation of agricultural land through the incentive of reduced property taxes in exchange for retaining the land in agricultural production.

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):

Approval of the replacement Land Conservation Act Contract means that the owner will continue to pay a reduced property tax assessment based upon the value of the agricultural uses rather than the land value under Proposition 13. This results in a reduction in the County’s share of property tax revenue for each parcel under a Land Conservation Act Contract. The amount of this reduction for an individual contract depends on parcel-specific variables including the Proposition 13 status of the land and the value of the agricultural crop, and is determined annually by the Assessor’s office. The Board has not requested, and staff does not recommend, evaluating property tax revenue implications on a contract-by-contract basis. Instead, the Board has directed that, as a policy matter, approving new contracts is important to the County’s agricultural economy and outweighs the cost in reduced property tax revenue.

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

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

Land Conservation Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).



County of Sonoma
State of California

Date: November 25, 2014

Item Number: _____

Resolution Number: _____

AGP13-0027 Traci Tesconi

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request By William P. And Margaret S. Yarak To Rescind And Replace An Existing Land Conservation Contract (Book 3038, Page 661) For 26.9 Acres And Authorize The Chair Of The Board Of Supervisors To Sign A New Prime Land Conservation Contract For Vineyards With A Prime Land Conservation Plan On Property Located At 201 Jonive Road, Sebastopol; APN 080-210-021.

Whereas, a request has been made by William P. and Margaret S. Yarak to (1) Approve the replacement Land Conservation Contract (Williamson Act Contract) and attached Land Conservation Plan, and (2) Execute those documents, for property located at 201 Jonive Road, Sebastopol; APN 080-210-021, Supervisorial District No. 5; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules)* (Resolution No. 11-0678); and

Whereas, on June 12, 2012, the Board of Supervisors authorized the acceptance of applications for new Land Conservation Contracts; and

Whereas, consistent with the *Uniform Rules*, County Counsel has revised the Land Conservation Contract form, which now incorporates a Land Conservation Plan identifying the various uses of the contracted land. Future changes to identified land uses require amendment of the Land Conservation Plan. The Board, pursuant to Resolution No. 11-0678, has authorized the Director of PRMD to approve amendments to executed Land Conservation Plans; and

Whereas, in accordance with the provisions of law, the Board held a public hearing on October 14, 2014, at which time all interested persons were given an opportunity to be heard; and

Whereas, the Board of Supervisors finds that the 26.90 acre parcel within designated Agricultural Preserve 2-353, will meet all requirements for a Prime Land Conservation Contract.

Be It Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for a new Prime Land Conservation Contract ("Contract"):

Resolution #

Date: November 25, 2014

Page 2

1. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract is a single legal parcel, presently identified by APN 080-210-021, and
2. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract is located within a designated Agricultural Preserve (2-353) before the time the Contract is executed; and
3. The land proposed to be restricted by the Contract is 26.90 acres in size exceeding the 10 acre minimum parcel size requirement and contains a permanent crop consistent with the Prime Land Conservation Contract requirements under *Uniform Rule 4.2*; and
4. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract presently exceeds the minimum annual commercial agricultural income requirement of \$1,000.00 per acre gross for vineyard land under a Prime Land Conservation Contract; and
5. Consistent with *Uniform Rule 4.2*, the land is devoted to an agricultural use because over 10 acres is planted in a commercial vineyard, which is a prime agricultural uses; and
6. The parcel does contain compatible uses allowed under the Contract and consistent with the 15% area limitation of the total parcel size under *Uniform Rule 8.0*.

Be It Further Resolved, that the Board of Supervisors finds the requested action categorically exempt from the California Environmental Quality Act pursuant to Section 15317, Class 17 of Title 14 of the California Code of Regulations (CEQA Guidelines), which provides that executing a replacement Land Conservation Contract is exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request by William P. And Margaret S. Yarak by approving a new Prime Land Conservation contract and attached Land Conservation Plan to restrict the 26.90 acre parcel located at located at 201 Jonive Road, Sebastopol; APN 080-210-021.

Be It Further Resolved that the Board of Supervisors authorizes the Chair of the Board of Supervisors to execute the Land Conservation Contract and attached Land Conservation Plan.

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby instructed to record within 20 days, and no later than December 30, 2014, the Land Conservation Contract and attached Land Conservation Plan with the Office of the Sonoma County Recorder.

Resolution #

Date: November 25, 2014

Page 3

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, including the original executed Contract and Land Conservation Plan. 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.



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: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Scott Hunsperger 565-2404

Supervisorial District(s):

Second

Title: Grant Deed of Protective Easement; John Mattos Jr., John A. Mattos Jr., and Joni E. Mattos; LLA09-0039

Recommended Actions:

Authorize the Chair of the Board of Supervisors to execute acceptance of a Grant Deed of Protective Easement required as a condition of a previously approved Lot Line Adjustment for the John Mattos Jr., John A. Mattos Jr., and Joni E. Mattos located at 900, 804, and 680 Meacham Road, Petaluma; APN 022-020-011 and portions of 022-020-014 and -019.

Executive Summary:

The property owners, John Mattos Jr., John A. Mattos Jr., and Joni E. Mattos, have previously obtained approval for a Lot Line Adjustment amongst four parcels of 63.7 acres, 37.88 acres, 19.0 acres, and 0.94 acres in size resulting in four parcels of 114.9 acres, 2.0 acres, 2.5 acres, and 2.1 acres in size. The current zoning of all the parcels subject to the Lot Line Adjustment is LEA (Land Extensive Agriculture) 100-acre density which prohibits clustering of parcels unless a Protective Easement is recorded on the resulting large parcel. For this reason, a Condition of Approval for the Lot Line Adjustment requires that the 114.9-acre parcel record a Grant Deed of Protective Easement as specified by Section 26-06-030(b) of the Sonoma County Zoning Ordinance which states: *“Except on land subject to a Williamson Act contract, the minimum lot size for creation of new parcels shall be 1.5 acres, provided that it shall also meet the criteria of General Plan Policies AR-8c and AR-3b. In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcel(s) which indicates that density has been transferred to the clustered area.”*

The Grant Deed of Protective Easement will limit the use of the 114.9-acre remainder parcel to primarily agricultural and residential use, and prohibits further subdivision of the parcel. As stated in the Protective Easement on file with the Clerk of the Board, the property owner has agreed to *“refrain from doing any of the following acts upon the Protected Parcel: (a) Placing, erecting, or causing the placement or erection of any building, structure, or vehicle intended for human occupancy, except as follows: (1) Placing or erecting no more than one (1) single-family residential dwelling unit on the Protected Parcel;*

and (2) Placing or erecting agricultural employee housing, farm family housing, seasonal and year-round farmworker housing, and other similar residential structures on the Protected Parcel in accordance with the requirements of the Land Extensive Agriculture land use category and LEA zoning or such other agricultural or resource land use category and zoning district as may be applied by COUNTY to the Protected Parcel at some point in the future. (b) Doing or causing to be done any act which will materially change the general topography or the present natural form of the Protected Parcel, except in furtherance of the protective purpose of this Easement.”

Staff is recommending that the Chair of the Board of Supervisors sign the Protective Easement, which will allow the Lot Line Adjustment Deeds to record.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The recordation of the Grant Deed of Protective Easement will require that the 114.9 acre parcel to remain primarily in agricultural production and therefore not allow residential density exceeding what is allowed by the Sonoma County General Plan.

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):

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:

Exhibit A: Lot Line Adjustment Site Plan
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Exhibit B: Project Conditions of Approval dated December 10, 2009

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

Grant Deed of Protective Easement

EXHIBIT A

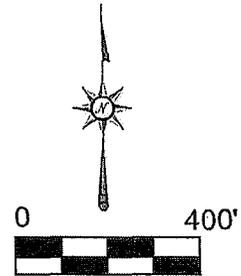
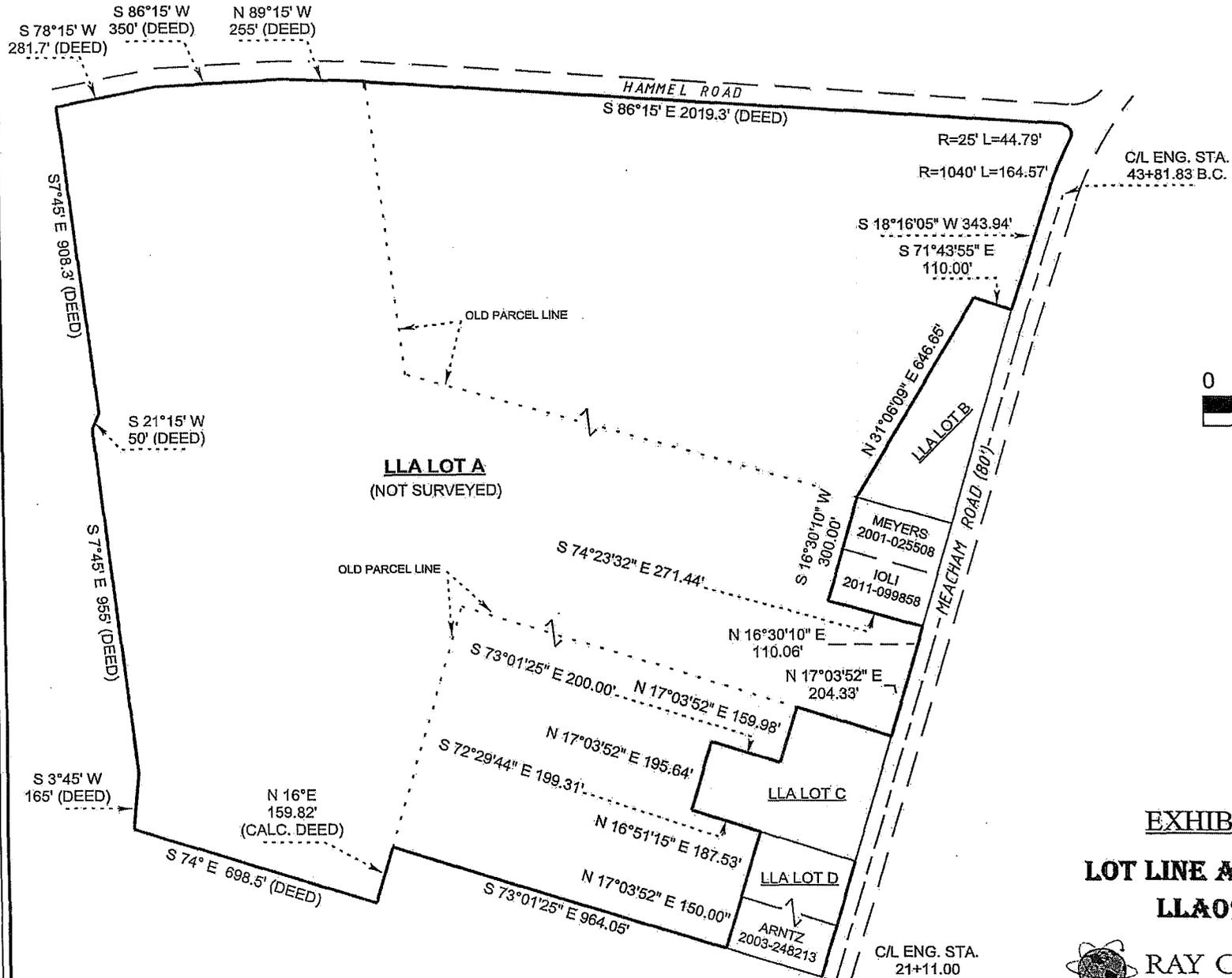


EXHIBIT PLAT
LOT LINE ADJUSTMENT
LLA09-0039

RAY CARLSON
AND ASSOCIATES, INC.
Mapping a Better World™

THE EXHIBIT IS FOR GRAPHIC PURPOSES ONLY.
ANY ERRORS OR OMISSIONS ON THIS EXHIBIT
SHALL NOT AFFECT THE DEED DESCRIPTION.

APN 022-020-011, 014 (ptn), 019 (ptn) JUNE 2013 JOB NO. 2008-057



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

December 10, 2009

John Mattos
602 Hammel Road
Petaluma, CA 94952

Re: File # LLA09-0039; 680, 804, and 900 Meacham Road, Petaluma

Your application for Lot Line Adjustment LLA09-0039 was approved on December 10, 2009. This approval will be complete once you have complied with measures (a) through (g) below. You have twenty four (24) months from the approval date to record the deed which finalizes this application. The 24 month period may be extended for one year by applying for an extension prior to the expiration date and payment of the applicable fees. If recordation is not completed or an extension of time is not applied for within 24 months, the lot line adjustment approval/application expires. This administrative determination is appealable within 10 calendar days of the date of this letter.

Again, you are advised that you must comply with the following measures before you may record the deed:

- (a) Submit verification to the Permit and Resource Management Department that taxes, which are a lien and termed as payable, are paid to the Treasurer/Tax Collector's Department on all parcels affected by the adjustment. The Treasurer/Tax Collector knows the amount of the tax due.
- (b) Submit a draft description of the parcel(s) being transferred to the County Surveyor for approval. The following note shall be placed on the deed or deeds: "The purpose of this deed is for a Lot Line Adjustment for the combination of a portion of the Lands of Mattos, as described by deed recorded under Document No. 2008-030438 Sonoma County Records, APN 022-020-020, with the Lands of Mattos, as described by deed recorded under Document No. 2008-107343 Sonoma County Records, APN 022-020-014, and with Lands of Mattos, as described by deed recorded under Document No. 2008-030435 Sonoma County Records, APN 022-020-019, and with Lands of Arntz, as described by deed recorded under Document No. 2003-248213 Sonoma County Records, APN 022-020-011. This deed is pursuant to LLA09-0039 on file in the office of the Sonoma County Permit and Resource Management Department. It is the express intent of the signators hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels." It is the responsibility of the surveyor/engineer preparing the deeds to insure that the information contained within the combination note is correct. Note: The County Surveyor may modify the above described note.
- (c) Deed of Trust agreements, which encumber only portions of accepted legal lots, are violations of the Subdivision Map Act; therefore, prior to Permit and Resource Management Department approval of the deed for recordation, the applicant shall submit either recorded documents or documents to be recorded concurrently with the lot line adjustment deeds, showing that any Deed of Trust agreements on the subject properties will conform with the adjusted lot boundaries.
- (d) After approval of the deed description by the County Surveyor, a grant deed or deeds shall be prepared and submitted to the Permit and Resource Management Department for approval prior to recording.

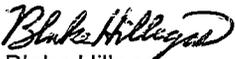
EXHIBIT B

- (e) A Site Plan Map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The Site Plan shall be subject to the review and approval of the County Surveyor. The following NOTE shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."
- (f) The adjusted Lots B and C shall each demonstrate acceptable septic system reserve area by one of the following methods:
- A. Revise Lots B and/or C so that they will retain sufficient septic system area tested under permits SEV06-1089 through 1091, as applicable.
- B. Conduct testing indicating that a permit for a standard or non-standard septic system reserve area meeting current requirements, excepting: A) wet weather testing requirements shall only be required when soil profiles indicate expansive clays or when soil mottling or groundwater is encountered from the surface to within a depth of two feet below the proposed trench or mound. Soil plasticity testing may be substituted for wet weather perc testing due to expansive clays as specified in the NCRWQCB Basin Plan; and B) leachfield sizing may be done by soil morphology as specified in the Septic System Repair Policy.
- C. Reserve area meeting Class I standards, including any required waivers and the use of best available technology. This option requires a deed restriction to be recorded on the title, committing the current and subsequent owners of the parcel to Class I septic system repairs on this parcel.
- (g) Prior to PRMD stamping the Lot Line Adjustment grant deed for approval and to be recorded, on Lot A, a Protective Easement shall be prepared in accordance with County Counsel approval, and recorded simultaneously with the Lot Line Adjustment grant deed. The Protective Easement shall contain language that stipulates that Lot A, shall not be subdivided to remain suitable for agricultural use.

Once you have accomplished the items above, the Permit and Resource Management Department will authorize you to record the deed. An approval stamp will be placed on the face of each grant deed. You will then be informed that the deed or deeds are ready for you take to the Recorder's Office for recordation.

After recordation, you must submit a conformed copy of the deed or deeds to the Permit and Resource Management Department. This will complete your application file. If you have any questions, please call me at 707-565-1392.

Sincerely,


Blake Hillegas
Project Planner

Enclosures

c: County Surveyor
File # LLA09-0039
Daniel and Amanda Arntz
Ray Carlson and Associates, Inc.



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: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Melinda Grosch 707-565-2397

Supervisorial District(s):

Fourth

Title: Land Conservation (Williamson) Act Contract Replacement; 6697 Westside Road, Healdsburg; AGP13-0012

Recommended Actions:

Adopt a Resolution authorizing the Chair of the Board of Supervisors to execute a replacement Land Conservation Act Contract for 33.63 +/- acres requested by Robert S. Hicks, Jr. for Flax Vineyards, LLC; 6677, 6695, and 6697 Westside Road, Healdsburg; APN 110-240-007.

Executive Summary:

Action Requested of the Board of Supervisors: Flax Vineyards, LLC seeks approval of a replacement Land Conservation Act Contract for prime agricultural land planted in vineyards. Staff requests the Board adopt a resolution to rescind an existing Non-Prime contract and replace it with a new Prime contract for a 33.63 +/- acre parcel within Agricultural Preserve 2-286 and authorize the Chair to execute the replacement Land Conservation Act Contract and attached Land Conservation Plan.

Location, Zoning and Project Description: The project site is located in the Healdsburg area at 6677, 6695, and 6697 Westside Road, Healdsburg. The project site is 33.36 +/- acres with a Single Family Dwelling, a Farm Family Dwelling, an Agricultural Employee Dwelling, water storage tanks, garage, barn and several storage buildings. The site is planted with 19.94 +/- acres of vineyard. The site is served by a private well and septic systems. The base zoning is LIA (Land Intensive Agriculture) 100 acres/dwelling unit with the following combining districts: Z (Second Unit Exclusion), SR (Scenic Resources), VOH (Valley Oak Habitat).

Background: The parcel was first placed under a Land Conservation Act Contract in 1969. The current owners conduct a vineyard operation which is considered a prime agricultural use and the soils are prime soils meeting the criteria for inclusion in the Land Conservation Act program. The 33.63 +/- acre subject parcel is less than 40 acres, the minimum size for a Non-Prime contract. In 2013, the Board of Supervisors initiated phase-out of undersized parcels and the subject parcel would have its Land Conservation Act Contract non-renewed. If the Board of Supervisors does not approve a replacement

contract, the property will phase out of the program over the next nine years.

As part of the Board of Supervisors' December 2011 update of the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules") the Board eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The subject land at issue here is within an established Preserve (2-286).

Also as part of the update of the Uniform Rules, the County has implemented use of a Land Conservation Plan which is attached to and incorporated into a Land Conservation Act Contract. The Land Conservation Plans show locations of various agricultural, open space, permitted, and compatible land uses on contracted land. Future changes to the Land Conservation Plan may be approved by the Director of PRMD and recorded on title of the subject parcel.

Replacement Prime Land Conservation Act Contract on land located within an existing Agricultural Preserve:

The Flax Vineyards, LLC parcel qualifies for a Land Conservation Act Contract for prime agricultural land for the following reasons:

- a) Land is within an Agricultural Preserve: The parcel is currently located within an Agricultural Preserve 2-286. No expansion of the existing Agricultural Preserve is necessary.
- b) Agricultural Use of the Land: The land must be devoted to agricultural use. In Sonoma County this means that at least 50% of the land is used for agriculture purposes. The 33.36 +/- acre parcel has 19.94 +/- acres planted in vineyard and, therefore, exceeds the 50% requirement.
- c) Single Legal Parcel Requirement: The land proposed for the contract is comprised of a single legal parcel.
- d) Minimum Parcel Size: The land must be at least 10 acres in size for a Prime Land Conservation Act contract. The 33.36 +/- acre parcel exceeds the 10-acre minimum parcel size for a new Prime Land Conservation Act Contract.
- e) Minimum Income Requirement: For vineyard land, the minimum income requirement is \$1,000.00 per acre gross annual income. The vineyard operation generates an income ranging from \$2,616 to \$4,193 per acre gross annual income between the years of 2010 and 2012.
- f) Non-Agricultural Compatible Uses: Non agricultural uses of the land must be listed in the Uniform Rules as compatible uses. The parcel is developed with a Single Family Dwelling, a Farm Family Dwelling, an Agricultural Employee Dwelling, water storage tanks, garage, barn and several storage buildings. Such uses are listed as "compatible uses" in Uniform Rule 8.3. Compatible uses must be limited to 5 acres or 15% of the total acreage, whichever is less. Here the 5 acre standard applies. Compatible uses occupy approximately 5 acres which is within the allowable area for compatible uses.

g) Prime Agricultural Land: Contracts for parcels under 40 acres in size must be on designated prime agricultural land. Prime agricultural land is defined as land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and meet the minimum income requirements. The parcel is planted with 19.94 +/- acres of vineyard comprised of Pinot Noir, Gewurztraminer, Riesling, Muscat, Pinot Gris, and Pinot Blanc that has produced the required income for the last three years, and therefore meets the definition of prime farmland.

Staff Recommendation: Staff recommends the Board of Supervisors approve the request because all of the state and local requirements for a Prime Land Conservation Act Contract for the 33.36 +/- acres within the existing Agricultural Preserve have been met.

Prior Board Actions:

On December 13, 2011, the Board approved the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678). In addition, this Board of Supervisors Resolution authorized PRMD to non-renew substandard sized parcels unless a replacement contract is obtained.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Land Conservation Act Contracts support agriculture and agribusiness by assisting in the preservation of agricultural land through the incentive of reduced property taxes in exchange for retaining the land in agricultural production.

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):

Approval of the replacement Land Conservation Act Contract means that the owner will continue to pay a reduced property tax assessment based upon the value of the agricultural uses rather than the land value under Proposition 13. This results in a reduction in the County's share of property tax revenue for each parcel under a Land Conservation Act Contract. The amount of this reduction for an individual contract depends on parcel-specific variables including the Proposition 13 status of the land and the value of the agricultural crop, and is determined annually by the Assessor's office. The Board has not requested, and staff does not recommend, evaluating property tax revenue implications on a contract-by-contract basis. Instead, the Board has directed that, as a policy matter, approving new contracts is important to the County's agricultural economy and outweighs the cost in reduced property tax

revenue.

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 A: Draft Board of Supervisors Resolution

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

Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).



County of Sonoma
State of California

Date: November 25, 2014

Item Number: _____

Resolution Number: _____

AGP13-0012 Melinda Grosch



4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request By Flax Vineyards, LLC, C/O Richard S. Hicks, Jr., To 1) Rescind An Existing Land Conservation (Williamson) Act Contract And Replace It With A New Land Conservation Act Contract And Attached Land Conservation Plan; And 2) Authorize The Chair To Execute The New Land Conservation Act Contract And Land Conservation Plan, For Prime Agricultural Land Located At 6677, 6695, And 6697 Westside Road, Healdsburg; APN 110-240-007.

Whereas, a request has been made by property owners of Flax Vineyards LLC, c/o Richard Hicks, Jr., to authorize the Chair to rescind an existing Land Conservation (Williamson) Act Contract and replace it with a new Land Conservation Act Contract and attached Land Conservation Plan, for prime agricultural land located at 6677, 6695, and 6697 Westside Road, Healdsburg; APN 110-240-007, Supervisorial District No. 4; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules)* (Resolution No. 11-0678); and

Whereas, consistent with the *Uniform Rules*, County Counsel has revised the Land Conservation Act Contract form, which now incorporates a Land Conservation Plan identifying the various uses of the contracted land. Future changes to identified land uses require amendment of the Land Conservation Plan. The Board, pursuant to Resolution No. 11-0678, has authorized the Director of PRMD to approve amendments to executed Land Conservation Plans; and

Whereas, the Board of Supervisors finds that the 33.63 +/- acre parcel, is currently located in Agricultural Preserve 2-286, and presently meets the requirements for a new Prime (Type I) Land Conservation Act Contract.

Now, Therefore, Be It Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for a new Prime (Type I) Land Conservation Act Contract ("Contract"):

Resolution #

Date: November 25, 2014

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1. As required by Uniform Rule 4.2, the land proposed to be restricted by the Contract is currently located within a designated Agricultural Preserve (2-286); and
2. Consistent with Uniform Rule 4.2, the land is devoted to an agricultural use because more than 50% of the land is planted with a commercial vineyard, which is a prime agricultural use; and
3. As required by Uniform Rule 4.2, the land proposed to be restricted by the Contract is a single legal parcel, presently identified as APN 110-240-007; and
4. The land proposed to be restricted by the Contract is prime agricultural land and is 33.63 +/- acres in size, which exceeds the 10 acre minimum parcel size requirement for a Prime Land Conservation Act Contract under Uniform Rule 4.2; and
5. As required by Uniform Rule 4.2, the land proposed to be restricted by the Contract presently meets the minimum annual commercial agricultural income requirement of \$1,000.00 per acre gross for vineyard land under a Prime Land Conservation Act Contract; and
6. All non-agricultural uses of the land are allowed as compatible uses in Uniform Rule 8.0, and consistent with Government Code Section 51238.1; and

Be It Further Resolved that the Board of Supervisors finds the requested action categorically exempt from the California Environmental Quality Act pursuant to Section 15317, of the State CEQA Guidelines, which provides that executing a new Land Conservation Act Contract is exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request by Flax Vineyards LLC, c/o Richard S. Hicks, Jr. by approving rescission of the existing Type II contract and simultaneous replacement of that contract with a new Prime Land Conservation Act Contract and attached Land Conservation Plan, to restrict the 33.63 +/- acre parcel located at 6677, 6695, and 6697 Westside Road, Healdsburg; APN 110-240-007.

Be It Further Resolved that the Board of Supervisors authorizes the Chair of the Board of Supervisors to execute the Land Conservation Act Contract and attached Land Conservation Plan.

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby

Resolution #

Date: November 25, 2014

Page 3

instructed to record within 20 days and no later than December 31, 2014 (1) this Resolution and (2) the associated Land Conservation Act Contract and attached Land Conservation Plan with the Office of the Sonoma County Recorder.

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, including the original executed Contract and Land Conservation Plan. 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.



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: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s):

Staff Name and Phone Number:

Ken Tam 565-3348

Supervisorial District(s):

1st

Title: Grant Utility Easement to the Sonoma Valley County Sanitation District

Recommended Actions:

Adopt a Resolution of the Board of Supervisors granting a public utility easement over County property to the Sonoma Valley County Sanitation District.

Authorize the Chair to execute the Grant of Easement.

Authorize the Director of Regional Parks to execute related documents to complete the transaction and file a Notice of Categorical Exemption pursuant to the California Environmental Quality Act (CEQA).

Executive Summary:

The Sonoma County Water Agency, acting on behalf of the Sonoma Valley County Sanitation District (District), has requested a sewer easement over a portion of assessor's parcel number 127-141-027 which is owned by the County and is part of Maxwell Farms Regional Park. The subject property is located between Old Maple Avenue and Verano Avenue. There is an existing 15 feet wide sewer easement on the property that was recorded in 1985 per County document number 1985-075647.

As part of the Agua Caliente Creek Crossing Replacement project, the District needs an additional 75 square feet easement from the County to reconstruct and realign the 21-inch diameter sewer line and install a new sanitary sewer manhole. The proposed easement location is shown on attached Exhibit A-1. The site of the new easement is currently used as overflow parking for the park, and will be returned to this use following completion of construction.

On February 11, 2014, the Sonoma Valley County Sanitation District Board of Directors authorized the Sonoma County Water Agency to negotiate the acquisition of easements required for the construction of the Agua Caliente Creek Crossing project and perform all steps necessary to complete these transactions. The District, as the project lead CEQA Agency, has filed a Notice of Categorical Exemption under the following sections of the CEQA Guidelines: 15301(b) (Existing Facilities);

15302(c)(Replacement or Reconstruction); and 15304(a)(f)(Minor Alteration to Land).
 Regional Parks and Sonoma County Water Agency staff has worked with their respective Counsel to prepare the Grant of Easement for the sewer line which is on file with the Clerk. The Grant of Easement grants property rights to the District to maintain and operate the sewer line. The Regional Parks is requesting authorization for its Director to file a Notice of Categorical Exemption on the same grounds after the Board approves the Grant of Easement.

Prior Board Actions:

2/11/2014 Board of Directors authorized the District to negotiate the acquisition of easements for the construction of Agua Caliente Creek Crossing Replacement project.

Strategic Plan Alignment Goal 3: Invest in the Future

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):

None.

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, Exhibit A-1 (Map)
Related Items "On File" with the Clerk of the Board:
Grant of Easement, Notice of Categorical Exemption



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Granting a Public Utility Easement Over County Property to the Sonoma Valley County
Sanitation District Pursuant to Government Code Section 25526.6, Authorizing the Chair to
Execute the Grant of Easement, and Authorizing Director of Regional Parks to Execute Related
Documents Necessary to Complete the Transaction and File a Notice of Exemption.**

Whereas, the County of Sonoma owns and operates Maxwell Farms Regional Park property which is identified as Assessor's Parcel Number 127-141-027; and

Whereas, there is an existing 15 feet wide sewer easement on the park property that was recorded in 1985 per County document number 1985-075647; and

Whereas, the Sonoma Valley County Sanitation District is responsible for the operation and maintenance of the sewer line located with the existing sewer easement; and

Whereas, the Sonoma Valley County Sanitation District requires an additional 75 square feet easement from the County to reconstruct and realign the sewer line and install a new sanitary sewer manhole; and

Whereas, the conveyance of the easement will not conflict or interfere with the public's use of the park property; and

Whereas, the Sonoma Valley County Sanitation District, as the project lead CEQA Agency, filed a Notice of Exemption on February 11, 2014 pursuant to Section 15301 of the CEQA guidelines; and

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby finds, determines, declares and orders as follows:

1. Each of the foregoing recitals is true and correct
2. The conveyance is in the public interest and the interest in the land conveyed will not substantially conflict or interfere with the use of the property by the County.
3. The Chair is authorized and directed to execute the Grant of Easement on

Resolution #

Date: November 24, 2014

Page 2

behalf of the County.

4. The Director of Regional Parks, upon advice of County Counsel, is authorized to execute related documents and take such other legal and procedural steps as may be necessary to conclude the transaction herein described in a timely manner, including but not limited to filing a Notice of Categorical Exemption pursuant to CEQA.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

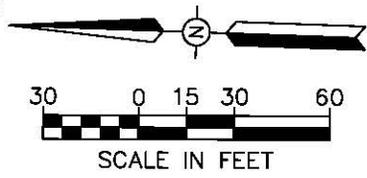
Absent:

Abstain:

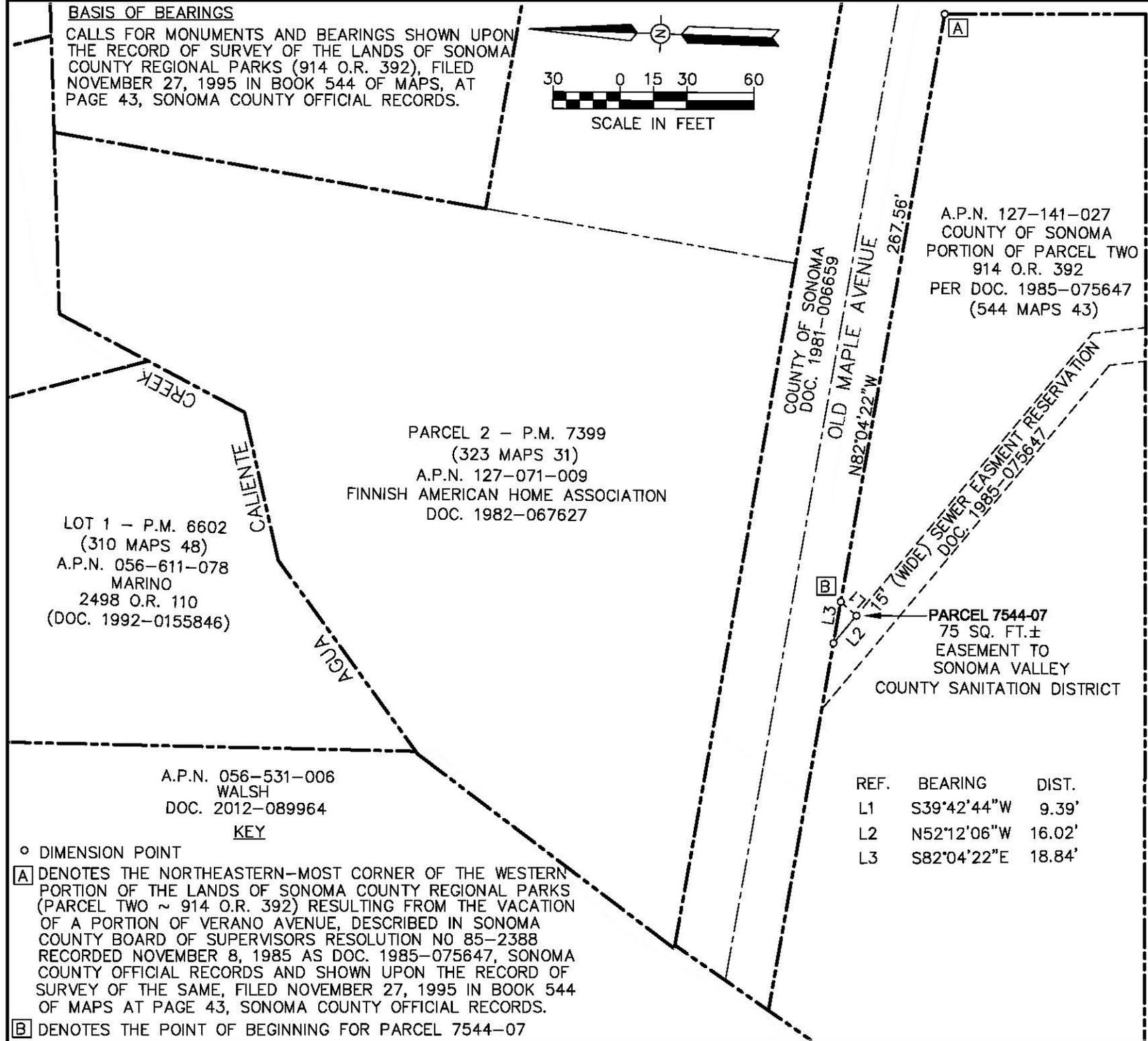
So Ordered.

BASIS OF BEARINGS

CALLS FOR MONUMENTS AND BEARINGS SHOWN UPON THE RECORD OF SURVEY OF THE LANDS OF SONOMA COUNTY REGIONAL PARKS (914 O.R. 392), FILED NOVEMBER 27, 1995 IN BOOK 544 OF MAPS, AT PAGE 43, SONOMA COUNTY OFFICIAL RECORDS.



SCALE IN FEET



LOT 1 - P.M. 6602
(310 MAPS 48)
A.P.N. 056-611-078
MARINO
2498 O.R. 110
(DOC. 1992-0155846)

PARCEL 2 - P.M. 7399
(323 MAPS 31)
A.P.N. 127-071-009
FINNISH AMERICAN HOME ASSOCIATION
DOC. 1982-067627

A.P.N. 127-141-027
COUNTY OF SONOMA
PORTION OF PARCEL TWO
914 O.R. 392
PER DOC. 1985-075647
(544 MAPS 43)

A.P.N. 056-531-006
WALSH
DOC. 2012-089964

KEY

- DIMENSION POINT
- [A] DENOTES THE NORTHEASTERN-MOST CORNER OF THE WESTERN PORTION OF THE LANDS OF SONOMA COUNTY REGIONAL PARKS (PARCEL TWO ~ 914 O.R. 392) RESULTING FROM THE VACATION OF A PORTION OF VERANO AVENUE, DESCRIBED IN SONOMA COUNTY BOARD OF SUPERVISORS RESOLUTION NO 85-2388 RECORDED NOVEMBER 8, 1985 AS DOC. 1985-075647, SONOMA COUNTY OFFICIAL RECORDS AND SHOWN UPON THE RECORD OF SURVEY OF THE SAME, FILED NOVEMBER 27, 1995 IN BOOK 544 OF MAPS AT PAGE 43, SONOMA COUNTY OFFICIAL RECORDS.
- [B] DENOTES THE POINT OF BEGINNING FOR PARCEL 7544-07

REF.	BEARING	DIST.
L1	S39°42'44"W	9.39'
L2	N52°12'06"W	16.02'
L3	S82°04'22"E	18.84'

VERANO AVENUE
COUNTY OF SONOMA
914 O.R. 392 (DOC. 1985-075647)

SONOMA COUNTY WATER AGENCY	SONOMA VALLEY COUNTY SANITATION DISTRICT	PROJECT/TASK: 7544A4
REV. DATE BY 1 07/08/14 JM	EXHIBIT A-1	DATE : 10/01/2013
	PLAT TO ACCOMPANY LEGAL DESCRIPTION AGUA CALLENTE CREEK CROSSING REPLACEMENT PROJECT	DRAWN BY: JM
	PARCEL ON LANDS OF COUNTY OF SONOMA	CHECKED BY:
		SHEET NO. 1 OF 1



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: Sonoma County Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks and the Department of Health Services

Staff Name and Phone Number:

Bert Whitaker 707 565-2041

Supervisorial District(s):

Fourth District

Title: Proposed Community Garden at Maddux Ranch Regional Park

Recommended Actions:

Authorize the Director of Regional Parks to execute a one-year Revocable License Agreement with the Occidental Arts and Ecology Center to construct, operate and maintain a community garden at Maddux Ranch Regional Park.

Authorize the Director of Regional Parks to approve up to four one-year extensions at the expiration of the initial term upon satisfactory performance by the Licensee.

Authorize the Director of Regional Parks to enter into a Landowner Agreement with US Fish and Wildlife Service.

Authorize the Director of Regional Parks to file a Notice of Categorical Exemption pursuant to the California Environmental Quality Act.

Executive Summary:

In September 2012 Sonoma County launched phase 1 of the County Lands For Food Production Initiative. Participants included Regional Parks, the University of California Cooperative Extension, Health Services, General Services, the Agricultural Commissioner's Office, the Sonoma County Agricultural Preservation and Open Space District, and the Sonoma County Water Agency. As part of this initiative Regional Parks released a Request For Proposals to build and operate community gardens at selected County Parks. Jeff Shields and Paolo Tantarelli, founders of Community Soils, a Santa Rosa based business promoting edible-restorative gardens and farmscapes, responded with a detailed and comprehensive plan for a garden at Maddux Ranch Regional Park. Community Soils formed a partnership with the non-profit Occidental Arts and Ecology Center to host the project and provide administrative support. Project goals are:

1. Connect local residences, businesses, schools, and athletic clubs to fresh, organic food.
2. Raise awareness of local ecology and natural resources, specifically the relationship between farms and backyard gardens with wildlife, water, soil, and energy.
3. Teach entrepreneurial skills to young adults.

4. Teach organic methods for operating a small farm and a produce stand.

Garden plans include community and personal garden plots, a small orchard, and native plant exhibits. In addition to installing and operating a community garden which will be open to Larkfield and Mark-West Area residents, Community Soils has developed an innovative partnership with the Mark West Unified School District to offer hands-on educational opportunities for local elementary school students to learn science, health, and habitat restoration along with small farm vocational training. Students from Mark West Elementary will participate in the community garden by farming their assigned garden plots and the School District will be implementing state-approved curriculum into their science lessons about gardening and farming. Community Soils will also host educational workshops on organic farming for the general public. Produce from the garden will be sold on site, at farmer's markets, and during little league games. The garden will also produce and sell organic heirloom plant starts to local gardeners. Proceeds from these sales will be reinvested in the garden. Extra produce will be donated to local food banks.

Significant Community Outreach Effort:

In March 2014 Community Soils volunteers canvassed the neighborhoods around Maddux Ranch Regional Park and in the Lakefield area to inform residents of this project and to solicit community input. In addition to an update at Supervisor McGuire's Annual Larkfield Town Hall Meeting and several one-on-one meetings, in early April Community Soils and Regional Parks held the first of two planned public meetings. While the majority of comments from area residents were extremely positive, feedback was provided about placement of the garden, access to the undeveloped area, and vandalism. Community Soils responded by re-designing the garden away from areas of concern and modifying the layout to make it more visible from the street. A second community meeting was held on September 2 – hosted by Supervisor McGuire and Regional Parks - and further changes were made to the garden based on emerging community and neighborhood feedback. The garden will be built in 2 phases and phase 1 will be built toward the back of the orchard area. Parking for the garden was a concern, so garden visitors will be asked to park in the main parking lot and not along Noonan Ranch Road. We thank the Larkfield community for their comments and suggestions, their engagement will make a better community garden. We want this project to be a true partnership between Supervisor McGuire, Community Soils, Regional Parks, the Larkfield community, Mark West Elementary School, and the Saddlebrook Homeowners Association.

Community Soils has prepared a budget that details planned revenues and expenditures for the first three years based on the revised draft design of the garden and the phased implementation schedule. Revenues include cash donations and in-kind donations of supplies and labor. Local businesses have offered goods and purchase discounts to support the garden. First year revenues and expenditures are projected at \$50,000. Community Soils currently has \$18,000 in cash on-hand and in committed cash donations and \$32,000 of committed in-kind donations for labor, supplies, and services. Included in these totals, the Sonoma County Department of Health Services (DHS) has committed \$5,000 of the \$18,000 to the project and has made an in-kind commitment to assisting Community Soils with their curriculum development for the Mark West School District and connecting them to the food systems work already established in DHS.

If approved, Regional Parks and the Occidental Arts and Ecology Center will enter into a Revocable License Agreement for use of County property at Maddux Ranch Regional Park. This agreement defines roles, responsibilities, and approved activities on-site.

The proposed garden includes a four foot tall border fence with a native plant hedgerow to prevent deer

from browsing the garden. In addition to being visually appealing, the native plant hedgerow will screen runoff, attract beneficial insects, and enhance biodiversity. The US Fish and Wildlife Service provides funding for wildlife enhancement projects by farmers, land owners, and local municipalities through its Partners for Fish & Wildlife program. Community Soils and Regional Parks believe the proposed native plant hedgerow meets the requirements for wildlife enhancement project funding. In order to participate in this program the US Fish and Wildlife Service requires landowners to submit a completed Landowner Agreement form which specifies that funded projects will exist for at least ten years. Such an agreement would require Regional Parks to maintain directly or by contract the hedgerow for 10 years. Regional Parks could easily maintain a native plant hedgerow for this length of time. Community Soils has asked the County to agree to a Landowner Agreement. Regional Parks recommends doing so and seeks authorization from the Board to enter into such an agreement.

The proposed community garden meets the social needs of the local population and thus falls within the authority of Government Code Section 26227. Regional Parks has prepared a Notice of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. The Notice is based upon a finding that the proposed project consists of a minor alteration to an existing public facility and is categorically exempt from the requirements of CEQA. It will address installation, operation, and maintenance activities associated with the Maddux Ranch Community Garden project.

Prior Board Actions:

September 2012 Board of Supervisors approved plans for Phase 1 of the County Lands for Food Production project identifying County-owned sites for potential community gardens.

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

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):

Regional Parks will provide non-monetary support to the Occidental Arts and Ecology Center including technical expertise in landscape management, administration, and low or no cost garden supplies such as mulch and compost. This support can be provided within existing Regional Parks resources.

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:			
OEAC at Maddux Ranch RLA.doc Draft US Fish and Wildlife Landowner Agreement Notice of Categorical Exemption Pursuant to CEQA			



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

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan R. Klassen (707) 565-2231

Supervisorial District(s):

Second, Fifth

Title: AB 720 Road Commissioner Project List – Fall 2014

Recommended Actions:

Adopt Resolution declaring intent to construct four projects utilizing force account under Road Commissioner authority as authorized under Public Contracts Code Section 22000 through 22045 and accept formal notification of two projects declared on October 20, 2014 under alternative noticing procedures per attached list.

Executive Summary:

The Department of Transportation and Public Works (Department) is requesting that the Board adopt a Resolution declaring its intent to construct four projects utilizing force account under Road Commissioner authority as authorized under Public Contracts Code Section 22000 through 22045 and accept formal notification of two additional projects declared on October 20, 2014 under alternative noticing procedures per attached list. Projects include replacement of three viaducts (20c0450-Starrett Hill Road, 20c0385-Pacific Avenue, 20c0386-Pacific Avenue), replacement of one timber bridge (20c0384-Scouts Camp Road), and two grind and replace paving projects (Ely Road #5704 P.M. 10.33-P.M. 11.16 and Bodega Hwy #6904 P.M. 17.03- P.M. 18.09). Total estimated value of the work to be performed is \$786,000.

Background for AB 720

In 2011, AB 720 (Chapter No. 683, Statutes of 2011) was passed and it limits the ability of certain counties to perform new road construction and road reconstruction by force account pursuant to Road Commissioner authority. Specifically, the bill, which took effect January 1, 2013, applies to counties under the Act; preserves the ability to perform emergency work and road maintenance by force account by Road Commissioner authority pursuant to subdivision (c) of Section 20395 of the Public Contract Code; and limits the total amount of new road construction and road reconstruction that can be performed by force account by Road Commissioner authority to thirty-percent of the total value of all work performed by force account less maintenance. Based on estimated Department force account labor for administration and engineering of \$5.0M the 30% allowable amount to be used for force

account New Road and Road Reconstruction projects is estimated to be \$1.5M for FY 14-15. The estimated total value of work included in this item (\$786,000) plus estimated carryover from FY 13-14 approved projects (\$200,000) will leave approximately \$500K in funds available for additional declarations. Actual project costs will be monitored to ensure compliance. In addition, counties can continue new road construction and road reconstruction projects under \$45,000 without limitation. An additional component of AB 720 is that when utilizing the Road Commissioner authority for new road construction and road reconstruction under subdivision (c) of Section 20395 of the Public Contract Code, a County Board of Supervisors or Road Commissioner must declare their intended list of projects prior to work commencing. This can be accomplished by Board adopting a resolution or by the Road Commissioner making a posted public declaration. The Department chose to utilize the posted public declaration for the Ely Road and Bodega Hwy projects due to the urgency of completing the work before the start of the rainy season. It is the Department's intention to bring the declarations to the Board when possible. For public access, the Department has added a section for Road Commissioner Declarations on their website <http://sonomacounty.ca.gov/TPW/Roads/Projects/>.

The Department has been working in conjunction with County Counsel to ensure the County's compliance with the requirements of AB 720.

Prior Board Actions:

05/06/14: Board approved four projects to be constructed utilizing Road Commissioner Authority for FY 13-14.

Strategic Plan Alignment Goal 3: Invest in the Future

This item invests in the future by replacing aging infrastructure.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 786,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 786,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 786,000	Total Sources	\$ 786,000

Narrative Explanation of Fiscal Impacts (If Required):

Appropriations are included within the FY 14-15 Road Fund Capital Improvements budget. Funded with state Highway User Tax Account (HUTA) funds. Estimated amount of 30% cap for FY 2014-15 is \$1.5M; this action combined with carryover from FY 13-14 projects will leave an estimated \$500K for additional projects through June 30, 2015.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Project List; Declaration for Ely Road; Declaration for Bodega Hwy; Location Map; Resolution			
Related Items “On File” with the Clerk of the Board:			
None.			

AB 720 Road Commissioner Project List for Fall 2014

Viaduct Replacements - Declared by Resolution on November 24, 2014

	Location	Description	Time	Cost Estimate
1	20c0384 - Scouts Camp Rd	Three span timber bridge over Salmon Creek. Project will replace timber caps, stringers, decking with steel and re-pave road surface.	4 weeks (10 hour days)	\$90,000.00
2	20c0450-Starrett Hill Rd	Four span timber viaduct. Project will replace the caps, stringers, deck, railing and backwall with steel and re-pave road surface.	5 weeks (10 hour days)	\$110,000.00
3	20c0385 - Pacific Ave	Two span viaduct with timber stringers and timber decking and AC. Project will replace the caps, stringers, deck, railing and backwall with steel and re-pave road surface.	3 weeks (10 hour days)	\$70,000.00
4	20c0386 - Pacific Ave	Two span timber viaduct adjacent to 20c0385. Project will replace the caps, stringers, deck, railing and backwall with steel and re-pave road surface.	3 weeks (10 hour days)	\$60,000.00

Grind/Replace Projects - Declared on October 20, 2014

	Location:	Description	Time	Cost Estimate
1	Ely Road	Grindout and Replace sections of failed road surface	4 days	\$228,000.00
2	Bodega Hwy	Grindout and Replace sections of failed road surface	4 days	\$228,000.00

\$786,000.00



Integrated Waste
Northern Sonoma County Air Pollution Control District
Road & Bridge Operations
Sonoma County Airport
Sonoma County Transit

Susan R. Klassen, Director

Deputy Director, Road Operations: Tom O'Kane
Deputy Director, Transportation Operations: Jason Nutt

October 20, 2014

Re: **Public Contract Code § 22031(b)(2); New Road Construction or Reconstruction by Force Account**

Whereas, Public Contract Code section 22031(b)(2) authorizes a county road commissioner to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code, as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act, to perform new road construction or road reconstruction; and

Whereas, Sonoma County Code section 2-357 authorizes the Sonoma County road commissioner to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code, as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act; and

Whereas, Sonoma County Code section 2-28 transferred all duties of the road commissioner to the Director of Transportation and Public Works:

I hereby declare as the Director of Transportation and Public Works, that as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act, I intend to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code in connection with the following work: Grind out and replace sections of Ely Road #5704 from P.M. 10.33 to P.M. 11.16 various sections both sides.

Susan Klassen,
Director of Transportation and Public Works

CC: Board of Supervisors
County Administrator



Integrated Waste
Northern Sonoma County Air Pollution Control District
Road & Bridge Operations
Sonoma County Airport
Sonoma County Transit

Susan R. Klassen, Director

Deputy Director, Road Operations: Tom O'Kane
Deputy Director, Transportation Operations: Jason Nutt

October 20, 2014

Re: **Public Contract Code § 22031(b)(2); New Road Construction or Reconstruction by Force Account**

Whereas, Public Contract Code section 22031(b)(2) authorizes a county road commissioner to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code, as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act, to perform new road construction or road reconstruction; and

Whereas, Sonoma County Code section 2-357 authorizes the Sonoma County road commissioner to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code, as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act; and

Whereas, Sonoma County Code section 2-28 transferred all duties of the road commissioner to the Director of Transportation and Public Works:

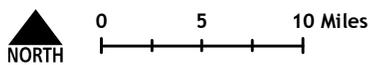
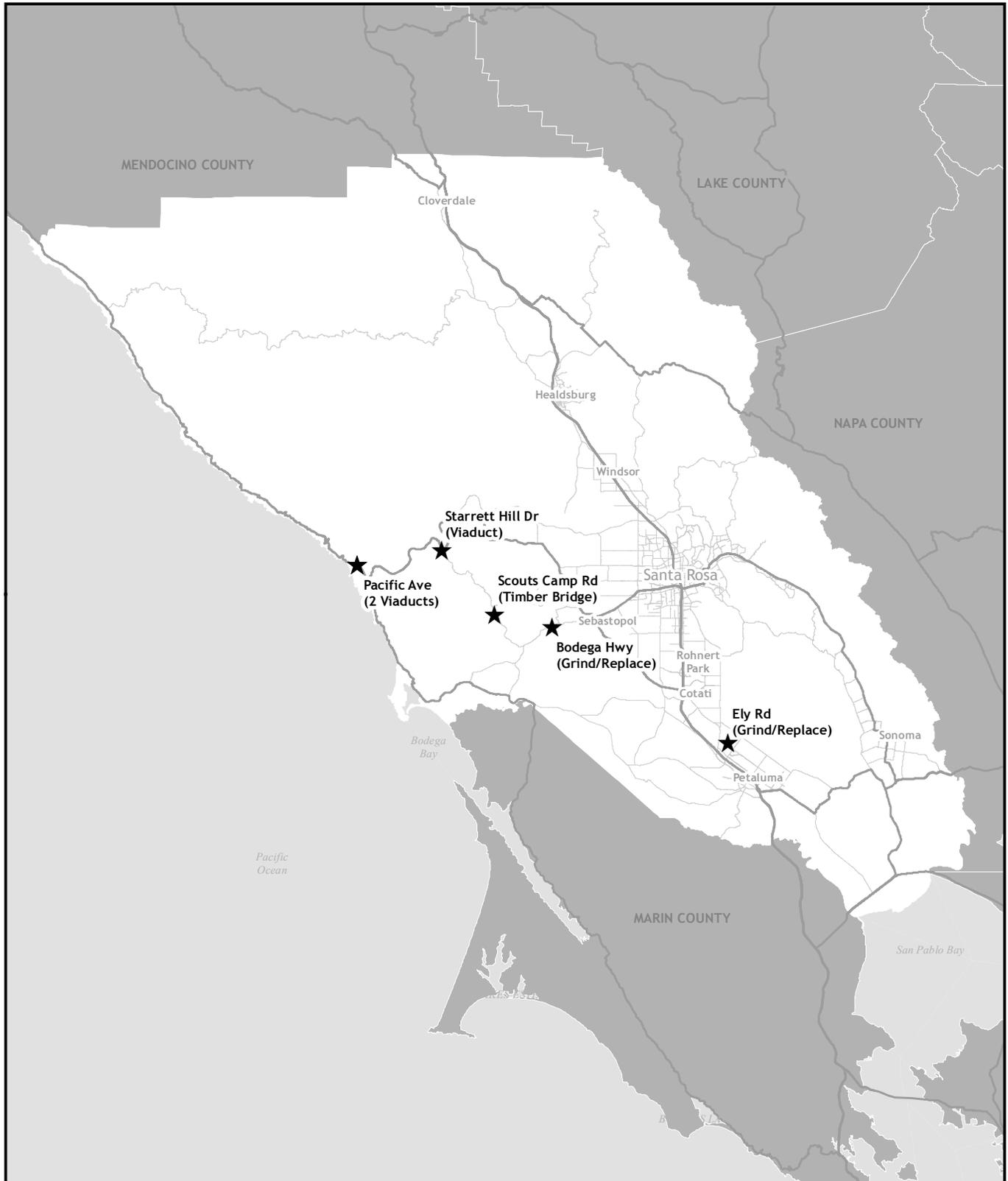
I hereby declare as the Director of Transportation and Public Works, that as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act, I intend to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code in connection with the following work: Grind out and replace sections of Bodega Hwy #6904 from P.M. 17.03 to P.M. 18.09 various sections both sides.

Susan Klassen,
Director of Transportation and Public Works

CC: Board of Supervisors
County Administrator

Location Map

Road Commissioner Projects, Fall 2014





County of Sonoma

State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
declaring intent to utilize the subdivision (c) of Section 20395 of the Public Contract Code for
road construction or reconstruction as authorized by Section 22031 of the Public Contract Code

Whereas, Pursuant to Resolution No. 95-0163, the County declared its intention to become subject to the California Uniform Construction Cost Accounting Act; and

Whereas, subdivision (b) of Section 22031 of the Public Contract Code allows the Board of Supervisors or the County Road Commissioner to utilize, as an alternative to the procedures set forth in the California Uniform Construction Cost Accounting Act, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code; and

Whereas, subdivision (c) of Section 20395 of the Public Contract Code allows the Board of Supervisors to authorize the County Road Commissioner to perform work upon county highways under the supervision or direction of the County Road Commissioner by purchasing the material and having the work done by day labor, in which case advertising for bids is not required; and

Whereas, subdivision (b)(2) of Section 22031 of the Public Contract Code allows the Board of Supervisors or the County Road Commissioner to perform new road construction and road reconstruction on county highways pursuant to subdivision (c) of Section 20395 of the Public Contract Code as long as the total annual value of the new road construction and the road reconstruction performed under the procedures set forth in subdivision (c) of Section 20395 of the Public Contract Code does not exceed 30 percent of the total value of all work performed by force account other than maintenance;

Whereas, the County Road Commissioner proposes to perform the following work on county highways pursuant to subdivision (c) of Section 20395 of the Public Contract Code:

- (1) Perform work to replace caps, stringers, decking and pavement on 3 span timber bridge - 20c0384 Scouts Camp Road at an estimated cost of \$90,000;
- (2) Replace the caps, stringers, deck, railing and back wall and pavement of a 4

Resolution #

Date:

Page 2

span timber viaduct - 20c0450 Starrett Hill Road at an estimated cost of \$110,000;

(3) Replace the caps, stringers, deck, railing and back wall and pavement of a 2 span timber viaduct - 20c0385 Pacific Avenue at an estimated cost of \$70,000; and

(4) Replace the caps, stringers, deck, railing and back wall and pavement on a two span timber viaduct - 20c0386 Pacific Avenue at an estimated cost of \$60,000; and

Whereas, the work proposed to be performed above does not exceed 30 percent of the total value of all work performed by force account other than maintenance; and

Whereas, subdivision (e) of Section 22031 of the Public Contract Code requires the Board of Supervisors or the County Road Commissioner to declare its intention to use the authority granted in paragraph (2) of subdivision (b) of Section 22031 of the Public Contract Code prior to commencing work thereunder.

Now, Therefore, Be It Resolved that the County Road Commissioner is hereby authorized to perform the work described above pursuant to the authority granted in subdivision (b)(1) of Section 22031 and subdivision (c) of Section 20395 of the Public Contract Code.

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: 24
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan R. Klassen, 707-565-2231

Supervisorial District(s):

Fifth

Title: Second Amendment to the Agreement for Engineering Services for CSA #41 – Salmon Creek Water District

Recommended Actions:

Authorize the Chair to execute a Second Amendment to the Agreement with Brelje and Race Consulting Engineers for construction engineering and technical services on the CSA #41 – Salmon Creek Water District System Wide Improvements project, increasing the not-to-exceed amount from \$254,200 to \$260,600 with a term that expires once the project and all required documentation is completed.

Executive Summary:

Department of Transportation and Public Works (TPW) is requesting approval of the Second Amendment to the Agreement with Brelje & Race Engineering Consultants (Consultant) for construction engineering and technical services for the construction of the Salmon Creek Water District System Wide Improvements (Project). The Project consists of a new raw water storage tank, a new microfiltration treatment unit, an expansion of the existing water treatment building to accommodate the microfiltration treatment unit and other equipment, a new backwash storage tank, and additional piping in the underground spring water collection system.

The original Agreement was approved by the Board on March 27, 2012 in the not-to-exceed amount of \$226,800 providing various services on a time and materials basis within separate not-to-exceed budget allowances. The First Amendment was approved by the Board on February 4, 2014 adding an additional \$27,400 for construction engineering services increasing the not-to-exceed amount to \$254,200.

Due to a number of factors, the date of final completion of the project was delayed several months requiring the Consultant to prepare and process three additional reports to U.S.D.A. and perform additional construction management activities. The Engineer has requested that the compensation for basic services be increased by \$1,800 to cover its costs.

Additional engineering services were necessary to address several unforeseen issues that arose during facility start-up. The project design originally included salvaging various pieces of equipment of the

existing treatment plant that had remaining life, which included tanks, a generator and a variable pump. The variable pump failed during startup requiring the purchase and replacement of the pump. In addition, it was necessary to replace one of the switches twice before it operated properly during the testing phase and was able to function during startup. Each of these equipment failures and malfunctions required additional construction management services to coordinate the successful operation of the facility.

A budget adjustment equivalent to approximately twenty-six hours of engineering services to address these various start-up issues has been requested in the amount of \$4,600 to partially offset the costs incurred by the Consultant. The amended agreement total will increase by \$6,400 to \$260,600.

County Counsel has reviewed this item as to form.

Prior Board Actions:

2/4/14: Board approved the First Amendment to the Agreement for Engineering Services with Brelje and Race Consulting Engineers. 3/27/12: Board approved the Agreement for Engineering Services with Brelje and Race Consulting Engineers.

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

Continue providing drinking water that meets the State of California safe drinking water standards to the Salmon Creek Water District community.

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$ 6,400	State/Federal	\$ 6,400
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 6,400	Total Sources	\$ 6,400

Narrative Explanation of Fiscal Impacts (If Required):

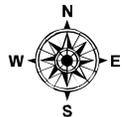
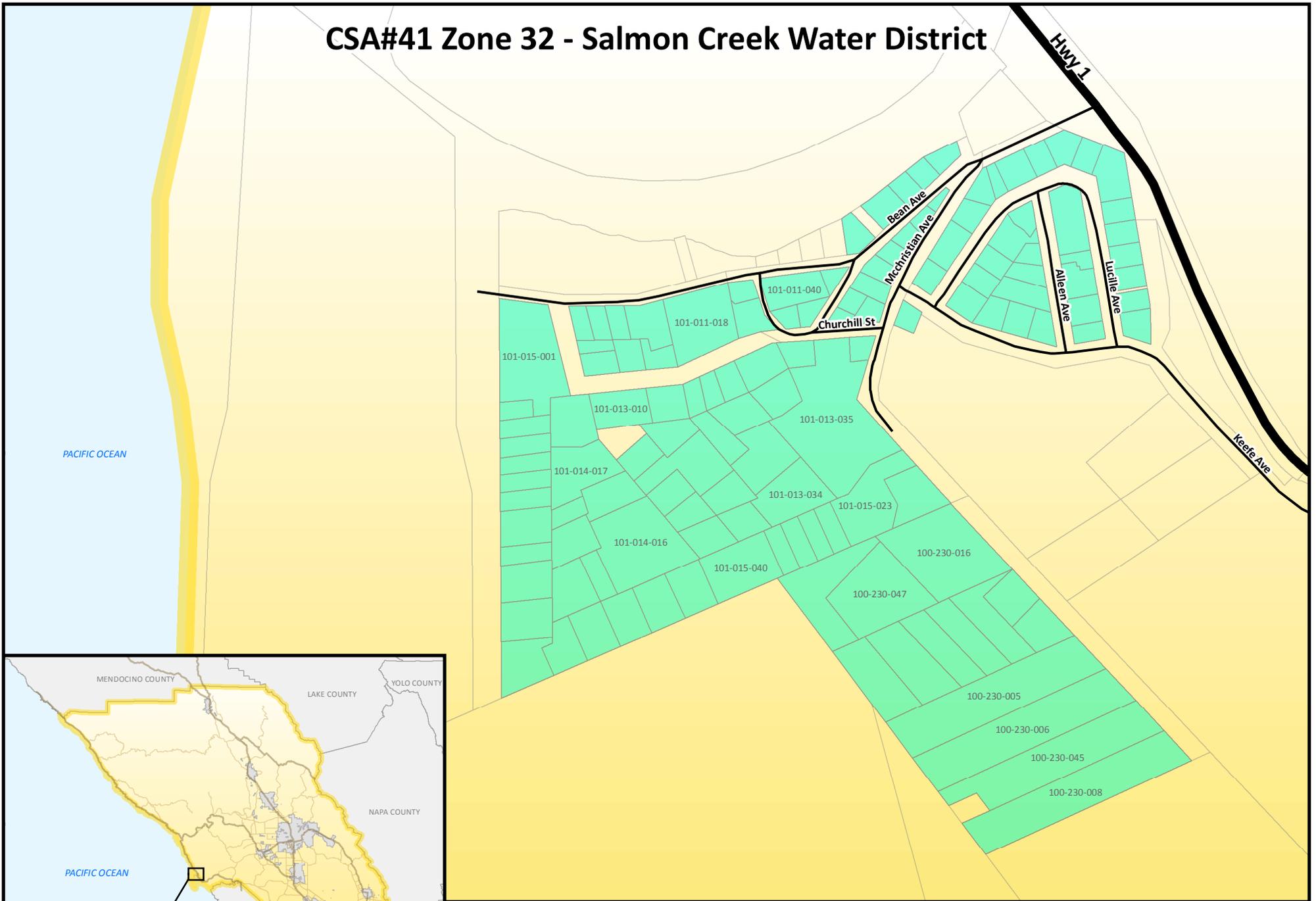
Appropriations were included in the 1st Quarter Consolidated Adjustments. Funded with grant/loan from USDA.

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; Second Amendment			
Related Items "On File" with the Clerk of the Board:			
Standard Form of Agreement Between Owner and Engineer for Professional Services; First Amendment to the Standard Form of Agreement Between Owner and Engineer for Professional Services.			

CSA#41 Zone 32 - Salmon Creek Water District



0 250 500 1,000 Feet

This map is for illustrative purposes only, and is not suitable for parcel-specific decision making. Site-specific studies are required to draw parcel-specific conclusions.

-  Assessed Property
-  State Highway
-  County Road

SECOND AMENDMENT TO THE STANDARD FORM OF AGREEMENT BETWEEN
OWNER AND ENGINEER FOR PROFESSIONAL SERVICES

This Second Amendment (“Amendment”), dated as of _____, 2014 (“Effective Date”) is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and Brelje & Race Consulting Engineers (hereinafter "Engineer").

R E C I T A L S

WHEREAS, County is the “Owner” of the County Service Area #41 – Salmon Creek Zone of Benefit; and

WHEREAS, County and Engineer entered into an agreement to provide engineering and technical services for capital improvements to the existing water system with enhancements that include a new raw water storage tank, a new micro-filter treatment system, a modified fire flow pumping system, acquisition of the parcel of land at the existing tank site, enhancement of the existing raw water intake, and modification of the existing pump house; and

WHEREAS, the Engineer will need additional funds to cover unanticipated expenses for additional reports to U.S.D.A. and for additional engineering assistance to troubleshoot unforeseen start-up issues; and

WHEREAS, the County approved the First Amendment on February 4, 2014, to provide additional funds to cover unanticipated expenses for construction phase services, including testing and foundation review, and for additional inspection services required during construction; and

WHEREAS, the County approved the Original Agreement on March 27, 2013; and

WHEREAS, financial assistance through a grant/loan package has been provided by the U.S.D.A. Rural Development, a governmental entity, in the amount of \$983,000 in loan funds and \$512,000 in grant funds; and

WHEREAS, in the judgment of the County, it is necessary and desirable to continue to employ the services of Engineer through completion of the construction of the water system improvements.

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

A G R E E M E N T

As of the date of this Amendment, the Agreement shall be deemed to be amended in the following manner:

1. Exhibit C (Compensation for Services) is amended to replace page 4 of Exhibit C detailing the budget table entitled “*Salmon Creek Water District System Improvements, Summary of*

Engineering Compensation” with the attached page 4 detailing the amended budget table entitled “Salmon Creek Water District System Improvements, Second Amendment to the Summary of Engineering Compensation.”

2. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement, together with exhibits, 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.

3. This Amendment shall be governed by and construed under the internal laws of the State of California, and, to the extent allowed by law, the parties agree that any action to enforce the terms of this Amendment or for the breach thereof shall be brought and tried in the County of Sonoma.

4. The Recitals are incorporated into and form a part of this Amendment.

COUNTY AND CONSULTANT HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS FIRST AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Owner: County of Sonoma

Engineer: Brelje & Race Consulting Engineers

By:

By:

Title: Chair, Board of Supervisors

Title: President

Date Signed:

Date Signed:

Engineer CA License No. 31909

Address for giving notices:
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

Address for giving notices:
5570 Skylane Blvd.
Santa Rosa, CA 95403

Designated Representative (see paragraph 8.03.A):

Designated Representative (see paragraph 8.03.A):

Stephen B. Urbanek, P.E.

John S. Locey

Title: Pavement Preservation Manager

Title: President

Phone Number: 707-565-2231

Phone Number: 707-576-1322

**CERTIFICATES OF INSURANCE ON FILE
WITH AND APPROVED AS TO FORM BY
DEPARTMENT**

AGENCY CONCURRENCE

Department: Transportation and Public Works

Agency: USDA Rural Development

By (Signature):

By (Signature):

Typed Name: Susan R. Klassen, P.E.

Typed Name: Michael Starinsky

Title: Director

Title:

Date:

Date:

APPROVED TO AS BY FORM FOR COUNTY

By (Signature):

Title: County Counsel

Date:

SALMON CREEK WATER DISTRICT

SYSTEM IMPROVEMENTS

SECOND AMENDMENT TO THE SUMMARY OF ENGINEERING COMPENSATION (EJCDC No. E-510- Attachment)

STUDY AND REPORT PHASE (PER)

TOTAL (Exhibit C- paragraph C.2.01-A.1) \$ Separate Agreement

DESIGN AND CONTRACT ADMINISTRATION SERVICES

	Agreement	First Amendment	Second Amendment	Adjusted Budget
Design Engineering	\$99,600			\$99,600
Bidding/Contract Award Services	\$3,500*			\$3,500*
Construction Phase Services	\$33,300		\$1,800	\$35,100
As-Built Drawings	\$ 2,800			\$ 2,800
TOTAL (Exhibit C- paragraph C.2.01-A.2)	\$139,200		\$1,800	\$139,200

RESIDENT PROJECT REPRESENTATIVE (Inspection)

TOTAL (Exhibit C- paragraph C.2.04)	\$58,000*	\$20,000		\$78,000
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ADDITIONAL SERVICES

Geotechnical Services	\$ 8,200	\$7,400		\$15,600
Easement Acquisition/ROW's	0*			0*
Environmental Services	\$ 7,900			\$ 7,900
Operation Plan & Permit Amendment	\$12,500			\$12,500
Detailed Construction Surveying	0			0
Other Additional Engineering Services	\$ 1,000		\$4,600	\$ 5,600
TOTAL (Exhibit C- paragraph C.2.05)	\$29,600	\$7,400	\$4,600	\$37,000

TOTAL ENGINEERING SERVICES	226,800	\$27,400	\$6,400	\$260,600
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* County reserves the right to have County staff provide these services. If the County exercises this right the total engineering services for the Contractor shall be reduced to \$172,700.

This exhibit assumes that the Department of Transportation and Public Works will perform construction administration and inspection, surveying, and construction materials testing. Some portion of the geotechnical costs may be necessary for design services and will need to be negotiated.

Exhibit C – Compensation for Services
EJCDC E-510 Standard Form of Agreement Between Owner and Engineer for Professional Services, Funding Agency Edition
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Page C-4



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: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen 707-565-2231

Supervisory District(s):

Fourth

Title: Airport Development Standards

Recommended Actions:

Approve and adopt a resolution establishing development standards for entities at the Charles M. Schulz – Sonoma County Airport; authorize staff to file a Notice of Exemption under the California Environmental Quality Act.

Executive Summary:

The Transportation and Public Works Airport Division is requesting the Board of Supervisors approve and adopt a resolution establishing development standards for the Airport, and authorize staff to file a Notice of Exemption under the California Environmental Quality Act.

The Airport has worked with the County Permit and Resource Management Department in drafting Development Standards which will apply to proposed new construction, alterations or improvements to existing buildings or facilities. All persons or entities desiring to construct or make improvements to buildings and facilities at the Airport will be required to comply with the approved standards. The Development Standards are intended to formalize the process of ensuring compliance with governing law and applicable Airport and land use planning, and are not intended to supersede any existing planning or legal requirements. The establishment of Development Standards will increase staff efficiency, enhance communication between staff and developers, as well as create uniformity in projects on Airport property by delineating the development requirements in an accessible document.

Development standards promote consistent site planning, architectural design, and visual appearance of buildings and facilities constructed on the Airport. They insure that new construction is consistent with the Airport Layout Plan, Airport Master Plan, Airport land use planning, in compliance with FAA and TSA regulations and in conformance with building and safety codes applicable for the intended use. It is intended by these standards that new construction be designed and completed in a manner that will enhance both existing and future development on the Airport.

The Airport sent letters to all commercial tenants of the Airport in February 2014, inviting comments to the plan; one comment was received. The Development Standards were then brought before the Aviation Commission on April 17, 2014. The Aviation Commission held a public meeting and made recommendations for edits to the Development Standards and moved to recommend the approval and adoption of the Airport Development Standards by the Board of Supervisors.

The underlying and controlling planning documentation to which the Development Standards refer has been reviewed under the California Environmental Quality Act (“CEQA”). The adoption of the Development Standards does not require further review under CEQA pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, and alternatively is exempt from CEQA pursuant to Section 15061(b)(3) because the adoption cannot have a significant effect on the environment. Upon approval by the Board, staff will file a Notice of Exemption under CEQA.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Development Standards enable consistent, economic and environmentally sound, planned development of the Airport’s properties.

Fiscal Summary - FY 14-15

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

Narrative Explanation of Fiscal Impacts (If Required):

There is no direct fiscal impact related to this item. This is an administrative recommendation to maintain a consistent environment for development at the Airport.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):
Attachments:
Development Standards; Resolution
Related Items "On File" with the Clerk of the Board:
None.



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Approving and Adopting Development Standards For Entities at the Charles M. Schulz –
Sonoma County Airport.**

Whereas, there has been submitted with this Resolution a form of Development Standards for entities at the Charles M. Schulz – Sonoma County Airport (“Development Standards”), and

Whereas, the Permit & Resource Management Department has recommended the establishment of Development Standards for the Airport to document the process of development at the Airport, and

Whereas, the Airport invited comment from current commercial tenants, and

Whereas, the Aviation Commission has conducted a public meeting soliciting input on the Development Standards, made revisions, and recommended its adoption by the Board of Supervisors.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma approves and adopts the Development Standards for Entities at the Charles M. Schulz – Sonoma County Airport.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Charles M. Schulz – Sonoma County Airport

STS



DEVELOPMENT STANDARDS

Adopted by the Board of Supervisors on: _____

POLICY AND INTENT OF THESE DEVELOPMENT STANDARDS

Sonoma County, California (“County”), as the proprietor of the Charles M. Schulz - Sonoma County Airport (“Airport”), has adopted these Development Standards in order to establish development requirements that must be met by all persons or entities desiring to construct or make improvements to buildings and facilities at the Airport. These Development Standards apply to proposed new construction, including proposed alterations or improvements to existing buildings or facilities.

The County reserves the right to revise or amend these Development Standards from time to time and to grant variances from specific standards and requirements when a specific clause, section, or provision is not required or would pose an undue hardship because of specific conditions and unique circumstances, as solely determined by the Airport Manager in his/her sole discretion.

These Development Standards do not supersede any requirement in any applicable law or regulation, any provision of the Sonoma County Code, or any provisions of the Airport’s Minimum Standards for Aeronautical Service Providers.

ENERGY MANAGEMENT AND SUSTAINABILITY

The County of Sonoma has taken action to reduce the County's carbon footprint and lessen the County's impact on our environment. All persons and entities using the Charles M. Schulz – Sonoma County Airport are encouraged to practice effective and efficient energy use and to implement sustainability practices to help achieve this goal. For more information please visit the County Energy and Sustainability Division’s web site (www.sonoma-county.org/gs/energy/).

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SECTION 1 - DEFINITIONS

For purpose of these Development Standards, the following definitions shall apply:

ADA. The Americans with Disabilities Act of 1990 that prohibits discrimination against individuals with disabilities in employment, housing, education and access to public services.

Airport. The Charles M. Schulz-Sonoma County Airport.

Airport Manager. The manager of the Charles M. Schulz - Sonoma County Airport or his/her duly authorized representative.

Airfield. The ramp, apron, taxilanes, runways and internal areas that separate these areas.

Airport Master Plan. The current adopted Master Plan for the Airport including the current Airport Layout Plan (ALP).

Airport Premises. The entire Airport property including all public roadways, commercial vehicle hold areas, parking lots, terminal building curbside areas and any other areas within Airport control.

Airport Operations Area (“AOA”). An area of the Airport used or intended to be used for landing, takeoff or surface maneuvering of aircraft. Such areas include paved and unpaved surfaces and are intended to be used in addition to its associated runway, taxiway or apron.

Apron (or Ramp). That part of the Airport where aircraft are parked, unloaded or loaded, refueled, or boarded.

CALGreen. The California Green Building Standards Code, which is Part 11 of Title 24 of the California Code of Regulations.

CEQA. The California Environmental Quality Act is a California statute passed in 1970 to institute a statewide policy of environmental protection. CEQA does not directly regulate land uses, but instead requires state and local agencies within California to follow a protocol of analysis and public disclosure of the potential environmental impacts of public and private development projects.

County. The County of Sonoma.

FAA. The Federal Aviation Administration.

Final Plans. Site and/or construction plans and specifications submitted to the Airport Manager and the County’s Permit & Resource Management Department (“PRMD”) for plan approval and permits.

Landlord. The owner of real estate that is leased to others.

Landside Property and Uses. Property and uses that adjoin, but are not located on, the airfield.

Landscaping. The design and maintenance of land area incorporating sustainable fauna and natural materials to create an aesthetic appeal to the Airport.

LID (Low Impact Development). As it relates to storm water, LID features aim to mimic the hydrologic function of the undeveloped site by capturing, treating and infiltrating storm water as close to the source as possible by using small scale landscape features located throughout the project site. [As of October 1, 2011, the County’s SUSMP (Standard Urban Stormwater Mitigation Plan) standards were replaced by LID standards in the County’s Phase 1 Permit Area, which includes the entire Airport property.]

LEED. Leadership in Energy and Environmental Design (LEED) is a framework for assessing building performance and achievement of sustainability goals by means of the LEED Green Building Rating Systems. The LEED Rating Systems and the LEED Reference Guide were developed by the US Green Building Council, a private, non-profit trade organization. The Rating Systems comprises a suite of point-based measures that rate a construction project and assign points across major credit categories such as Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials and Resources, and Indoor Environmental Quality. The varying levels of LEED certification require an application documenting compliance with the requirements of the pertinent elements of the Rating Systems as well as the payment of registration and certification fees.

Minimum Standards. The Charles M. Schulz-Sonoma County Airport’s Minimum Standards for Aeronautical Service Providers as currently written and as amended from time to time.

NEPA. The National Environmental Policy Act, a United States federal statute passed the year before CEQA which, similar to CEQA, sets forth a policy of environmental protection, and a protocol by which all federal agencies in their respective jurisdictions make environmental protection part of their decision making process.

Object Free Area (OFA). An area on the ground centered on a runway, taxiway or taxilane centerline provided to enhance the safety of aircraft operations by having the area free of objects, except for objects that need to be located in the OFA for air navigation or aircraft ground maneuvering purposes.

Part 77. Title 14 of the Code of Federal Regulations (CFR) Part 77, also known as Federal Aviation Regulation (FAR) Part 77, which establishes standards and notification requirements for objects affecting navigable airspace. These standards and requirements enable the FAA to evaluate the effect of proposed construction or alteration on operating procedures, determine the potential hazardous effect of proposed construction or alterations on air navigation, identify mitigation measures to enhance safe air navigation, and chart new man-made or natural objects.

Permanent Construction. Structural or ground facilities constructed with the intent of providing service during the term of the lease agreement, with use of materials and methods of construction that will maintain their appearance and functionality. Trailers, mobile offices, storage sheds and other maintenance structures are not considered as permanent type construction.

Person. Any person, firm, entity, association, organization, partnership, joint venture, business trust, corporation or company.

Preliminary Plans. Plans submitted to the Airport Manager and the County's PRMD for initial approval prior to detailed planning and design. Preliminary plans may include, but are not limited to, site plans, plot plans, building plans and specifications, building elevation and floor plans, exterior lighting plans, landscape plans and sections, and parking plans.

PRMD. The Permit and Resource Management Department of the County of Sonoma.

Screening. Plant materials, berms, fences, walls of wood, masonry or other materials of sufficient height and capability to obscure the view of a particular function or area from the street or land use on adjacent properties.

SUSMP. The Standard Urban Water Mitigation Plan that manages storm water runoff from new development and redevelopment for both quality and quantity and to conserve natural areas of the development site.

Taxilane. The portion of an aircraft parking area used for taxiing or towing aircraft between taxiways and aircraft parking positions.

Taxiway. A path on an airport connecting runways with ramps, hangars, terminals and other facilities.

Tenant. A person, as defined in this article, who holds or possesses real property; commonly an individual or organization who occupies and uses the property of another under a lease, although such an individual or organization is technically a lessee, not a tenant.

TSA. The federal Transportation Safety Administration of the Department of Homeland Security or any successor organization or agency.

SECTION 2 - PURPOSE

Development standards promote consistent site planning, architectural design, and visual appearance of buildings and facilities constructed on the Airport. They insure that new construction is consistent with the Airport Layout Plan, Airport Master Plan, Airport land use planning, in compliance with FAA and TSA regulations and in conformance with building and safety codes applicable for the intended use. It is intended by these standards that new construction be designed and completed in a manner that will enhance both existing and future development on the Airport.

SECTION 3 - GENERAL PROVISIONS

The development of buildings and facilities on the Airport is subject to the following general provisions and to any other applicable jurisdictional requirements including, but not limited to, Zoning Ordinances and Building Codes, of the County of Sonoma.

- 3.1 Consistency with the land use requirements of the Air Transportation Element (ATE) of the Sonoma County General Plan, the Sonoma County Airport Master Plan, and the Airport Layout Plan (ALP), as these planning documents are currently written and as they may be amended from time to time.
- 3.2 Compliance with FAA regulations and Advisory Circulars (AC), as they are currently written and as they may be amended from time to time. Specific reference is here made to FAA Form 7460-1, Notice of Proposed Construction, and NEPA documentation, which must be approved by the FAA and reviewed by the Airport Manager prior to the commencement of construction of buildings and facilities on the Airport.
- 3.3 Conformance and proof of compliance with all applicable federal, state, and local building and safety codes and the permit requirements thereof.
- 3.4 Conformance and proof of compliance with all applicable federal, state, and local environmental regulations and the permit requirements thereof, including, but not limited to, those of CEQA, NEPA, California Department of Fish and Game, and the North Coast Regional Water Quality Control Board and the Bay Area Air Quality Management District. SUSMP requirements, as applicable, are here referenced.

- 3.5 An approved lease with the County for the proposed development, or a County approved sublease with an existing Airport tenant for the proposed development.
- 3.6 Copies of all plans and specifications, including building elevations, finish samples and landscaping plans, shall be reviewed and approved by the Airport Manager prior to their submission to any regulatory agency.
- 3.7 As applicable, a hazardous materials handling program is required, providing full disclosure of any hazardous materials on site. Standard storage, use and disposal procedures, emergency procedures and schedule of regular inspections and approvals necessary to comply with federal, state and local regulations shall be noted and followed.
- 3.8 The development standards set forth in this document do not replace building and safety standards established by federal, state and local entities. They are the minimum standards for both proposed development and for modification of existing buildings and facilities on the Airport.
- 3.9 The development of a Full-Service FBO shall contain a minimum of three (3) acres of land; and include, at a minimum, eleven percent (11%) of the total gross acreage to be allocated for facilities and sixty-seven percent (67%) of the total gross acreage to be allocated for apron/tie down areas within the total leasehold. All other FBO land developments shall not be less than one-quarter (1/4) of an acre; and include a maximum land area of fifty percent (50%) allocated for facilities within the total leasehold (excludes multiple lessee facility, sublessee or multiple-activity operator).
- 3.10 The Airport Manager, in his/her sole discretion, will define the square footage of a leasehold of any and all proposed development(s) in relation to the total land requested, uneconomic remnants, and the land surrounding current and proposed developments.

SECTION 4 - PAVED AREAS

- 4.1 Aircraft Parking and Maneuvering Areas
 - 4.1.1 Taxilanes and aprons shall be designed to accommodate the heaviest aircraft which the proposed development is intended to accommodate, with the knowledge that the Airport can handle aircraft weighing up to 150,000 pounds.

4.1.2 Hangar developments must include an apron from the aircraft door of the hangar to the existing taxilane or taxiway edge.

4.1.3 All aircraft pavements shall be constructed using FAA-approved materials and design and safety standards.

4.2 Automobile Parking Lots and Service Drives

Parking lot and service drive(s) design, materials and methods of construction shall be in accordance with the latest revisions of the applicable County standards.

4.3 Sidewalks

Sidewalks internal to the Airport shall be constructed on leaseholds as required by the Airport Manager to promote efficient and safe pedestrian access. Leaseholds that border public rights of way, Airport Boulevard, Laughlin Road and Flightline Boulevard shall have sidewalks constructed in accordance with County Road Standards.

SECTION 5 - DRAINAGE, GRADING, AND LANDSCAPING

5.1 Drainage

5.1.1 Unpaved areas within and adjacent to the runway/taxiway system and other aircraft operating area shall have grades adhering to FAA recommendations and/or requirements.

5.1.2 All site plans shall comply with applicable federal, state, and local storm water management requirements. Specific reference is here made to LID (Low Impact Development) as defined in Section 1 - Definitions.

5.1.3 Grates and inlet structures shall be manufactured and certified to support the same weight aircraft as the adjacent pavement is designed to support.

5.1.4 Storm drainage systems shall be designed and constructed in accordance with the County's Standard Specifications for Design and Construction, whether relocating or extending existing lines or installing new lines. Storm drainage systems are discouraged from passing under buildings. All

surface drainage shall be engineered to flow away from structural improvements and into an approved storm drain system.

5.2 Grading

5.2.1 All disturbed areas designated for pavement and sidewalk replacement, structural use, and the like, shall be stabilized in accordance with County requirements for same.

5.2.2 All disturbed areas not designated for pavement and sidewalk replacement, structural use, and the like, shall be stabilized in accordance with County requirements for same.

5.3 Landscaping

5.3.1 A landscape plan shall be included for all proposed developments on the Airport, and must be approved by the Airport Manager and PRMD.

5.3.2 All landscaped areas shall conform to FAA obstruction standards and County low water use landscape ordinances and design guidelines. Plant materials that attract birds and other wildlife are not permitted. Preference is given to native and drought-tolerant plants.

5.3.3 The minimum landscape requirement for new development on the Airport is 10% of leasehold, except for full-service FBO's, which have a 5% of site area minimum landscape requirement. The landscape requirement may be partially satisfied offsite, at the discretion of the Airport Manager.

SECTION 6 - FENCING, SECURITY AND LIGHTING

6.1 Fencing

6.1.1 Fencing shall be provided between aircraft and non-aircraft areas in order to limit pedestrian and vehicular interference from the aircraft movement area and to provide security for parked aircraft in accordance with FAA and TSA design standards and regulations.

6.1.2 See security fencing requirement in Section 6.2 below.

6.2 Security

- 6.2.1 Security must, at all times, comply with TSA regulations. This requirement includes all construction personnel while working on Airport property.
- 6.2.2 Security fencing and all access points must meet the standards of the Airport's Security Plan at all times. Vehicle and pedestrian gate ingress and egress shall be in compliance with Airport and TSA rules and regulations. Note: Violations of vehicle and pedestrian gate rules and regulations will result in revocation of access to the Airport and in monetary fines, as established from time to time by Resolution of the Board of Supervisors.
- 6.2.3 If the proposed development creates an additional access point to the Airport perimeter, then the developer shall create its own security plan for the site and access point(s) in accordance with TSA regulations and the Airport's Security Plan.

6.3 Lighting

- 6.3.1 Area lighting shall be provided for safety and operational needs. A minimum of one (1) electrical light of sufficient size and lumens for the development shall be required on the front of each hangar for night illumination. A minimum of two (2) lights of sufficient size and lumens for the development shall be required on commercial hangars with aircraft tie down aprons.
- 6.3.2 All area lighting in the AOA shall be fully shielded and downward directed to prevent light pollution and to prevent interference with pilots' vision when they are maneuvering aircraft. In the interest of energy conservation, all area lighting on the Airport shall be controlled by photocells.
- 6.3.3 Proposed lighting shall be energy efficient fixtures, similar to light-emitting diode (LED) technology, in accordance with the Sonoma County Sustainable Energy Practices or CALGreen.

SECTION 7 - AUTOMOTIVE AND AIRCRAFT WASH RACKS

- 7.1 Automotive and aircraft wash racks shall be equipped with oil separators and oil catch tanks to prevent oil from being discharged into the storm water or sanitary

sewer system. Waste disposal and sanitary system plans shall comply with all federal, state and local requirements for same.

- 7.2 A spill prevention and countermeasures control plan must be developed and submitted to the Airport Manager for approval prior to the operation of any automotive or aircraft wash rack.

SECTION 8 - FUEL STORAGE AND DISTRIBUTION

The following development standards are intended as a supplement to the requirements of the Airport's Minimum Standards, as the Standards are currently written and as they may be amended from time to time and the requirements of FAA AC 150/5230-4B, Aircraft Fuel Storage, Handling, Training and Dispensing on Airports as it is currently written and as it is amended from time to time.

- 8.1 All fuel shall be stored in above-ground tanks in compliance with County regulations. Distribution of fuel into aircraft shall be from mobile or stationary pumping equipment ("Fuelers"). Tanks and mechanical equipment must be labeled and color-coded per FAA requirements to distinguish the different fuel grades. Deadman controls shall be provided for unloading fuel from the tanks into the tending vehicles. Over the road tankers are prohibited from all airside areas, except those areas that they are required to traverse in order to dispense fuel into the fuel farm or tender within the fuel storage area.
 - 8.1.2 All above ground tanks shall be installed in an individually approved containment basin designed to capture any accidental spill of the contents of the fuel storage facility and/or delivery vehicle in accordance with all EPA, NFPA and other federal, state and local laws and regulations as they are currently written and as they may be amended from time to time. Emergency fuel shut off stations shall be located near the fuel tanks, be accessible, well marked and illuminated as per FAA AC 150/5230-4B.
 - 8.1.3 All surface drainage from the storage area and docking/loading area shall be captured in a closed drainage system and directed through a fuel spill and/or water separator device approved by the County. All drainage pipes shall be in reinforced concrete culvert-pipe to withstand potential damage from corrosion and fire.
- 8.2 Access to and circulation around the fuel storage facilities shall not impact and/or impede existing Airport roads and shall in no case require the use of

dedicated airside pavements or facilities. Primary access roads to fuel storage sites must be designed for heavy truck traffic.

- 8.3 Fuel dispensed from a stationary tank is required to have a containment system of a design and depth large enough to contain the amount in the tank and shall be designed to comply with all applicable federal, state and local requirements and regulations.
- 8.4 Only those Airport tenants who have fuel storage rights specified in their lease agreements or have a special use permit shall be considered eligible for fuel storage. The Airport Manager must approve all fuel storage on the Airport.
- 8.5 Fueling equipment and dispensing procedures shall comply with all federal, state and local laws and regulations, as they are currently written and as they may be amended from time to time.
- 8.6 County-approved fuel storage equipment shall be calibrated and equipped with metering devices that maintain and produce accurate receipts of fuel dispensed from the facility.
- 8.7 All site plans for facility development will be subject to Federal Aviation Regulations, Parts 77 and 139 and the Airport Manager's site plan review. Design and construction specifications shall be approved by pertinent airport engineers designated by the Airport Manager, and also approved by the Airport Manager and applicable regulatory agencies.

SECTION 9 - HANGARS, BUILDINGS AND OTHER STRUCTURES

9.1 Codes

All hangars, buildings, and other structures shall conform to building and safety codes applicable for the intended use.

9.2 Location, Setback, Height and Size

- 9.2.1 The location of buildings and facilities shall be consistent with the adopted Airport Master Plan. No building may be closer to the centerline of Runways 14-32 and 02-20 than the minimum setback requirements specified by FAR Part 77. Hangars shall be located outside the established taxiway/taxilane object free area. Hangars facing a major access taxiway shall have a setback from the taxiway centerline of not less than that of

the taxiway safety area plus the longest dimension of the largest aircraft capable of being stored in the hangar.

- 9.2.2 No structure (including roof equipment, if any) may be of such a height as to penetrate the runway or approach imaginary surfaces specified by FAR Part 77.
- 9.2.3 Windows and large areas of glass shall be oriented and/or treated to avoid reflections that could distract pilots landing and/or taking off.
- 9.2.4 All hangars for commercial uses shall meet the minimum square footage established in the Minimum Standards for the proposed commercial use of the hangar. The minimum hangar size for non-commercial hangars shall be 1,000 square feet.

9.3 Utilities

- 9.3.1 Electrical - All hangars shall be provided with electrical service and lighting.
- 9.3.2 Water - All buildings requiring water service shall connect to the public water system, unless excepted from this requirement, in writing, by the Airport Manager. All tap fees and water consumption charges shall be paid by the tenant.
- 9.3.3 Sanitary Waste Disposal - All buildings requiring sanitary waste disposal shall connect to the central sewer system, unless excepted from this requirement, in writing, by the Airport Manager. All tap fees, assessments and water consumption charges shall be paid by the operator.
- 9.3.4 All electrical and telephone service shall be underground. The tenant shall pay all tap fees, connection fees and usage billings.
- 9.3.5 Developers are encouraged to maximize solar orientation for both winter heating and summer cooling.
- 9.3.6 Before any excavation for utility lines takes place, all applicable grading permits shall be obtained, the Airport Manager notified, the area surrounding the proposed digging clearly marked, and the location of any nearby and/or existing crossing utility lines and piping noted.

- 9.3.7 Solar - Proposed solar projects for primary (and/or secondary) energy production at a development site shall comply with FAA policy (or interim policy) and regulations. In addition to construction drawings, a complete report of glare analysis, electromagnetic, radio, or any other real or potential disturbances generated by the solar project that will or may interfere with any Airport operation(s). The report(s) will detail the solar project affects on aircraft while in flight, landing and on-the-ground within and around the Airport; the analysis shall also include any affect on ground operations and neighboring developments within and around the Airport. All drawings, reports and product information will be submitted to the Airport Manager and FAA (through form 7460-1) for review and approval.

9.4 Access

- 9.4.1 Pedestrian and vehicular access to buildings normally open to the public shall not cross airport operating areas (AOA)/airside areas, meaning that they must remain outside the AOA/airside areas.
- 9.4.2 All improvements or facilities sited on the landside/AOA interface shall have appropriate accesses to both the landside and the AOA. Automobile parking shall be provided for aircraft storage hangars in locations which do not interfere with aircraft and Airport operations.
- 9.4.3 All improvements or facilities must comply with the Americans with Disabilities Act (“ADA”).
- 9.4.4 For hangar bays larger than 2,000 square feet, a pedestrian door shall be provided. The minimum width of any pedestrian door shall be 36 inches, and all pedestrian doors shall have a one-hour fire rating.
- 9.4.5 Hangar doors may be of sliding or bi-fold type. Bi-fold doors are recommended because of their ease of operation. Approved swing-out, overhead, or sliding doors may also be used. However, sliding doors may not be used in hangar configurations where the open door of one hangar interferes with access to an adjacent hangar.

9.5 Materials and Finish

It is the objective of the Airport that all new permanent construction is of high quality design and construction utilizing materials and finishes that will maintain their appearance with minimum maintenance. Accordingly:

- 9.5.1 Hangars and hangar-type buildings shall be constructed with steel, aluminum, concrete or masonry exteriors with, at a minimum, standing seam or non-glare roof. All exterior metal surfaces shall have a durable finish applied at the point of manufacture. Office buildings require the Airport Manager’s approval prior to construction.
- 9.5.2 Exterior colors and textures shall harmonize with other buildings and structures.
- 9.5.3 The Airport Manager reserves the right to disapprove exterior materials and finishes which detract from the overall visual impression of the Airport.

9.6 Structural Requirements

All hangars, buildings and other structures shall be engineered to meet local building requirements for structural integrity. The Building Code currently adopted by the County, as it is currently written and as it may be amended from time to time, shall apply as to allowable materials and structural strength for the structure class or type as determined by use and seismic zone.

9.7 Green Building Program

All hangars, buildings and other structures shall comply with the CALGreen and County Code, as these codes are currently written and as they may be amended from time to time.

SECTION 10 - PARKING

There shall be a minimum of 1.5 onsite parking spaces for each 1,000 square feet of gross hangar area. Parking requirements for other buildings which may be constructed on the Airport shall comply with County Parking Standards. The parking requirement may be waived by the Airport Manager, in his/her sole discretion, if adequate parking is in close proximity and is not designated for other current and/or future use. For commercial hangars, parking is needed for employees and/or visitors, and shall be designed in accordance with local County of Sonoma Standard Specifications for Design and Construction and the Americans with Disability Act (ADA) standards. Pavement, curb and gutter shall be designed to meet current County engineering standards.

SECTION 11 - SIGNS

Signs are permitted and must comply with the Airports Signs and Display requirements as listed below. All sign designs are subject to review and approval by the Airport Manager.

- 11.1 Signs oriented towards the landside of the Airport and intended to be viewed by the public from public rights of way shall be subject to Airport Manager approval and be consistent with County Sign Guidelines for number, size, design, location, and lighting.
- 11.2 Signs which are oriented toward the airside of the Airport and intended to be viewed by pilots and/or the public on airport property, shall be subject to Airport Manager approval and be consistent with the following:
 - 11.2.1 Basic Sign Allowance: Any business on the Airport shall be allowed one flat-mounted sign, which shall be attached to the exterior of the building and shall not exceed 100 square feet.
 - 11.2.2 Signs shall be mounted to the building façade and shall coordinate with building architecture. Signs shall not protrude more than twelve (12) inches from the façade of the building, hang from a canopy or eaves or project above the roof line of the building.
- 11.3 Signs, including street and/or building numbers, shall not be painted directly onto building surfaces.
- 11.4 No signs, except those for safety or directional purposes, shall be placed on hangar doors or on fences.
- 11.5 No freestanding signs are allowed at the Airport.
- 11.6 Real Estate Signs - One temporary sign may be displayed, upon the approval of the Airport Manager, that is related to the lease or sale of the real property on which the sign is placed. The sign may not be larger than forty (40) square feet.
- 11.7 Any type of moving, blinking, or neon lighted signage attached to the building exterior is prohibited at the Airport.
- 11.8 Signs may be internally or externally illuminated. Externally illuminated signs shall have the lighting fixture(s) oriented downwards and fully shielded in order to prevent glare.

SECTION 12 - ANTENNAS/SATELLITE DISHES AND SCREENING

- 12.1 All antennas, satellite dishes and similar equipment shall be subject to the approval of the Airport Manager and FAA upon the submission of Form 7460-1 and indicated on plan submittals. Tenant shall obtain the Airport Manager's approval prior to installation if any such equipment is desired to be installed after initial approval of tenant's facility. No equipment shall be allowed that will interfere with existing or future airport operations.
- 12.2 Screening shall be used as appropriate to enhance project aesthetics as viewed from offsite.

SECTION 13 - OUTDOOR STORAGE AND TEMPORARY BUILDINGS

- 13.1 Outdoor storage areas, dumpsters, loading/unloading areas, and roof equipment shall be screened in the same architectural style as the structural improvements on the site.
- 13.2 Temporary buildings must be approved by the Airport Manager as to type, use, design and location on an individual basis for a specified term. Temporary buildings shall be removed prior to occupancy of the new permanent buildings. Temporary buildings such as trailers, tents or membranes are not approved, except in extenuating circumstances and at the sole discretion of the Airport Manager.

SECTION 14 - PROJECT REVIEW, DOCUMENTATION, PERMITS AND INSPECTIONS

14.1 Pre-Design Conference(s)

Prior to site planning and design, the tenant shall meet with the Airport Manager to discuss the following:

- 14.1.1 Terms and conditions of lease agreement.
- 14.1.2 Proposed site location.
- 14.1.3 Building Development Standards.
- 14.1.4 Preliminary Plans

14.1.5 FAA Notice of Proposed Construction (Form 7460-1).

14.1.6 California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA).

14.2 Prior to Commencement of Construction

Prior to the commencement of construction, tenant shall have met with the Airport Manager for at least one onsite pre-construction meeting, and shall have provided the following documentation to the Airport Manager for review and approval:

14.2.1 Final Plans. Upon approval, a complete set of Final Plans shall be given to the Airport. Final Plans, also known as “Construction Documents”, include, but are not limited to, the following:

- Site Layout
- Civil Engineering
- Architectural Design
- Structural Design
- Mechanical Design
- Electrical Design
- Landscape and Irrigation Design
- Fire Code requirements
- Energy Calculations
- Engineering Specifications/Calculations

14.2.2 Proof of compliance with all applicable zoning code, building code, and fire code, requirements, along with proof of compliance with applicable Regional Water Quality Control Board and Regional Air Quality Control Board standards and permit requirements.

14.2.3 Proof of compliance with applicable CEQA and NEPA requirements.

14.2.4 Copies of all required permits including required mitigation permits.

14.2.5 Approved FAA Notice of Proposed Construction Form 7460-1.

14.2.6 Proof of insurance as required by the lease.

14.2.7 Receipts for payment of all required fees and costs.

14.2.8 Construction schedule with sufficient detail in order to enable Airport staff to identify potential impacts and to communicate those impacts to aeronautical users and tenants at the Airport.

14.3 Fees and Costs of Projects

The tenant is solely responsible for obtaining all permits, payment of all fees associated with or made necessary by the project, and paying all costs associated with the project, including, but not necessarily limited to the following, regardless of whether the project is successfully completed:

- 14.3.1 All required environmental review (CEQA, NEPA, etc.) and mitigation.
- 14.3.2 Phase I (or Phase II, if applicable) Environmental Assessment.
- 14.3.3 Required studies (soil, hydrology, industrial, health, etc).
- 14.3.4 Design costs.
- 14.3.5 Utility (water, electric, sewer, telecommunications, broadband, etc.) hook up.
- 14.3.6 Any Airport layout Plan (ALP) updates necessitated by the project.
- 14.3.7 Permit fees.
- 14.3.8 Airport Application Fee and any other costs of Airport and County staff time devoted to processing documents and approvals, or meeting with local, state, and/or federal agencies in connection with the project.

14.4 During Construction

- 14.4.1 The Airport Manager will conduct periodic inspections during construction. No changes to, or variations from, approved plans and specifications shall be permitted without the prior written approval of both the Airport Manager and the federal, state and/or local entity or entities which originally approved the plans and specifications.
- 14.4.2 The tenant shall be responsible for coordinating construction inspections with the County PRMD - Building Inspection Section. The tenant shall also be responsible for coordinating construction inspections and with any and all federal, state and/or other local entity or entities that may have jurisdiction.
- 14.4.3 Failure to comply with Airport requirements or failure to complete an approved construction project according to the approved plans and specifications, or within applicable permit times of all required agencies, shall be cause for the County to revoke the lease associated with the

project and, further, the County may require that any structural or other improvements constructed on the leased premises be removed. The foregoing remedies are in addition to any provided by the lease terms and conditions or as provided by law.

- 14.4.4 Provide an updated construction schedule every two weeks that details differences from the approved construction schedule (if any) and a two week look ahead of anticipated events.

14.5 Final Site Plan and As-Built Submittals

In the event any changes were approved and made during the construction process and following the completion of construction, the tenant shall prepare and submit a final site plan and set of as-built plans to the Airport Manager.



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: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan R. Klassen (707) 565-2231

Supervisorial District(s):

Fourth, Fifth

Title: Wohler Road Bridge over the Russian River Seismic Retrofit

Recommended Actions:

- (1) Adopt a Resolution adopting the Mitigated Negative Declaration, adopting the Mitigation Monitoring Program, and approving the project to seismically retrofit the Wohler Road Bridge over the Russian River; and
- (2) Authorize the Director of Transportation and Public Works to execute all required documents to secure a lease agreement with California State Lands Commission for the Wohler Road Bridge over the Russian River

Executive Summary:

Background

This project will provide for the retrofit of this existing historic but structurally deficient one-lane Wohler Road Bridge over the Russian River (Bridge No. 20C-0155) with a new concrete seismic load resisting deck, seismic isolation bearings and expansion joints, steel truss reinforcement and foundation reinforcement designed to meet current seismic design standards for existing bridges. The project is designed to prevent the collapse of the bridge in event of a large earthquake without significantly altering the historic character of the bridge. This project is 100% federally funded for preliminary engineering and eligible for 100% funding for construction.

Project Environmental Review

A California Environmental Quality Act (CEQA) Initial Study was prepared for the project and presented to the Environmental Review Committee. The Environmental Review Committee reviewed the study and recommended a Mitigated Negative Declaration be prepared. The Mitigated Negative Declaration, including the proposed mitigation measures, was circulated for public and agency review.

As a result of the CEQA outreach, comment letters were received from the California Department of Fish and Wildlife (CDFW) and the California State Lands Commission (State Lands).

The CDFW letter stated that a California Endangered Species Act permit and a Lake and Streambed

Alteration Agreement will be required, and requested that the CEQA document identify impacts and appropriate mitigations for stream and riparian resources. Stream and riparian resources have been addressed in the CEQA document, and the Department of Transportation and Public Works (DTPW) will obtain all appropriate permits before constructing the project, including those identified by CDFW. All environmental issues raised in the comment letter have been addressed in the environmental document.

State Lands noted that they are a Responsible and Trustee Agency under CEQA, and that a lease will be required for project elements within State Lands jurisdiction. DTPW will obtain the lease prior to construction. The letter states that title to archaeological sites and historic or cultural resources on or in submerged lands of California is vested in the State and under the jurisdiction of the State Lands Commission. This information has been added to the Initial Study. The letter requested consultation with State Lands if these resources are discovered during construction. DTPW will consult with State Lands as requested. The letter also requested that the Initial Study identify a significant threshold for greenhouse gas emissions during construction of the project and perform a quantitative analysis of emissions. The Initial Study has been updated to include this information. Emissions of greenhouse gas from project construction would be less than significant. No new mitigation measures or project revisions are required. The revisions to the Initial Study do not constitute substantial revisions according to CEQA Guidelines Section 15073.5(b), and recirculation of the Mitigated Negative Declaration is not required.

Moving Forward

The attached resolution adopts the Mitigated Negative Declaration and Mitigation Monitoring Program; approves the project; and directs the Permit and Resource Management Department to file a Notice of Determination with the County Clerk. If the project is approved by the Board today, the Department of Transportation and Public Works will proceed with final design and bidding, and will return to the Board for awarding of the construction contract. If the project is not approved by the Board, the design of the seismic retrofit will not proceed and the federal and state funds spent to date will be returned to Caltrans.

Schedule

The State Lands Commission will be meeting in December to consider the State Lands Lease. Once the lease has been issued TPW will be submitting a Right of Way (ROW) Certificate to Caltrans for their approval. The intent is for the retrofit work to start in May of 2015. If any of the approvals for right-of-way are unduly delayed then construction will be postponed until May of 2016.

Prior Board Actions:

9/24/13 – The Board authorized the Chair to sign an engineering design contract with Drake Haglan & Associates, Inc. for the seismic retrofit of Wohler Road Bridge in amount not to exceed \$653,454 with a term ending December 31, 2016.

Strategic Plan Alignment Goal 3: Invest in the Future

This project invests in the future by bringing aging public infrastructure up to current standards.

Fiscal Summary - FY 14-15			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 10,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 10,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 10,000	Total Sources	\$ 10,000
Narrative Explanation of Fiscal Impacts (If Required):			
The direct expense associated with current item is related to acquiring the lease agreement with State Lands Commission and is estimated to be less than \$10,000 which includes application and review fees charged by State Lands for processing the lease. Appropriations are available in the FY 14-15 Road division 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:			
Resolution; Layout Plan; Location Map; CDFW Comment Letter; State Lands Commission Comment Letter			
Related Items "On File" with the Clerk of the Board:			
Mitigated Negative Declaration and Mitigation Monitoring Program			



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program and Approving a Project To Seismically Retrofit the Wohler Road Bridge Over the Russian River.

Whereas, the Department of Transportation and Public Works has submitted to this Board a proposed project to seismically retrofit the Wohler Road Bridge over the Russian River (Bridge Number Bridge No. 20C-0155); and

Whereas, an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Program have been prepared for this project in accordance with California Environmental Quality Act (CEQA) and State and County CEQA guidelines, and submitted to this Board; and

Whereas, the Environmental Review Committee reviewed the Initial Study on August 19, 2014, and recommended a Mitigated Negative Declaration be prepared; and

Whereas, notice of a 30-day public review of the Mitigated Negative Declaration and Initial Study from August 20 through September 19, 2014 were provided in accordance with CEQA and State and County CEQA guidelines; and

Whereas, this Board has reviewed the Initial Study and Mitigated Negative Declaration and comments received thereon; and

Whereas, that based on the record of these proceedings, this Board makes the following findings:

1. The Mitigated Negative Declaration has been prepared for this project and circulated for public review pursuant to the requirements of CEQA, and reflects this Board's independent judgment and analysis.
2. There is no substantial evidence before the Board that the proposed project, as mitigated by the mitigation measures in the Mitigated Negative Declaration, may have a

Resolution #

Date:

Page 2

significant effect on the environment and therefore, adoption of the Mitigated Negative Declaration is appropriate under CEQA and State and County CEQA guidelines.

Now, Therefore, Be It Resolved this Board hereby adopts the Mitigated Negative Declaration and directs that the mitigation measures described in the Initial Study be incorporated into the proposed project and adopts the Mitigation Monitoring Program.

Be It Further Resolved that this Board approves the proposed project, and directs the Director of the Department of Transportation and Public Works to take such action as may be necessary to carry out the proposed project.

Be It Further Resolved that this Board directs staff of the Permit and Resource Management Department to file a Notice of Determination with the County Clerk.

Be It Further Resolved that the Clerk of the Board is designated as the custodian of documents and other materials that constitute the record of the proceedings upon which the Board's decision is herein based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100A, Santa Rosa, California, 95403.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No	TOTAL SHEETS
04	SON	WOHLER RD.		X	X

REGISTERED CIVIL ENGINEER _____ DATE _____

PLANS APPROVAL DATE _____

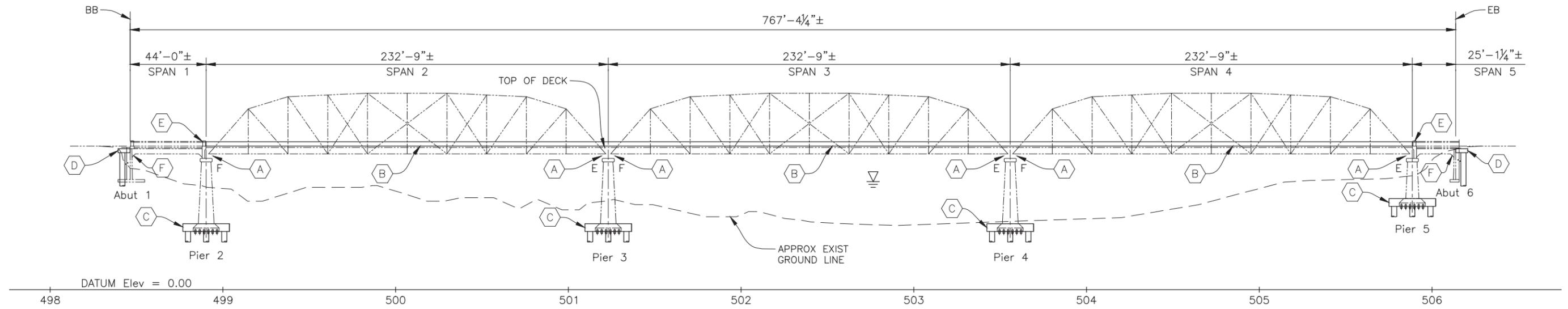
DRAKE HAGLAN AND ASSOCIATES OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF ELECTRONIC COPIES OF THIS PLAN SHEET.

dh drake haglan AND ASSOCIATES
11060 White Rock Road, Suite 200
Rancho Cordova, CA 95670

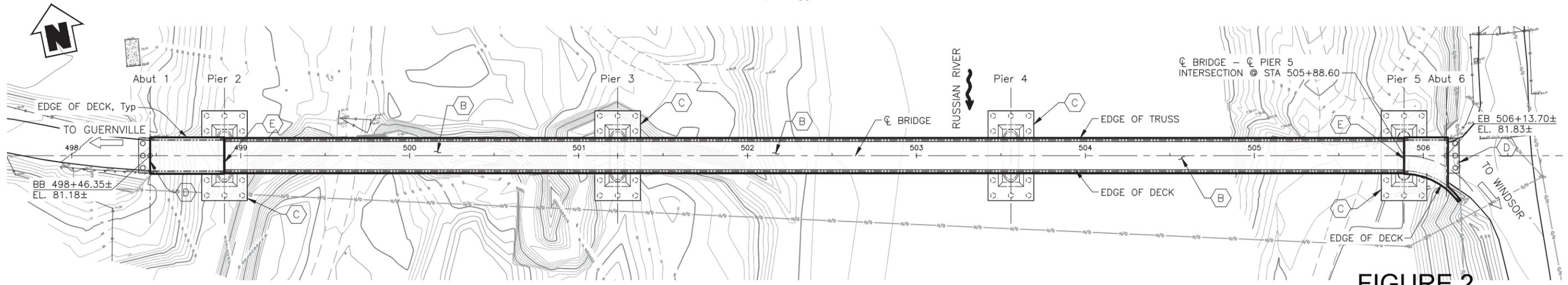
REGISTERED PROFESSIONAL ENGINEER
ELI M. ARAMOUNI
No. CE 41712
Exp. 03/31/16
CIVIL
STATE OF CALIFORNIA

- LEGEND:**
- Indicates Direction of Water Flow
 - Indicates direction of traffic
 - Indicates Existing Structure
 - Indicates New Structure
 - E Indicates Existing Expansion Bearing
 - F Indicates Existing Fixed Bearing
 - o/h Indicates Existing Overhead
 - COMM Indicates Existing Communication Cables
 - w Indicates Existing Water Line
 - Indicates High Water Surface Elevation

- RETROFIT LEGEND:**
- A Bearing Replacement/Friction Pendulum Bearings
 - B Deck Replacement
 - C Footing Retrofit
 - D Abutment Retrofit
 - E Expansion Joint Retrofit
 - F Restrainers



ELEVATION
1" = 30'



PLAN
1" = 30'

FIGURE 2

NOTE:
THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

DESIGN OVERSIGHT	DESIGN BY G. XU	CHECKED M. KANAAN	PREPARED FOR THE SONOMA COUNTY DEPARTMENT OF PUBLIC WORKS	J. GOMEZ PROJECT ENGINEER	BRIDGE NO. 20C-0155	EARTHQUAKE RETROFIT PROJECT WOHLER ROAD BRIDGE OVER RUSSIAN RIVER GENERAL PLAN NO. 1
	DETAILS BY G. XU	CHECKED A. MALLA			POST MILE N/A	
	QUANTITIES BY X	CHECKED X		CU EA	DISREGARD PRINTS BEARING EARLIER REVISION DATES	

ORIGINAL SCALE IN INCHES FOR REDUCED PLANS

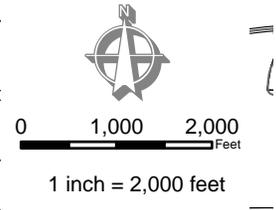
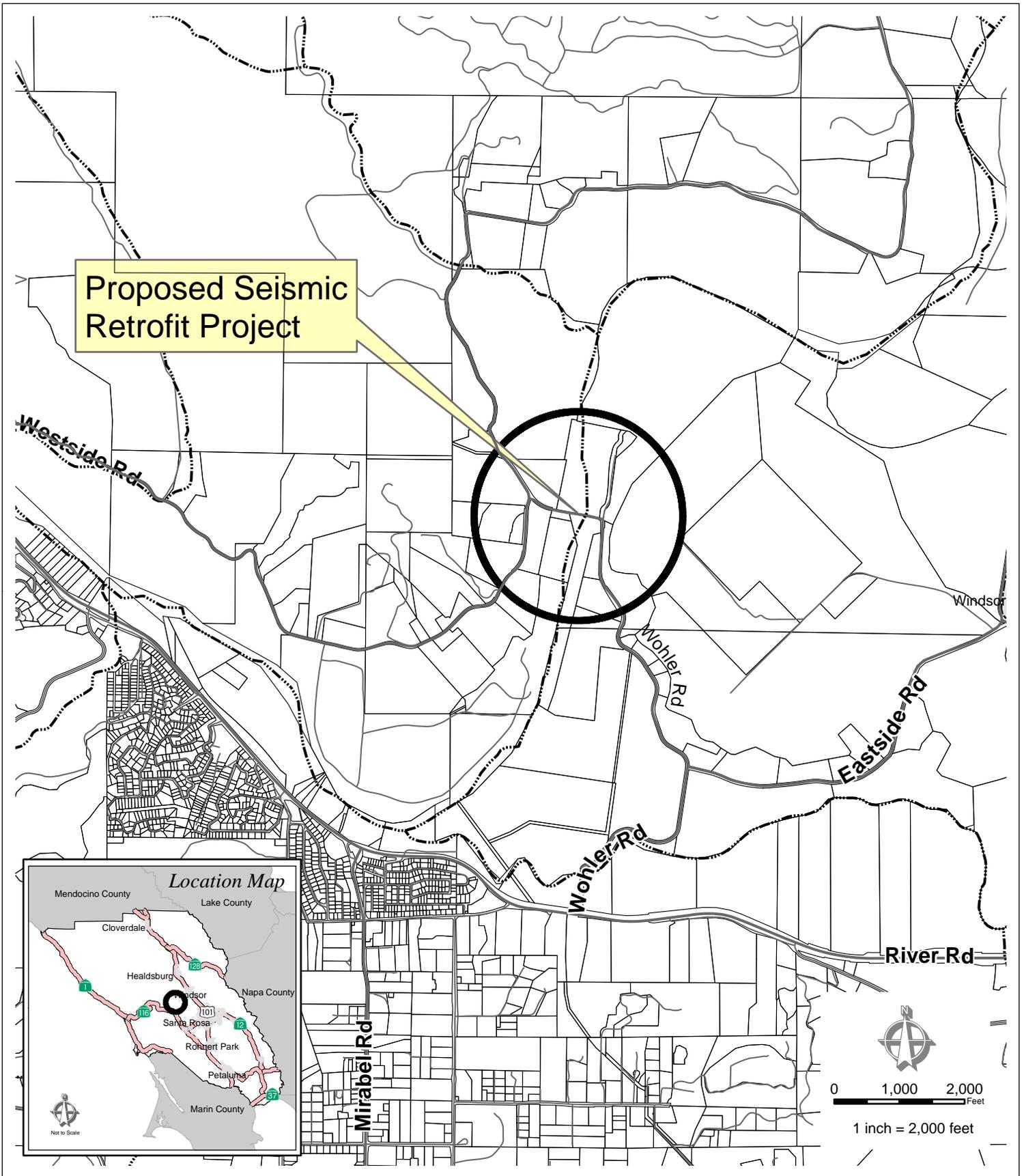
0 1 2 3

FILE => S:\Sonoma County\Drake Haglan\CAD\WRB-S 01-03-GENERAL PLAN.dwg

65% PLANS - NOT FOR CONSTRUCTION

DATE PLOTTED => Mar 28, 2014 10:06 am

daniel



Location Map Wohler Road Bridge Seismic Retrofit Project

Figure 1

Map Scale and Reproduction methods limit precision in physical features displayed. This map is for illustrative purposes only, and is not suitable for parcel-specific decision making. The parcels contained herein are not intended to represent surveyed data. Site-specific studies are required to draw parcel-specific conclusions. Assessor's parcel data are current as of July 1, 2012. No part of this map may be copied, reproduced, or transmitted in any form or by any means without written permission from the Permit and Resource Management Department (PRMD), County of Sonoma, California.
 Author: PRMD Cartography: D. Reinier File Number: S:\GIS-DATA\PRMD_BASE\PRMD Department Projects\Environmental Review\Wohler Road Bridge Project - Location.mxd Date: 10/28/2013



County of Sonoma
 Permit and Resource Management Department
 2550 Ventura Avenue, Santa Rosa, California 95403
 707-565-1900 FAX 707-565-1103





State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



September 8, 2014

Ms. Laura Peltz
Sonoma County
2550 Ventura Avenue
Santa Rosa, CA 95403

Dear Ms. Peltz:

Subject: Wohler Road Bridge Over the Russian River Seismic Retrofit, Mitigated Negative Declaration, SCH #2014082054, Sonoma County

The California Department of Fish and Wildlife (CDFW) has reviewed the documents provided for the subject project, and we have the following comments.

Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to the California Environmental Quality Act (CEQA) documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, CDFW may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. CDFW, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact CDFW's Bay Delta Regional Office at (707) 944-5500.

If you have any questions, please contact Mr. Adam McKannay, Environmental Scientist, at (707) 944-5534; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at (707) 944-5525.

Sincerely,

Scott Wilson
Regional Manager
Bay Delta Region

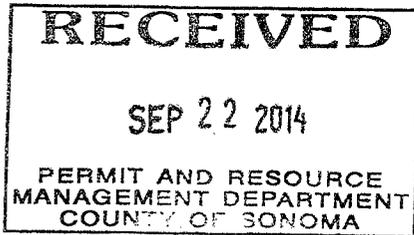
CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



Established in 1938

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885



September 18, 2014

File Ref: SCH #2014082054

Laura Peltz
Sonoma County
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: Draft Mitigated Negative Declaration (MND) for Wohler Bridge Seismic Retrofit Project, Sonoma County

Dear Ms. Peltz:

The California State Lands Commission (CSLC) staff has reviewed the subject Draft MND for the Wohler Bridge Seismic Retrofit Project (Project), which is being prepared by the Sonoma County (County). The County, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency because of its trust responsibility for projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. Additionally, because the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership

extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

After reviewing the information contained in the Wohler Road Bridge Seismic Retrofit Project MND, CSLC staff have determined that at least a portion of the Project occupies State sovereign land in the Russian River. The Russian River waterward of the ordinary low water (OLW) mark is State-owned sovereign land under the jurisdiction of the CSLC; therefore, any Project improvements waterward of the OLW require CSLC authorization. As the Project proceeds, the County should contact the CSLC and submit a lease application for a new lease. Please contact Jonathan Sampson, Public Land Management Specialist (see contact information below), for further information about CSLC leasing.

Also be advised that the waterways involved in the Project are subject to a public navigational easement. This easement provides that the public has the right to navigate and exercise the incidences of navigation in a lawful manner on State waters that are capable of being physically navigated by oar or motor-propelled small craft. Such uses may include, but are not limited to, boating, rafting, sailing, rowing, fishing, fowling, bathing, skiing, and other water-related public uses. The activities completed under the Project must not restrict or impede the easement right of the public.

This conclusion is without prejudice to any future assertion of State ownership or public rights, should circumstances change, or should additional information come to our attention. This letter is not intended, nor should it be construed as, a waiver or limitation of any right, title, or interest of the State of California in any lands under its jurisdiction.

Project Description

The existing Wohler Road Bridge over the Russian River would be seismically retrofitted to prevent bridge collapse during a strong earthquake. Work would include replacement of the existing bridge bearings with seismic isolation bearings, abutment and foundation retrofit, pier retrofit, expansion joint retrofit, and deck replacement. Construction of the retrofit would require temporary vegetation removal and a temporary work pad in the Russian River.

Environmental Review

CSLC staff requests that the County consider the following comments on the Project's Draft MND.

Cultural Resources

1. **Title to Resources**: The MND should mention that the title to all archaeological sites and historic or cultural resources on or in submerged lands of California is vested in

the State and under the jurisdiction of the CSLC. CSLC staff requests that the County consult with Assistant Chief Counsel Pam Griggs (see contact information below) should any cultural resources on State lands be discovered during construction of the proposed Project.

Climate Change

2. Greenhouse Gases (GHGs): The Draft MND (page 50) makes the following statement:

"The construction phase could generate short term GHG emissions from the operation of construction equipment, truck and worker vehicle trips, and traffic delays. Construction activities are not subject to a quantitative threshold of significance."

The Governor's Office of Planning and Research's Technical Advisory on CEQA and Climate Change states that "*Lead agencies shall make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities.*" In addition, the Bay Area Air Quality Management District Air Quality Guidelines (updated May 2012) state that "*The Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from land development construction and operation activities,*" and expressly address construction-related impacts in Section 8.

Therefore, although emissions from the Project's construction activities are temporary and unlikely to exceed any threshold of significance, a GHG analysis consistent with the California Global Warming Solutions Act (Assembly Bill [AB] 32) and required by the State CEQA Guidelines should be included in the MND to identify a clear threshold and analysis of the potential GHG impact. This analysis should identify a threshold for significance for GHG emissions, calculate the level of GHGs that will be emitted as a result of construction and ultimate build-out of the Project, determine the significance of the impacts of those emissions, and, if impacts are significant, identify mitigation measures that would reduce them to less than significant.

Thank you for the opportunity to comment on the Draft MND for the Project. As a responsible and trustee Agency, the CSLC will need to rely on the Final MND for the issuance of a lease as specified above and, therefore, we request that you consider our comments prior to adoption of the MND.

Please send copies of future Project-related documents, including electronic copies of the Final MND, Mitigation Monitoring and Reporting Program (MMRP), and Notice of Determination (NOD) when they become available, and refer questions concerning environmental review to Cynthia Herzog, Senior Environmental Scientist, at (916) 574-

1310 or via e-mail at Cynthia.Herzog@slc.ca.gov. For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Assistant Chief Counsel Pam Griggs at (916) 574-1854 or via email at Pamela.Griggs@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Jonathan Sampson, Public Land Management Specialist, at (916) 574-0909, or via email at Jonathan.Sampson@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
J. Sampson, LMD, CSLC
C. Herzog, DEPM, CSLC
S. Blackmon, Legal, CSLC



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: November 24, 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:

Susan Klassen (707) 565-2231

Supervisory District(s):

The Northern Sonoma County Air Pollution Control District

Title: Interim Appointment of Air Pollution Control Officer

Recommended Actions:

Temporarily appoint Susan Klassen, Director of Transportation and Public Works, as Interim Air Pollution Control Officer for the Northern Sonoma County Air Pollution Control District (District), effective November 24, 2014 to sign permits issued by the District and handle various management duties.

Executive Summary:

The current Air Pollution Control Officer accepted a new position with the State of California with her last day being November 30, 2014. California Health & Safety Code section 40751 requires the District's board to appoint an Air Pollution Control Officer. A recruitment is currently underway with an anticipated appointment date in late February/March 2015. The District needs an interim Air Pollution Control Officer during this period.

This board action is to temporarily appoint Susan Klassen, Director of Transportation and Public Works, as Interim Air Pollution Control Officer, effective November 24, 2014 to sign permits issued by the District and handle various additional management duties.

Prior Board Actions:

None.

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	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

No fiscal impact will occur with this temporary appointment.

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:

None.



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: November 24, 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 October 28, 2014 and November 4, 2014

Recommended Actions:

Approval.

Executive Summary:

Approval of Minutes:

- (A) Minutes of the Meeting of October 28, 2014 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors, and
- (B) Minutes of the Meeting of November 4, 2014 for the following: Community Development Commission, Sonoma County Water Agency, and Board of Supervisors.

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

OCTOBER 28, 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.

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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.

8:30 A.M. CALL TO ORDER

8:30 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)

Item 13, General Services lease authority, requires a majority vote and not a 4/5 vote.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Carrillo thanked the Health and General Services Departments for their work on the Health Services initiative, with a recent tour that focused on homelessness services and upstream investments. He attended the ad hoc committee meeting on the Roseland annexation MOU which was officially signing last week. He thanked the Human and Water Agency Departments and Steve Trippe at New Ways for Work for their work on the Youth Ecology Corp program.

Supervisor Gorin also attended the Youth Ecology Corp meeting. She attended a local energy symposium on Climate Protection campaign, where many Bay Area Counties were eager to learn from the successes of Sonoma Clean Power. She attended a North Bay water reuse authority meeting which is ready to end their Phase 1 projects and is now gearing up for three years of Phase 2 project considerations. She feels we are well positioned for any possible federal legislation funds in this area. She encouraged the public to vote yes on the upcoming water bond measure which will provide for grants and loans in this area. She announced the Sonoma Valley ground water meeting at the Veterans building 6:30 p.m. October 29, 2014 for community suggestions on declining ground water issues. There will be a stakeholders meeting with a feasibility trail meeting at 9 a.m. November 1, 2014, and she announced the Science Fair Day from 11 am - 4 pm at the Fairgrounds that same day.

Supervisor Zane toured the Redwood Gospel mission that helps with the homeless and mentally ill. She met with the Community Action Partnership at the John Jordan Center on Dutton Avenue which assists students with obstacles who are trying to improve their lives and receive their high school diplomas. She attended the ad hoc committee on annexation for Roseland. She coordinated a mental health parity in the workplace forum for employees last week. She attended a BEST Board meeting with the Chambers of Commerce and Economic Development Board which works to attract new business to the County, expanding our food and technology industries.

BOARD MEMBER ANNOUNCEMENTS (Continued)

Supervisor McGuire shared that road work has continued on Westside and West Creek roads due to the rains last weekend, with 7 miles eventually to be completed. He thanked Transportation and Public Works for replanting trees at the airport for the updated interchange, and he thanked Regional Parks for the community garden there.

Supervisor Rabbitt announced that he attended the Golden Gate Bridge District transportation meeting. He shared that there are tremendous costs related to tourism that are subsidized by the toll takers, and that the City of San Francisco tourism Board may assist with some of those issues. He acknowledged those who recently tragically lost their lives both in the line of duty, and in recent other out-of-state community tragedies.

III. CONSENT CALENDAR (Items 1-8)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 5)

PRESENTATIONS AT THE BOARD MEETING

1. Adopt a Gold Resolution congratulating the Sonoma County CSA #40 Lakeville Volunteer Fire Department for their First Place award in the "Swift Water" Maritime/Water Rescue Class competition during the Urban Shield 2014 Exercise. (Second District & Fire and Emergency Services Department)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0444

2. Adopt a Gold Resolution congratulating Molsberry's Market on their 55th Anniversary.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0445

3. Adopt five Gold Resolutions recognizing five recipients of the Sonoma County Jefferson Awards for Public Service in 2014.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolutions 14-0446, 14-0047, 14-0048, 14-0049, and 14-0045.

PRESENTATIONS AT A DIFFERENT DATE

4. Adopt a Gold Resolution celebrating the 60th Anniversary of Catholic Charities, Diocese of Santa Rosa. (Third District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0451

CONSENT CALENDAR (Continued)

5. Adopt a Gold Resolution recognizing Lucie Demoret Collingwood Jensen on her 100th birthday celebration. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0452

COUNTY ADMINISTRATOR

6. Approve the Fiscal Year 2014-15 Advertising Program grant award and authorize the County Administrator to execute a contract with Independent Filmmaker Project for "The S Word" documentary film project, \$10,000.

Board Action: Approved as Recommended

UNANIMOUS VOTE

HUMAN RESOURCES

AND

SONOMA COUNTY WATER AGENCY

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

AND

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

AND

COMMUNITY DEVELOPMENT COMMISSION

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

AND

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

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

7. Authorize the Director of Human Resources to execute amendments to various agreements with occupational safety, industrial hygiene, ergonomic and environmental safety consultants, adjusting contract maximums, for the remainder of the term through December 1, 2015.

Board Action: Approved as Recommended

UNANIMOUS VOTE

MISCELLANEOUS

8. Approve the Minutes of the Meeting of September 23, 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 Approve the Minutes of the Meeting of September 23, 2014 for the Sonoma Valley County Sanitation District.

Board Action: Approved as Recommended

UNANIMOUS VOTE

IV. REGULAR CALENDAR (Items 9 through 14)

PERMIT AND RESOURCE MANAGEMENT

9. Review the proposed Comprehensive Planning Work Plan and provide direction to staff for program implementation in Fiscal Years 2015-16 and 2016-17.

Presenters:

Tennis Wick, Permit and Resource Management Director
Jennifer Barrett, Deputy Director of Planning, Permit and Resource Management Department
Sandi Potter, Environmental Review Manager

Public Speakers:

Teri Shore
Judith Olney
Marc Bommers Bach
Kathy Pons
Marie Graynor-Murphy
Gary Helfrich
Rue Furch
Terry Harrison
Kimberly Burr
Christa Shaw
William Newlin
Joan Fleck

The Board marijuana ad hoc committee will be reformed with Supervisors Rabbitt and Gorin serving, which will also review past ad hoc committee recommendations.

Board Action: Approved as Recommended
UNANIMOUS VOTE

The Board recessed: 11:22 a.m.
The Board reconvened: 11:34 a.m.

PRESENTATIONS AT THE BOARD MEETING

14. Presentation of five Gold Resolutions recognizing five recipients of the Sonoma County Jefferson Awards for Public Service in 2014.

The Board recessed to join the Jefferson Awards reception: 12:10 p.m.
The Board reconvened: 12:24 p.m.

PLEASE NOTE: THE BOARD WILL BREAK AFTER THIS ITEM TO JOIN THE
JEFFERSON AWARDS RECEPTION.

REGULAR CALENDAR (Continued)

TRANSPORTATION AND PUBLIC WORKS

10. Adopt the final Long Term Road Plan.

Presenters:

Jason Nutt, Deputy Director, Transportation and Public Works
Peter Rumble, Deputy County Administrator
Mary Booher, Administrative Analyst, County Administrator's Office

Public Speakers:

Bill Kuziara
Arthur Hayssen
Janet Blasi Hayssen
Ross Halleck
Bryon Cooper
John Bly
John Jenkle

Items 10, 11, and 12 were considered concurrently.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolutions 14-0453, 14-0454, and 14-0455.

COUNTY ADMINISTRATOR

11. Review and provide direction to staff on the Public Education Effort for the Long Term Road Plan.

Presenters:

Jason Nutt, Deputy Director, Transportation and Public Works
Peter Rumble, Deputy County Administrator
Mary Booher, Administrative Analyst, County Administrator's Office

Public Speakers:

Bill Kuziara
Arthur Hayssen
Janet Blasi Hayssen
Ross Halleck
Bryon Cooper
John Bly
John Jenkle

Items 10, 11, and 12 were considered concurrently.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolutions 14-0453, 14-0454, and 14-0455.

REGULAR CALENDAR (Continued)

12. Consideration of Transactions and Use Tax Ordinance -
- (A) Conduct a Public Hearing to consider an ordinance imposing a general countywide transaction and use tax (sales tax) in Sonoma County. The ordinance, if adopted, will be placed on the ballot at the June 2, 2015 election, and will become effective if it is approved by a majority of the voters voting on the measure.
 - (B) Adopt a Resolution introducing, reading the title of and waiving further reading of a proposed ordinance imposing a transactions and use tax for general purposes.
 - (C) Adopt a Resolution rescinding Resolution No. 14-0326, which placed ordinance 6084 on the March 4, 2015 ballot.
 - (D) Adopt a Resolution rescinding Resolution No. 14-0327, which placed an advisory measure on the March 4, 2015 ballot.

Presenters:

Jason Nutt, Deputy Director, Transportation and Public Works
Peter Rumble, Deputy County Administrator
Mary Booher, Administrative Analyst, County Administrator's Office

Public Speakers:

Bill Kuziara
Arthur Hayssen
Janet Blasi Hayssen
Ross Halleck
Bryon Cooper
John Bly
John Jenkle

Items 10, 11, and 12 were considered concurrently. The sales tax will be based upon a plan that will be brought back to the Board.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolutions 14-0453, 14-0454, and 14-0455.

GENERAL SERVICES

13. Conduct a Public Hearing and Adopt an Ordinance of the County of Sonoma amending Article XVII of Chapter 2 of the County Code to re-authorize and expand delegation of authority for Department Heads to execute certain leases and licenses valued at less than \$10,000/month and for a term up to 10 years. Such leases are excluded from bidding requirements and may convey interest to other public agencies for up to one year. This ordinance shall be effective for a period not-to-exceed five years. (4/5 vote required)
(Second Reading - Ready for Adoption)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Ordinance 6087.

V. REGULAR AFTERNOON CALENDAR (Items 15 through 16)

2:02 P.M. - RECONVENE TO REGULAR AFTERNOON CALENDAR

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

15. 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 Project Review and Advisory Committee
 - c) Acts and Determinations of Design Review Committee
 - d) Acts and Determinations of Landmarks Commission
 - e) Administrative Determinations of the Director of Permit and Resource Management

2:02 P.M.

Board Action: NONE

16. 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.)

2:02 P.M. Public Comment Opened.

Public Speakers:

Mary Morrison
Maria Stubbert
Richard Hanna
Chris
John Jenkel

2:19 P.M. Public Comment Closed

2:19 P.M. Recess to Closed Session.

VI. CLOSED SESSION CALENDAR (Items 17 through 18)

4:26 P.M. Counsel Goldstein reported on Closed Session Items #17-18.

17. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Friends of Lafferty Park, et al, v. Pickachu II, LLC, et al., Sonoma County Superior Court Case No. SCV-253148.

Board Action: Not to intervene at this time.

UNANIMOUS VOTE

18. The Board of Supervisors will consider the following in closed session: Public Employee Appointment Interviews for Department of Child Support Services Director. (Gov't. Code Section 54957(b)(1)).

Direction Given to Counsel and Staff.

VII. REGULAR AFTERNOON CALENDAR (Items 19 through 20)

4:26 P.M.

RECONVENE FROM CLOSED SESSION

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

19. Report on Closed Session.

4:26 P.M. Counsel Goldstein reported on Closed Session Items #17-18.

20. ADJOURNMENTS

4:27 P.M. The Board adjourned the meeting in memory of Les Hudson. The meeting was adjourned to November 4, 2014 at 8:30 A.M.

Respectfully submitted,

Roxanne Epstein,
Chief Deputy Clerk of the Board

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

TUESDAY

NOVEMBER 4, 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.

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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.

8:30 A.M. CALL TO ORDER

8:30 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)

Item 10, the appointment to the Commission on the Status of Women, has been removed from the agenda.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Gorin shared that there was recent legislation passed by the Governor directing that after January 2015, there shall be no ordinances regarding genetically modified crops without first consulting with the Secretary of Food and Agriculture. She would like a future Board discussion with the Agriculture Commissioner and others to see what this means for Sonoma County, and to understand the history of this legislation.

Supervisor Carrillo thanked Mr. Hernandez for his work on the recent Russian River community resource meeting, that included Regional Parks, the Sheriff's office, and the Department of Motor Vehicles to connect with the community. He attended a Spud Point advisory meeting to discuss marina improvement issues; a community action partnership graduation on micro-business, in partnership with the Redwood Credit Union, designed for those who want to start their own business; a water advisory committee meeting that included a Napa County earthquake response presentation and best practices. He sends condolences to the families to those who perished last weekend when their boat capsized in Bodega Bay, with thanks to the first responders. He thanked the coordinators of the Roseland Cup soccer tournament that was held with local law enforcement at Elsie Allen High School.

Supervisor Zane presented the Portrait of Sonoma to the City of Rohnert Park, that also included a discussion on safe medicine disposal. She attended a program honoring Bill Kordum and Hazel Mitchell for their historical work that prevented a PG&E nuclear power plant at Bodega Bay; and "Taste the Possibilities" symposium to help our agricultural producers to stay local and connected to our regional food plan. On November 11, 2014, she will speak at the Rohnert Park community center at 11 a.m. at the annual Veteran's Day program.

Supervisor McGuire attended the recent Economic Development District breakfast. There will be a meeting with the Federal Aviation Administration on November 24, 2014 at 6:30 p.m. at the Windsor town hall on new flight paths. He invited the public to a ribbon cutting ceremony on November 14, 2014 at 10:15 a.m. for the new Westside education facility

BOARD MEMBER ANNOUNCEMENTS (Continued)

through the Water Agency. Permit Resource and Management Director Tennis Wick was thanked for the excellent customer service he provides, and especially for assisting Caselle's bakery that is expanding their facility near the airport.

Supervisor Rabbitt held a Lakeville town hall safety meeting to receive input on the deaths and injuries that have occurred there. He thanked those who attended the community fire meetings at Wilmar and Sea Ranch, with ten total meetings being held countywide. He attended a roundtable meeting about access for animal slaughter house safety regulations for state, federal, and local producers. He also feels it is a hard time for the Board meeting calendar to allow a review of the genetically modified organism issues. He feels that an analysis of the legislation can come as a memo from County Counsel, County Administrator, and the Agricultural Commissioner, involving our lobbyist, examining the seed bill, and to see if there is any emergency timing involved.

The Board also asked that the vacation rental ordinance return to the Board in order to discuss an over concentration of properties and other unresolved issues.

III. CONSENT CALENDAR (Items 1 through 10)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 2)

PRESENTATIONS AT A DIFFERENT DATE

1. Adopt a Gold Resolution recognizing Willie Tamayo as a recipient of the North Bay Leadership Council's 2014 Leaders of the North Bay Award for "We're All In This Together." (Third District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0456

2. Adopt a Gold Resolution honoring November 11, 2014 as "Veterans Day" in Sonoma County. (Human Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0457

SONOMA COUNTY WATER AGENCY

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

3. Approve the appointment of a hearing officer to hear the appeal of discipline filed with the Board of Directors on October 6, 2014, and direct staff to proceed with scheduling and conducting the appeal hearing.

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

COUNTY ADMINISTRATOR

4. Authorize the Chair to execute the First Amendment to the Personal Services Agreement with Bill Keene as General Manager, Sonoma County Agricultural Preservation and Open Space District, commencing on November 17, 2014 through November 17, 2017.

Board Action: Approved as Recommended
UNANIMOUS VOTE

FIRE AND EMERGENCY SERVICES

5. Adopt a 30 day extension of the Resolution proclaiming a drought emergency in Sonoma County.

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution 14-0458

PERMIT AND RESOURCE MANAGEMENT

6. Adopt a Resolution of Intention providing direction to staff to amend the Vacation Rental Ordinance.

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution 14-0459

MISCELLANEOUS

7. Approve the Minutes of the Meeting of September 30, 2014, October 7, 2014, and October 14, 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 Approve the Minutes of the Meeting of September 30, 2014, October 7, 2014, and October 14, 2014 for the Sonoma Valley County Sanitation District.

Board Action: Approved as Recommended
UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS

(Items 8 through 10)

8. Approve the appointment of Bill Smith to the Agriculture Preservation and Open Space District Advisory Board for a term of 2 years, beginning January 1, 2015 through December 31, 2016. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

9. Approve the appointment of Elaine Holtz to the Commission on Human Rights for a term of 2 years, beginning November 1, 2014 through October 31, 2016. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

10. Approve the appointment of Joy Lovinger to the Commission on the Status of Women for a term of 2 years, beginning November 4, 2014 through November 3, 2016. (Fifth District)

This item was removed from the agenda.

IV. REGULAR CALENDAR (Items 11 through 12)

COUNTY ADMINISTRATOR

11. Adoption of Transactions and Use Tax Ordinance and Call for Election - (A) Adopt an Ordinance, the "Sonoma County 2015 Transactions and Use Tax Ordinance," imposing a general countywide transaction and use tax (sales tax) of one-quarter of one percent for a period not to exceed five years pursuant to the authority granted by Revenue and Taxation Code Section 7285. (4/5 vote required) (Second Reading - Ready for Adoption) (B) Adopt a Resolution declaring an emergency and calling a special election to submit to the voters of Sonoma County the proposed quarter-cent general sales tax measure entitled the Sonoma County 2015 Transactions and Use Tax Ordinance, and ordering that the special election be consolidated with the general law city election to be conducted on June 2, 2015. (Unanimous vote required)

Presenters:

Mary Booher, Administrative Analyst, County Administrator's Office
Peter Rumble, Deputy County Administrator

Public Speaker

Michael Hilber

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 14-0460 and Ordinance 6088

BOARD OF SUPERVISORS

AND

COMMUNITY DEVELOPMENT COMMISSION

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

12. Concurrent action by Board of Supervisors and Board of Commissioners to: (A) Approve Homelessness Winter Weather Response Plan. (B) Approve \$535,000 in FY 2014-15 homelessness assistance "gap" funding for Catholic Charities (\$205,000), Cloverdale Community Outreach Committee (\$23,000), Committee on the Shelterless (\$144,000), Community Action Partnership (\$60,000), Community & Family Service Agency (\$66,000), Sonoma County Legal Aid (\$11,000), and The Living Room (\$26,000). (C) Approve an amendment to the agreement between the City of Santa Rosa and the County for operations at Samuel L. Jones Hall Homeless Shelter to provide \$60,000 for a winter weather expansion of approximately 50 beds. (D) Approve the expanded Homeless Outreach Services Team Pilot Project using a one-time allocation of \$35,000 in Reinvestment and Revitalization funding. (E) Approve Professional Services Agreement to provide \$346,418 to Catholic Charities of the Diocese of Santa Rosa to operate the Homeless Outreach Services Field Work Team and the Coordinated Intake Program from November 1, 2014 to October 31, 2015.

REGULAR CALENDAR (Continued)

Item #12 Continued

Presenters:

Kathleen Kane, Community Development Commission Director
Jenny Abramson, Continuum of Care Coordinator

Public Speakers:

Tigre
Isaac Manuleuv
Cheryl Parkinson
Bertha Jean Schmidt
Mikeal O'Toole
Thomas Ells
Sheila Hardin
Laura H. Feahr
Anita LaGollette
Michael Hilber
Alisa Wright
Adrienne Lauby
Georgia Berland
Christopher Bowers
Linda Picton
Kathy Allen
Peter Coyote
David Gabrill

Board Action: Approved as Recommended
UNANIMOUS VOTE

The Board recessed: 11:50 a.m.
The Board reconvened: 12:05 p.m.

13. 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 Project Review and Advisory Committee
 - c) Acts and Determinations of Design Review Committee
 - d) Acts and Determinations of Landmarks Commission
 - e) Administrative Determinations of the Director of Permit and Resource Management

11:53 A.M.

Board Action: NONE
NO VOTE

12:04 P.M.

14. 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.)

12:04 P.M. Public Comment Opened.

Public Speakers:

Steve Pearson
Bruze McArthur
Maria Stubert
Mary Morison
Richard Hannan
Rachel Lamm
Chris Githens
John Jenkel

12:36 P.M. Public Comment Closed

12:37 P.M. Recessed to Closed Session

V. CLOSED SESSION CALENDAR (Items 15 through 18)

2:09 P.M. Counsel Goldstein reported on Closed Session Items #15-18.

2:09 P.M. RECONVENE FROM CLOSED SESSION

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Efren Carrillo

Supervisors Absent: Mike McGuire

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

15. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Sandra Irene VanRyckeghem v. Guy Gullion, et al., Superior Court of the State of California, County of Sonoma, SCV-254692, (Gov't. Code Section 54956.9(d)(1)).

By a 4 - 0 - 1 vote, Supervisor McGuire Absent, the Board of Supervisors in closed session approved a settlement of this matter without admitting liability, whereby the parties will execute a mutual release and the County will issue a check to Plaintiff Sandra Irene VanRyckeghem in the amount of \$55,000. The Board also authorized the Risk Manager to proceed with payment and to execute all settlement related documents.

16. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Kirby Reed v. County of Sonoma, Workers' Compensation Appeals Board No. ADJ8012018, (Gov't. Code Section 54956.9(d)(1)).

By a vote of 4 - 0 - 1, Supervisor McGuire Absent, approval was given for a Compromise and Release settlement of Kirby Reed's workers' compensation claim in the amount of \$74,500, less advanced disability payments paid to date and less credit rights of \$55,674 pursuant to the previously approved third party subrogation agreement. Under the settlement, Mr. Reed will retain the right to limited future medical treatment as stated in the settlement. Direction was also given to the Risk Manager to execute all documents necessary to effectuate the settlement.

17. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Regional Parks Director. (Gov't. Code Section 54957(b)(1)).

Direction Given to Staff.

18. The Board of Supervisors will consider the following in closed session: Public Employee Appointment of Department of Child Support Services Director. (Gov't. Code Section 54957(b)(1)).

By a vote of 4 - 0 - 1 vote, Supervisor McGuire Absent, Jennifer Traumann was selected as Child Support Services Director.

19. Report on Closed Session.

2:09 P.M. Counsel Goldstein reported on Closed Session Items #15-18.

20. ADJOURNMENTS

2:11 P.M. The Board adjourned the meeting in memory of William "Bill" King, Janice Marie Volker-Corda, Rudolph Oppenheimer, James Moore and Clarence Freeman, Jr.

The meeting was adjourned to November 14, 2014 at 1:00 P.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 of Sonoma County

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Department of Health Services

Staff Name and Phone Number:

Rita Scardaci, 565-7876

Supervisorial District(s):

Countywide

Title: Sonoma County Commission on AIDS Appointment

Recommended Actions:

Appoint Melissa Struzzo to the Sonoma County Commission on AIDS for a two-year term beginning December 1, 2014.

Executive Summary:

This item requests the appointment of Melissa Struzzo to the Sonoma County Commission on AIDS for a two-year term beginning December 1, 2014.

The Sonoma County Commission on AIDS was established to improve the lives of people affected by or at risk for HIV in Sonoma County. The Commission on AIDS provides advice and recommendations to the Board of Supervisors on HIV policy issues and on the need for HIV-related education and prevention services, treatment, and supportive services, and on any other related matters the Board refers to it, or which the Commission itself raises.

The mission of the Commission on AIDS is to: 1) maintain HIV on the County's prevention agenda; 2) keep the Board of Supervisors aware of the progress of the HIV epidemic; 3) serve as a voice to the Department of Health Services and the Board for underrepresented populations; 4) speak to the community at large about HIV and keep the issue in the public awareness; 5) decrease stigma around HIV; and 6) encourage open discussions that lead to people getting tested, discovering their status, and providing needed support to neighbors or family members who may be living with HIV.

Commission membership may include representatives from the following populations and agencies: people living with and/or affected by HIV/AIDS; healthcare providers including hospitals, clinics, health care and discharge planning; community-based HIV/AIDS service organizations; social service providers; mental health providers; community leaders; substance use providers; people of color; individuals from the elder community; individuals specializing in maternal and child health; people living with disabilities; high school or college student; faith community leaders; individuals who represent gay/lesbian/bisexual/transgender/queer/questioning/intersex (GLBTQQI); and individuals who represent criminal justice. The Commission strives for 33 percent of membership to be persons affected by or living with

HIV disease and strives for representation from all geographic areas of the County. Commission members draw upon their experience with HIV services and represent diverse communities.

There are two levels of membership status; members and ex-officio members. Members are persons appointed to represent a particular perspective (as listed above). They have the full rights, privileges, and responsibilities of members as described in the bylaws and policies and procedures. Ex-officio members are persons appointed by reason of their office and have the full rights and privileges of members. Ex-officio Members consist of designated representatives from the Department of Health Services and the Human Services Department.

The following individual is seeking appointment as a member of the Sonoma County Commission on AIDS for a term that will commence on December 1, 2014 and expire on November 30, 2016. Her term will begin per the term provisions of the bylaws.

Representing	Member Name
Community Leader	Melissa Struzzo

Prior Board Actions:

Sonoma County Commission on AIDS appointments/reappointments were last approved on May 13, 2014.

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

The Commission on AIDS informs the Board on HIV prevention, treatment, and advocacy in Sonoma County.

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):

There are no fiscal impacts associated with this item.

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:
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: 30
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt, 707/s565-2241

Supervisorial District(s):

Countywide

Title: Reappointment

Recommended Actions:

Reappoint Delmar Friedrichsen to the Sonoma Resource Conservation District Board of Directors, representing the County of Sonoma for a term of four years expiring 12/31/18.

Executive Summary:

In July, 2013, the Sotoyome Resource Conservation District and the Southern Sonoma County Resource Conservation District reorganized as the Sonoma Resource Conservation District.

Prior Board Actions:

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	\$	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: November 24, 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: Appointment

Recommended Actions:

In July, 2013, the Sotoyome Resource Conservation District and the Southern Sonoma County Resource Conservation District reorganized as the Sonoma Resource Conservation 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	\$		\$
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: 32
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 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):

Countywide

Title: Reappointment

Recommended Actions:

Reappoint Earle Cummings to the Sonoma Resource Conservation District Board of Directors, representing the County of Sonoma for a term of four years expiring 12/05/18.

Executive Summary:

In July, 2013, the Sotoyome Resource Conservation District and the Southern Sonoma County Resource Conservation District reorganized as the Sonoma Resource Conservation District.

Prior Board Actions:

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	\$	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: 33
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board Of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 575-3758

Supervisorial District(s):

Fourth District

Title: Appointment

Recommended Actions:

Approve the appointment of Christine Lacedra RN to the to the Cloverdale Health Care District for a term of two years, the appointment will be as of November 24, 2014 and end November 23rd, 2016 .

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:			

LETTER OF INTEREST FOR THE VACANCY ON THE BOARD OF DIRECTORS OF THE
CLOVERDALE HEALTH CARE DISTRICT.

I am writing to express my interest in the vacancy on the Board of Directors. I have been living in Cloverdale since November 2013. I am a registered voter in this district.

After working at the Cloverdale Senior Center I realized how important and gratifying it can be to volunteer your time and services. I would also like to pay back the City of Cloverdale and Mary Jo at Management Connections for providing me with the means to live and work in such a beautiful rural town.

I am presently learning about how council and subcommittee meetings are run at the City level as I help create the Agenda's, and write up the minutes after the meetings. I have over 25 years' experience in the health care setting. My background is an RN and Program Director.

Please consider my request for the Director position for the remainder of the term ending November 2014.

Sincerely

Christine Lacedra

Christine Lacedra RN

230 Theresa Dr
Cloverdale Ca 95425
calacedra13@gmail.com
(707) 331 9446



SONOMA COUNTY

Clerk-Recorder-Assessor

www.sonoma-county.org/cra

REGISTRAR OF
VOTERS DIVISION

P.O. Box 11485
435 Fiscal Dr.
Santa Rosa, CA 95406
Tel: (707) 565-6800
Toll Free (CA only):
(800) 750-VOTE
Fax: (707) 565-6843

OFFICES TO WHICH BOARD MEMBERS NEED TO APPOINT DIRECTORS

<u>OFFICE</u>	<u>NO. OF SEATS</u>	<u>TERM</u>	<u>QUALIFICATIONS</u>	<u>SUPERVISORIAL DISTRICT(S)</u>
<u>Monte Rio Fire Protection District</u>	1	*4 years	Registered Voter of the District	5 th District
Previous Incumbent: James J. Kokalis				
<u>Windsor Fire Protection District</u>	1	*4 years	Registered Voter of the District	4 th District
Previous Incumbents: James Magness & Michael Ahlin				
<u>Cloverdale Health Care District</u>	1	*2 years	Registered Voter of the District	4 th & 5 th Districts

Previous Incumbents: Vacant (Christine Lacedra was appointed after the close of nomination to a term ending 12/05/14)

*Term begins December 5, 2014 (Appointment must be made prior to December 1, 2014). Please note the last scheduled board meeting before this deadline is November 18, 2014.

CERTIFICATE OF APPOINTMENT AND OATH OF OFFICE
DISTRICT DIRECTOR

THIS CERTIFIES that at a regular meeting held on the 10th day of November, 2014,
the Cloverdale Healthcare District District
appointed Christine Lacedra to hold the office
of District Director of the above named district to hold the office for the completion of the term expiring
December 1, 2016.

OATH OF OFFICE

STATE OF CALIFORNIA)
COUNTY OF SONOMA)

I, Christine Lacedra, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties upon which I am about to enter.

Christine Lacedra
(Candidate's Signature)

230 Theresa Drive
(Address)

Cloverdale Ca 95425

Subscribed and sworn to before me this 10th day of November, 2014.

MARY P. SINK Mary P. Sink
(Name of Person Administering Oath)

DIRECTOR
(Office or Title)



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: Board of Supervisors

Board Agenda Date: November 24, 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):

Fourth

Title: Airport Ordinance Revising Article I, General, and adding Article IV, Commercial Vehicle Operations, to Chapter 3, Airport, of the Sonoma County Code.

Recommended Actions:

Adopt a resolution reading the title, waiving further reading of, and introducing for adoption an ordinance to revise Article I, General, and add Article IV, Commercial Vehicle Operations, to Chapter 3, Airport, of the Sonoma County Code.

Executive Summary:

Charles M. Schulz- Sonoma County Airport ("Airport") is the gateway to Sonoma County for many visitors, and has undergone many changes in the almost 50 years since its governing ordinance, codified as Chapter 3 of the Sonoma County Code, was adopted. Since the resumption of commercial flights from the Airport in 2007, staff has been working to modernize the governing ordinance to serve several important functions. First, revisions are needed to reflect changes in federal law and regulation, and bring the ordinance into compliance with standard practices in the industry. Second, additions to the ordinance are needed to allow for effective regulation of the businesses that offer ground transportation to air travelers, both in order to maintain orderly operations of the Airport and to ensure that the operators, who often form a traveler's first impression of Sonoma County, are maintaining standards appropriate to a world-class tourist destination. Third, in light of limited resources and competing demands upon County law enforcement officials, an administrative citation procedure is needed to allow Airport personnel to ensure compliance with the applicable regulations without requiring law enforcement personnel to issue routine citations.

The updated Chapter 3 will properly govern current Airport operations, and is intended to remain flexible and relevant as the Airport, and the aviation community generally, continues to modernize. The proposed revisions will appear in Article I of Chapter 3 of the Sonoma County Code, as well as in the addition of Article IV thereof. Articles II and III of Chapter 3 will remain unchanged.

Changes to Article I

The following is a more detailed summary of the proposed changes to Article I:

- Section 3-1 - Adds and updates definitions to current standards, including updating the name of the airport.
- Section 3-2 - Adds Airport Manager's authority and responsibilities.
- Re-number Section 3-3 Liability of County, etc. (formerly Section 3-15) - updates language.
- Re-number Section 3-4 General Rules of Conduct (formerly Section 3-2) - adding rules, including "No Smoking" rule.
- Re-number Section 3-5 Restricted areas (formerly Section 3-3) - adding new security area language.
- Re-number and re-title Section 3-6 Use of Airport Facilities (formerly Section 3-4, Use of Roads and Walks) and Conduct of Business or Commercial Activity (formerly Section 3-5, Conduct of business) - adding language regarding restricted areas and updates language regarding permission to conduct business on Airport property.
- Re-number Section 3-7 Soliciting (formerly Section 3-6) - language update to current standards.Re-number and re-title Section 3-8 Advertising (formerly Section 3-7 Advertisements, etc.) - adds language regarding Airport Advertising Policy.Re-numbering Section 3-9 Animals (formerly Section 3-8) - adds language regarding service-animals and trained-animals related to law enforcement activities.Re-number and re-title Section 3-10 Aircraft Operations - Flying Activity (formerly 3-9 General Conduct of Plane Operators and Owners and Section 3-13 Air Rules) - Deletes language regarding activities now included in Airport Minimum Standards and requires conformance with those standards and FAA regulations.Re-number and re-title Section 3-11 Fire Hazards (formerly Section 3-10 Fire Hazards Generally) - updates language regarding flammable substances.Re-number Section 3-12 Fueling Operations (formerly Section 3-11) - Deletes language regarding activities now included in Airport Minimum Standards and requires conformance to those standards.Re-number and re-title Section 3-13 Land Transportation - Motor Vehicles (formerly Section 3-12 Land Transportation and Traffic Regulations Generally) - Updates language to include requirement to meet applicable state and federal vehicle regulations. Deletes the original Section 3-13 Air rules – Per FAA regulations, these activities cannot be regulated by the Airport.Re-title Section 3-14 Firearms and Dangerous Weapons (formerly Firearms, etc.) - Adds language regarding TSA regulations and detailing applicability of County ordinance 19-14 on Airport property. Re-number Section 3-15 Rates and Charges (formerly Section 3-16) - No language change.Re-number Section 3-16 Violations and Penalties (formerly Section 3-17) - Update language to current standardsAdd a new Section 3-17 Administrative Remedies: Administrative Citations - This section provides for administrative citations as authorized by Government Code section 53069.4 and shall only apply to violations that occur on the Airport premises. The section also establishes processes for: issuance of citations; setting rates for fines; payment of fines; contesting of citations; establishment of Administrative Review Committee (ARC); review hearings; ARC decisions; noticing, and rights to judicial review.

Addition of Article IV

In addition to the changes requested for Article I, the Airport is requesting to add a new article to Chapter 3. The proposed Article IV addresses regulation of commercial vehicle use on Airport property.

On April 23, 2013, the Board approved the Taxicab Ordinance (#6029), which added Article IX - Taxicab to Chapter 18 - Motor Vehicles and Traffic of the Sonoma County Municipal Code. The code regulates taxi services within the unincorporated areas of Sonoma County.

At the time Ordinance #6029 was presented, it was determined that the Airport should update Sonoma County Municipal Code - Chapter 3 – Airport, to include the additional Airport specific requirements for all commercial vehicles operating on Airport property. The Airport ordinance was done separately because a) it includes regulations for limos, shuttles, courtesy vehicles, etc., as well as taxicabs, b) it addresses the unique situation and requirements at the Airport, and c) it makes it easier for applicants to understand the specific requirements to operate at the Airport.

The main aspects of the proposed article include the following:

- Taxicab operators must first meet regulations within Ordinance #6029 (Taxicab Ordinance) before applying for an Airport Commercial Vehicle Operations permit.
- Requires most Commercial Vehicle Operators to obtain Staging Permits prior to operating at the Airport.
- Requires visual inspection of vehicles to determine compliance with the requirements of the Article.
- Sets requirements regarding: registration of vehicles with the Airport; record keeping; appearance of vehicles and drivers; expected behavior of drivers; and no smoking in vehicles.
- Establishes that regulations shall be applied to commercial vehicle service companies and each driver for that enterprise.
- Establishes the Airport Managers ability to designate areas within Airport property for passenger pickup/drop off, vehicle staging and commercial vehicle parking.
- Establishes an enforcement process, fines and penalties for non-compliance.

Upon the full implementation of the Commercial Vehicle Operations ordinance, the Airport will rescind the current Temporary Taxicab Registration and Operating Agreement Program as an administrative action. Staff will return on December 2, 2014 for final adoption of this ordinance.

Prior Board Actions:

On April 23, 2013, Board approved Ordinance #6029 establishing Article IX – Taxicabs of Chapter 18 – Motor Vehicles and Traffic of the Sonoma County Municipal Code; 06/16/1966: Board approved Ordinance 971 establishing Chapter 3 – Airport of the Sonoma County Code.

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

This ordinance will encourage safe, effective and efficient use of the Airport and maintain a high level of Airport safety and customer service.

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):

None. The fees collectable under Article IV of the proposed ordinance are similar to as those collected under the current program.

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:

Ordinance; Resolution

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

Temporary Taxicab Registration and Operating Agreement Program; Ordinance 971; Ordinance 6029; Redlined Article I

[Publish within 15 days after adoption]

**SUMMARY OF ORDINANCE OF THE
SONOMA COUNTY BOARD OF SUPERVISORS
AMENDING ARTICLE I AND ADDITION OF ARTICLE IV TO CHAPTER 3 OF
SONOMA COUNTY CODE REGARDING THE AIRPORT**

On November 24, 2014 at _____ in the Board of Supervisors (“Board”) of the County of Sonoma (“County”) at the Board of Supervisors Chambers, located at 575 Administration Drive, Room 102A, Santa Rosa, California, considered for adoption and on December 2, 2014, the Board adopted, an ordinance amending Chapter 3 – Airport, of the Sonoma County Code.

The ordinance amends Article I, General, Chapter 3, Airport, to update terminology, comply with new federal, state and local regulations, and establishes an administrative citation process for violations of Chapter 3. The ordinance also adds Article IV, Commercial Vehicle Operations, Chapter 3, Airport, to establish rules of conduct for commercial vehicle operations on Airport property, including requirements for limos, shuttles, courtesy vehicles and taxicabs.

The vote of the Supervisors on the Ordinance was as follows:

Rabbitt___ Gorin ___ Zane _____ McGuire ___ Carrillo _____

The ordinance will become effective on January 1, 2015. Copies of the proposed ordinance are available for public inspection and copying from the Clerk of the Board of Supervisors, located at 575 Administration Drive, Suite 100A, Santa Rosa, California, during regular business hours and are also available on-line at 111.sonoma-county.org.

Clerk of the Board of Supervisors,
County of Sonoma

By: [Name]
[Deputy Clerk]

**ORDINANCE REVISING ARTICLE 1, GENERAL, AND ADDING ARTICLE IV, COMMERCIAL
VEHICLE OPERATIONS REGULATIONS, TO CHAPTER 3, AIRPORT, OF THE SONOMA
COUNTY CODE**

ORDINANCE NO. ____

ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, REVISING ARTICLE I (GENERAL), AND ESTABLISHING ARTICLE IV (COMMERCIAL VEHICLE OPERATIONS) AT THE CHARLES M. SCHULZ – SONOMA COUNTY AIRPORT, CHAPTER 3 (AIRPORT) OF THE SONOMA COUNTY CODE

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. General

Revise Article I, General, to Chapter 3, Airport, of the Sonoma County Code, as set forth in Exhibit A, incorporated herein by this reference. Add Article IV, Commercial Vehicle Operations Regulations to Chapter 3, Airport, of the Sonoma County Code, as set forth in Exhibit B, incorporated herein by this reference.

SECTION II. Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The Board of Supervisors of the County of Sonoma hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

SECTION III. Effective Date

This Ordinance shall be and the same is hereby declared to be in full force and effect ninety (90) days from the date of its passage and shall be published as follow: either (1) once in its entirety before the expiration of fifteen (15) days after said passage, or (2) a summary shall be published once at least five (5) days before proposed date of passage and a summary published once within fifteen (15) days after the date of passage. All publications shall include the names of the Board of Supervisors voting for or against the same. And shall be in newspaper of general circulation, published in the County of Sonoma, State of California, and the Clerk of the Board shall post in the office of the Clerk, a certified copy of the full text of this Ordinance along with the names of the Supervisors voting for or against the Ordinance.

In regular session of the Sonoma County Board of Supervisors, introduced on November 25, 2014, passed and adopted this 2nd day of December, 2014, on regular roll call of the members of said Board by the following vote:

Supervisors:

Gorin: Zane: McGuire: Carrillo: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.

EXHIBIT A

ARTICLE I – GENERAL

Sec. 3-1 Definitions.

For purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (a) “Administrative Citation” means a written citation on a form approved by the Airport Manager, issued to any person or entity responsible for a violation of the provisions of the County Code, when the Agent of the County determines that a violation has occurred.
- (b) “Administrative Review Committee” means a three (3) member subcommittee of the County Aviation Advisory Commission appointed by the Chairman of the Commission to hear appeals filed by persons contesting the issuance of administrative citations.
- (c) “Agent of County” means any County employee or agent of the County, including Airport staff, County employees designated by the Airport Manager, Sheriff’s employee, or designated Airport contractor, charged with the authority to implement or enforce any provision of the County Code and the Airport Rules and Regulations.
- (d) “Air Traffic Control Tower (ATCT)” means the facility operated by the FAA to provide air traffic control services to aircraft operating on or in the vicinity of the Airport.
- (e) “Aircraft” means a device that is used or intended to be used for flight in the air. Aircraft includes, but is not limited to, airplanes, airships, balloons, dirigibles, rockets, helicopters, gliders, sailplanes, amphibians, unmanned aerial vehicles (UAV), zeppelins, and seaplanes.
- (f) “Airport” means the Charles M. Schulz-Sonoma County Airport.
- (g) “Airport Development Standards” means the standards adopted by the County to establish the development requirements that must be met by all persons or entities desiring to construct or make improvements to buildings and facilities at the Airport. The Development Standards apply to proposed new construction, including proposed alterations or improvements to existing buildings or facilities.
- (h) “Airport Manager” means the manager of the Charles M. Schulz-Sonoma County Airport or his or her duly authorized representative.
- (i) “Airport Operations Area (AOA)” means any fenced area of the Airport that is used, or intended to be used, for landing, takeoff, or surface maneuvering of an aircraft. The AOA includes paved and unpaved surfaces that are intended to be used in addition to the associated runway, taxiway, or apron. Only persons holding appropriate credentials, or persons escorted by persons holding appropriate credentials, may access the AOA.

(j) "Airport Premises" means the entire Airport property including all public roadways, commercial vehicle hold areas, parking lots, terminal building curbside areas, and any other areas within Airport control.

(k) "Airport Rules and Regulations" means the Airport Rules and Regulations adopted by the County to govern the general conduct of the public, tenants, employees, and commercial users of the Airport in the interest of safety and efficiency.

(l) "Airport Security Program (ASP)" means a security program approved by the Transportation Security Administration (TSA) under Section 1542.101 of 49 CFR Chapter XII. The ASP is classified as Security Sensitive Information by TSA.

(m) "Aviation Commission" means the Sonoma County Aviation Commission, whose members are appointed by the Board of Supervisors.

(n) "Board of Supervisors" means the Sonoma County Board of Supervisors.

(o) "Commercial Activity" means any activity conducted on the Airport Premises for the purpose of obtaining revenue, earnings, income, and/or compensation of any kind, including the exchange of goods or services for goods or services (barter), whether or not such objectives are accomplished.

(p) "Commercial Passenger Terminal" means any facilities designated by the Airport Manager for use by airline or ground transportation passengers for ticketing, baggage handling, security screening, waiting, and/or gate access, and associated activities.

(q) "County" means County of Sonoma.

(r) "FAA" means the Federal Aviation Administration.

(s) "Minimum Standards" means the Charles M. Schulz-Sonoma County Airport Minimum Standards for Aeronautical Service Providers, as may be amended from time to time.

(t) "Person" means any individual, entity, firm, partnership, corporation, limited liability company, company, association, joint stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative.

(u) "Ramp" (or "Apron") means that part of the Airport where aircraft are parked, unloaded or loaded, refueled, or boarded.

(v) "Rates and Charges Resolution" means a resolution of the Board of Supervisors establishing rates, fees, charges and fines applicable to the conduct of business and operations on the Airport Premises and to the enforcement of the provisions of the County Code.

(w) "Responsible Person" means any individual who is the owner or occupant of real property, owner or authorized agent for any business, company, or entity, or any person as defined in Chapter 1 Section 1-2 of the County Code, who has caused or maintains a violation of the County Code, the Airport Rules and Regulations, or any applicable federal or state law or regulation.

(x) "Restricted Area" means the portions of the Airport closed to the general public.

(y) "SIDA" means the Security Identification Display Area. The SIDA is a portion of the Airport, specified in the Airport Security Program, which is a secure area. The SIDA is identified by a bold red line painted on the ground. All Persons are prohibited from entering the SIDA at all times, unless they have been issued a SIDA badge that allows them access into the area for work related purposes or are properly escorted by a Person having a valid SIDA badge.

(z) "Taxiway" means a path on an airport connecting runways with ramps, hangars, terminals and other facilities.

(aa) "TSA" means the Transportation Security Administration of the Department of Homeland Security, or any successor organization or agency.

Sec. 3-2 Airport Manager – Authority, responsibility.

(a) The Airport Manager shall represent the County regarding all Airport matters and shall also have the following authority and responsibility with respect to the provisions of this Chapter, and shall at all times have authority to take such actions as may be deemed necessary to safeguard the public at the Airport, consistent with applicable California and federal law;

(b) The Airport Manager may suspend or restrict any or all operations or activities on the Airport Premises whenever such action is deemed necessary in the interest of safety or the efficient operation of the Airport;

(c) If necessary to safeguard the Airport and/or the public, the Airport Manager may suspend or restrict the privilege of any Person to use the Airport and its facilities for failing or refusing to comply with the provisions of this Chapter, the Airport Minimum Standards, the Airport Rules and Regulations, and/or any other applicable law or regulation;

(d) The Airport Manager shall have the duty and the authority to prescribe reasonable Rules and Regulations relating to the use of the Airport. Any such Rules and Regulations shall first be submitted for approval by the Board of Supervisors before taking effect;

(e) The Airport Manager shall have the authority to conduct inspections within all buildings on the Airport Premises to enforce compliance with this Chapter, other provisions of the County Code the Airport Rules and Regulations, Minimum Standards, Development Standards and all other Airport rules and regulations approved by resolution of the Board of Supervisors.

(f) The Airport Manager shall have the authority to adopt and implement operating procedures necessary to insure the safe orderly operation of the Airport and its facilities and to address specific needs relating to Airport operations, facilities, safety, and security, consistent with applicable California and federal law.

Sec. 3-3 Liability of County, etc.

The County, and its agents and employees, assumes no responsibility for damage to property stored on the Airport or any property of Persons using the Airport facilities, by reason of fire, theft, vandalism, windstorm, flood, earthquake or collision, nor does County assume any liability by reason of injury to Persons while on the Airport Premises or while using Airport facilities.

Sec. 3-4 General rules of conduct.

(a) Use of the Airport, or any of its facilities in any manner, shall create the obligation and the implied agreement of the user to obey all applicable provisions contained in this chapter and all applicable Airport Rules and Regulations.

(b) Smoking is prohibited anywhere on the Airport Premises, except in areas specifically designated by the Airport Manager, in writing, as a "Smoking Area". Smoking is never permitted in the SIDA or AOA.

(c) No Person shall alter, improve, raze, or disturb in any way any building, sign, equipment, marker or any shrub, tree, flower, lawn or other property on the Airport Premises without first obtaining written permission of the Airport Manager. Any proposed construction, improvement or alteration of any structure anywhere on the Airport Premises 1) shall be approved in advance, in writing, by the Airport Manager, and 2) shall be in compliance with the Airport Minimum Standards and with the Airport Development Standards.

(d) No person shall commit any obscene, disorderly, indecent or unlawful act, or commit any nuisance anywhere on the Airport Premises.

(e) No Person shall place, dump or abandon any waste, refuse, personal belongings, or any other material anywhere on the Airport Premises.

(f) No Person shall conduct any polls or surveys on the Airport Premises without the prior written permission of the Airport Manager, and at no time shall these activities be conducted in a manner that would disrupt the operations and activities of the Airport.

(g) No Person shall take still, video or motion pictures and/or sound recordings of voices or people on the Airport Premises for commercial purposes without the prior written permission of the Airport Manager. This section does not apply to bona fide coverage by the news media conducting business in areas authorized by the Airport Manager.

Sec. 3-5 Restricted areas.

(a) No person shall enter any restricted area including the AOA, SIDA, or any other areas of the Airport Premises that are posted as closed to the public, except:

(1) Persons in possession of a valid security badge issued by the Airport that specifically authorizes access to the area, or Persons escorted by a properly badged individual.

(2) Persons authorized, in writing, by the Airport Manager; and

(3) Persons under appropriate supervision entering the SIDA for the purposes of enplaning and deplaning from aircraft.

(b) It shall be unlawful for any Person to pass, throw, or carry any object into a restricted area, except objects that are carried through a designated entrance or exit by a person in possession of a valid security badge issued by the Airport Manager that specifically authorizes access to the area or by a person under Airport-authorized escort.

Sec. 3-6 Use of Airport facilities.

(a) No Person shall use the roads, walkways, or any other areas of the Airport Premises including landing areas or restricted areas in any manner that could hinder or obstruct their intended use without first obtaining written permission from the Airport Manager.

(b) No Person shall operate any type of vehicle, machinery or device of any kind on roads, walkways or any other areas of the Airport Premises without first obtaining permission from the Airport Manager.

(c) No Person shall engage in any business or commercial activity of any nature on the Airport Premises unless authorized to do so in advance, in writing, by the Airport Manager.

(d) For purposes of this Section 3-6, any person using Airport facilities pursuant to the permission of the Airport Manager shall be in compliance with any and all terms upon which such permission is granted, including applicable rules, regulations, and standards for conduct. Any use of the Airport that is not in compliance with the terms of such permission by the Airport Manager shall be deemed an unauthorized use.

Sec. 3-7 Soliciting.

No Person shall solicit for any purpose anywhere on the Airport Premises without the prior written permission of the Airport Manager.

Sec. 3-8 Advertising.

(a) No Person shall post, distribute or display signs, advertisements, circulars or printed or written matter anywhere on the Airport Premises except with the prior written permission of the Airport Manager or a representative designated by the Airport Manager.

(b) No sign or structure containing advertising or business identification material shall be erected, altered or relocated on the Airport Premises without the prior written permission of the Airport Manager.

(c) All approved advertising shall be in compliance with the Airport Advertising Policy, adopted by the Board of Supervisors.

Sec. 3-9 Animals.

(a) No Person, other than a disabled Person with a Service Animal, as defined in the Americans with Disabilities Act of 1990, or any successor legislation, a law enforcement officer with a specially trained animal or dog used for law enforcement purposes, or a Person who is training an animal or dog with the prior permission of the Airport Manager, shall enter the Airport Premises or adjacent areas of the Airport Premises with an animal unless such animal is confined within a cage or restrained by a leash so that such person retains complete control of the animal.

(b) No Person shall, either willfully or through failure to exercise due care, permit an animal to urinate or defecate upon the sidewalks of the Airport or within the Airport's Commercial Passenger Terminal, parking facilities, or roadways, including the Airport's designated Pet Relief Area, without promptly removing evidence of the event.

Sec. 3-10 Aircraft operations - Flying activity.

No aircraft operations or flying activity of any kind shall be conducted at the Airport except in conformance with current Federal Aviation Regulations and procedures, and other applicable federal, state and local law, regulations, and guidance.

Sec. 3-11 Fire hazards.

(a) No activity, including but not limited to, painting, doping and cleaning of aircraft or aircraft components, shall be conducted on Airport Premises with any flammable substances having a flash point below two hundred (200) degrees Fahrenheit, unless the activity and the manner in which it is to be conducted have been approved in advance, in writing, by the Airport Manager.

(b) No Person shall keep, store or discard any flammable liquids, gases, signal flares, oily rags or any other combustible material in hangars or in any buildings on the Airport without the prior written approval of the Airport Manager concerning the location and manner of conducting such storage or disposal operations.

(c) Flammable liquids shall not be used in connection with the cleaning of aircraft, aircraft engines, propellers and appliances except in specific locations and consistent with procedures approved in advance by the Airport Manager for conducting such cleaning operations.

(d) All Persons renting or leasing hangars or aircraft tie-downs on the Airport Premises shall keep their hangars, tie-downs, and all areas adjacent thereto free and clear of waste material, rubbish, flammable material and any material that could pose a hazard to the operation of aircraft and/or aircraft engines.

(e) Hangar entrances shall be kept clear at all times for ingress and egress of aircraft.

Sec. 3-12 Fueling operations.

(a) All aircraft fueling and de-fueling operations shall be conducted in compliance with applicable federal, state and local law, regulations, and guidance, the Airport Rules and Regulations and the Airport Minimum Standards.

(b) Fuels and lubricants of any kind shall not be sold or dispensed into any aircraft or any other vehicles or containers on the Airport except in such a manner and under such terms and conditions as may be prescribed, in writing, by the Airport Manager.

Sec. 3-13 Land transportation – Motor vehicles.

(a) Every Person who operates any motor vehicle or mobile equipment on the Airport Premises shall comply with all applicable provisions of California law, the County Code and all applicable Airport Rules and Regulations. The California Vehicle Code shall be strictly enforced on the Airport Premises.

(b) Vehicles shall not be parked on the Airport Premises other than in the manner and at locations designated by the Airport Manager and/or as posted on official Airport signs. The Airport Manager shall have the authority to remove vehicles that are parked in such places and in any manner that may interfere with or constitute a danger to any Airport operation. The Airport Manager shall have the authority to tow vehicles away at the vehicle owner's expense.

(c) No Commercial Vehicle, as defined in Article IV of the County Code, shall operate on the Airport Premises without first obtaining the required permits from the Airport Manager. This does not apply to public transit agency vehicles operating scheduled routes or activities.

(d) Motor vehicles shall be operated in strict compliance with speed limits prescribed by the Airport Manager or State or local law as indicated on posted traffic signs, and in no event shall be in excess of twenty (20) miles per hour or a safe speed under the prevailing conditions.

(e) No Person shall operate any vehicle on any of the aircraft taxiing or landing areas unless authorized to do so by the Airport Manager and, if applicable, by the FAA Air Traffic Control Tower.

Sec. 3-14 Firearms and dangerous weapons.

(a) Except as authorized by the provisions of Section 19-14 of the Sonoma County Code, no Person shall carry or possess a firearm with a cartridge in any portion of the mechanism (except any federal, state, county, or municipal officer in the performance of his or her official duties) or any other dangerous weapon, as defined by the TSA, the County Code, or state law, or any other device or object that, in the judgment of the TSA, any law enforcement officer, or the Airport Manager, could pose a danger to persons or property, anywhere in the Commercial Passenger Terminal.

(1) The provisions of Subsections (a) shall not apply to prohibit a Person from possessing a dangerous weapon or firearm that is unloaded and properly encased for transshipment by air in accordance with TSA and Airport regulations.

(b) The provisions of Section 19-14(a) of the Sonoma County Code shall not apply to prohibit a Person from possessing a firearm that is unloaded and properly encased for transshipment by air in accordance with TSA and Airport regulations while upon Airport Premises.

(c) Nothing in this Section 3-14 shall authorize any person to carry a firearm or dangerous weapon when in or entering into any Secure Sensitive Area or when the TSA screening process for that person has begun.

(d) No Person shall discharge across, in, or into, any portion of the Airport Premises, any firearm, bow and arrow, any air or gas weapon, or any other weapon capable of injuring or killing a person or animal, or damaging or destroying public or private property.

Sec. 3-15 Rates and Charges.

The Rates and Charges for the use of land and facilities of the Airport shall be those established from time to time by resolution of the Board of Supervisors.

Sec. 3-16 Violations and Penalties.

(a) Any Person operating or handling any aircraft, vehicle, equipment or apparatus or using the Airport or any of its facilities in violation of the provisions of this article, the Airport Minimum Standards, the Airport Rules and Regulations, the Airport Development Standards, any operating rules and procedures adopted pursuant to this article, or any provision of law incorporated herein, or refusing to comply therewith, may be promptly removed from the Airport.

(b) For cause, any Person may be deprived of and refused the further use of the Airport and its facilities by the Airport Manager, for such time as may be required to insure the safeguarding of the Airport and of the public.

(c) Any Person who shall violate or refuse to abide by any of the provisions of this Article, or any of the Rules and Regulations established pursuant to this article, or any of the provisions of law incorporated herein, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as provided in Chapter 1, Section 1-7 of this Code.

Sec. 3-17 Administrative Remedies: Administrative Citations.

Sec. 3-17-1. Applicability.

(a) This Section provides for Administrative Citations, which are in addition to all other legal remedies, criminal or civil, which may be pursued by the County to address any violation of the County Code.

(b) Use of this Section shall be at the sole discretion of the County.

(c) This Section shall only apply to violations of the Airport Ordinance that occur on the Airport Premises.

(d) This Section is adopted pursuant to California Government Code Section 53069.4 and any successor section thereto.

(e) This Section does not apply to citations issued by an agency of the United States government. Failure to pay fines assessed by an agency of the United States government may constitute a violation of the County Code, and may subject the recipient of the fine to an Administrative Citation.

Sec. 3-17-2. Administrative Citation Authority & Service Procedures.

(a) Whenever an Agent of County, which for the purposes of this Article shall mean the Airport Manager, any Sheriff's Officer, any Traffic Enforcement Officer, any Airport employee, or any person so designated in writing by the Airport Manager and charged with the enforcement of any provision of the County Code, determines that a violation of such provision has occurred, the Agent of County shall have the authority to issue an Administrative Citation to any Responsible Person for the violation.

(b) An Administrative Citation on a form approved by the County may be issued to the Responsible Person by the Agent of County for violations of the Chapter 3 of the County Code, in the following manner:

(1) Personal Service. In any case where an Administrative Citation is issued, the Agent of County shall attempt to locate and personally serve the Responsible Person, and obtain the signature of the Responsible Person on the Administrative Citation.

(i) Any Agent of County issuing an Administrative Citation shall be authorized to request that the recipient of the citation produce adequate identification and sign the Administrative Citation.

(ii) Failure or refusal to sign the Administrative Citation by the Responsible Person shall not affect the validity of the Administrative Citation or of subsequent proceedings.

(2) Service of Administrative Citation by Mail. If the Agent of County is unable to locate the Responsible Person, the Administrative Citation may be mailed to the Responsible Person by first class mail.

(3) Service of Administrative Citation by Posting. The Agent of County may post an Administrative Citation on any real property within the County in which the County has knowledge that the Responsible Person has a legal interest. For parking violations, the Agent of County may place an Administrative Citation on any vehicle owned or operated by the Responsible Person, and such posting shall be deemed effective service. The Agent of County shall first attempt personal service to the Responsible Party before posting the Administrative Citation on real property. Posting an Administrative Citation may also be used in the event service by mail has failed.

Sec. 3-17-3. Administrative citation contents.

To the extent practicable, each Administrative Citation shall contain the following information:

- (a) The date and time of the violation;
- (b) Name, address and phone number of the Responsible Person;
- (c) The address or a definite description of the location where the violation occurred;
- (d) The section of the County Code of ordinances that was violated and a description of the violation;
- (e) The amount of the fine for the code violation;
- (f) A description of the fine payment process, including a statement of the time within which, and the location where, the fine shall be paid;
- (g) An order prohibiting the continuation or repeated occurrence of the violation described in the Administrative Citation;
- (h) A description of the Administrative Citation appeal process, including the time within which the Administrative Citation may be appealed and the place from which a Request for Hearing Form to appeal the Administrative Citation may be obtained; and
- (i) The name and signature of the citing Agent of County.

Sec. 3-17-4. Amount of fines.

(a) The fine for a violation imposed pursuant to this Section 3-17 shall be one hundred dollars (\$100) for a first violation of this Ordinance; two hundred dollars (\$200) for a second violation of this Ordinance within one year; and five hundred dollars (\$500) for each additional violation within one year. If the maximum assessable fines for violations of this Article are increased or decreased by operation of Government Code section 53069.4, the fines set forth herein shall automatically be

adjusted to equal the maximum assessable fines.

(b) The Rates and Charges resolution shall specify the amount of any late payment charges imposed for the payment of a fine after its due date.

Sec. 3-17-5. Payment of the fine.

(a) The fine shall be paid to the Airport administrative office within twenty-one (21) days from the date of the Administrative Citation.

(b) Payment of a fine under this Article shall not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the Administrative Citation.

Sec. 3-17-6. Contesting Administrative Citation - Hearing request.

(a) Any recipient of an Administrative Citation may contest that there was a violation of the County Code, or that he or she is not the Responsible Person by completing a request for hearing Form and returning it to the Airport administrative office within ten (10) calendar days from the date the Administrative Citation is served.

(b) A request for hearing must be in writing on a form provided by the Airport administrative office.

(c) The person requesting the hearing shall indicate if they choose to appear in person for the hearing or have the written appeal be submitted for review by the Administrative Review Committee.

(d) As soon as practicable, after receiving the written request for hearing, the Airport administrative office shall review it for sufficiency. If found to be complete and in conformance with this section, the Airport administrative office shall fix a date, time and place for hearing by the Administrative Review Committee. Written notice of the time and place for the hearing may be served by personal service, or first class mail, to the address provided by the responsible party on the request for hearing form.

(e) If the Agent of County submits an additional written report concerning the Administrative Citation to the Administrative Review Committee for consideration at the hearing, then a copy of this report also shall be served, mailed, or provided to the Person requesting the hearing at least five (5) days prior to the date of the hearing.

Sec. 3-17-7. Administrative review committee.

The Chairman of the Aviation Advisory Commission shall appoint an Administrative Review Committee consisting of three (3) of the Airport Advisory Commissioners for the Administrative Citation Hearing.

Sec. 3-17-8. Hearing procedure.

(a) A hearing before the Administrative Review Committee shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is

filed in accordance with the provisions of this Article.

(b) At the hearing, the party contesting the Administrative Citation shall be given the opportunity to testify and to present evidence concerning the Administrative Citation.

(c) If the recipient(s) of an Administrative Citation requests a hearing, and notifies the Airport administrative office that they choose to appear in person for the hearing, their failure to appear in person, or to submit their written appeal for review at the Administrative Review Committee hearing, without notifying the Airport administrative office at least twenty four (24) hours in advance, shall constitute a forfeiture of any fine that has been paid and shall constitute a failure to exhaust their administrative remedies.

(d) The Administrative Citation and any additional report submitted by the Agent of County shall constitute prima facie evidence of the respective facts contained in those documents. No other proof concerning the violation shall be required to sustain a finding of conviction, provided, however, that the Administrative Review Committee may, in its discretion, consider such other relevant evidence at the hearing.

(e) The Administrative Review Committee may continue the hearing and request additional information from the Agent of County or the recipient of the Administrative Citation prior to issuing a written decision.

Sec. 3-17-9. Administrative Review Committee's decision.

(a) After considering all of the testimony and evidence submitted at the hearing, the Administrative Review Committee shall issue a written decision to either uphold or cancel the Administrative Citation and shall list in the decision the reason for that decision.

(b) If the Administrative Review Committee determines that the Administrative Citation should be upheld, the Administrative Review Committee shall set forth in the decision a payment schedule for the fine.

(c) The recipient of the Administrative Citation shall be served with a copy of the Administrative Review Committee's written decision. The Administrative Review Committee's decision shall also include appeal rights pursuant to California Government Code Section 53069.4 (b) (1).

(d) The employment, performance evaluation, compensation and benefits of the Administrative Review Committee, if applicable, shall not be directly or indirectly conditioned upon the amount of Administrative Citation fines upheld by the Administrative Review Committee.

Sec. 3-17-10. Late payment charges.

Any Person who fails to pay to the County any fine imposed pursuant to the provisions of this Section on or before the date that fine is due shall also be liable for the payment of any applicable late payment charges set forth in the Rates and Charges resolution.

Sec. 3-17-11. Recovery of Administrative Citation fines and costs.

The County may collect any past due Administrative Citation fine or late payment charge by use of all available legal means.

Sec. 3-17-12. Notices.

(a) The Administrative Citation and all notices required to be given by this Section shall be served on the responsible party in accordance with the provisions of Section 3-17-2. Administrative Citation Authority & Service Procedures.

(b) Failure to receive any notice specified in this Article does not affect the validity of proceedings conducted hereunder.

Sec. 3-17-13. Right to judicial review.

Any Person aggrieved by an administrative decision of the Administrative Review Committee on an Administrative Citation may obtain review of the administrative decision by filing a petition for review with the Superior Court in Sonoma County in accordance with the timeliness and other provisions set forth in California Government Code Section 53069.4.

Exhibit B

ARTICLE IV. COMMERCIAL VEHICLE OPERATIONS

Sec. 3-47 Title.

This article governs the operation of Commercial Vehicles at the Charles M. Schulz – Sonoma County Airport.

Sec. 3-48 Purposes.

(a) The County owns, operates and maintains Charles M. Schulz – Sonoma County Airport (Airport) for the use and benefit of the public.

(b) The purpose of the provisions established in this article is to encourage safe, effective and efficient use of the Airport roadways and transportation infrastructure and to maintain a high level of Airport safety and customer service.

(c) It is County policy that the cost of operating, maintaining and developing the Airport shall be paid from Airport revenues, in order to keep the Airport financially self-supporting. In furtherance of this policy, and in accordance with the authority and responsibilities conferred upon the County by state and federal law, the Sonoma County Board of Supervisors will establish fees with periodic adjustments for ground transportation service providers operating at the Airport.

(d) This article also authorizes the Airport Manager to identify approved loading and unloading areas for certain categories or subcategories of ground transportation services, to facilitate safe and efficient ground transportation on the Airport and to enforce the provisions of this article.

(e) All commercial vehicles and the owners, operators and drivers of all commercial vehicles transporting or offering to transport passengers at the Airport shall operate in compliance with all applicable provisions of this article, with all directives issued by the Airport Manager, and with any applicable federal or state law, ordinance or regulation.

Sec. 3-49 Definitions

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) “Agent of the County” means any County employee or agent of the County, including Airport staff, County employees designated by the Airport Manager, Sheriff’s employee, or designated Airport contractor, charged with the authority to implement or enforce any provision of the County Code and the Airport Rules and Regulations.

(b) “Airport” means the Charles M. Schulz – Sonoma County Airport.

(c) “Airport Manager” means the manager of the Charles M. Schulz – Sonoma County Airport or his or her duly authorized representative.

(d) “Airport Operations Area” “(AOA)” means any fenced area of the Airport that is used or intended to be used for landing, takeoff, or surface maneuvering of an aircraft. The AOA includes paved and unpaved surfaces that are intended to be used in addition to the associated runway, taxiway, or

apron. Only persons holding appropriate credentials, or persons escorted by persons holding appropriate credentials, may access the AOA.

(e) "Airport Parking Operator" means an employee designated by Republic Parking, or its successor, charged with carrying out the responsibilities of an Airport Parking Operator referenced in this article.

(f) "Airport Premises" means the entire Airport property including all public roadways, commercial vehicle hold areas, parking lots, Commercial Passenger Terminal, curbside areas and any other areas within Airport control.

(g) "Airport Staging Permit" means a preprinted permit purchased from the Airport by authorized Commercial Vehicle Operators and Commercial Vehicle Drivers that authorizes a Commercial Vehicle Driver to enter the Airport Premises for the purpose of making a passenger pickup on the date and at the time the Permit is endorsed as required by the provisions of this article.

(h) "Aviation Commission" means the Sonoma County Aviation Commission, whose members are appointed by the Board of Supervisors.

(i) "Board of Supervisors" means the Sonoma County Board of Supervisors.

(j) "Commercial Passenger Terminal" means any facilities designated by the Airport Manager for use by airline or ground transportation passengers for ticketing, baggage handling, security screening, waiting, and/or gate access, and associated activities.

(k) "Commercial Vehicle" means any motor vehicle operated for hire on the Airport Premises.

(l) "Commercial Vehicle Driver" means any individual who drives a Commercial Vehicle while the vehicle is being used to provide ground transportation services on the Airport Premises.

(m) "Commercial Vehicle Operator" means any person or entity providing vehicles for hire for the purpose of carrying passengers. Any person or entity that provides transportation using Online-enabled Apps, smartphone technology, other forms of technology, or any other means to provide transportation or to facilitate ride sharing, is considered a Commercial Vehicle Operator. A Commercial Vehicle Operator who also drives a Commercial Vehicle is also a Commercial Vehicle Driver.

(n) "Commercial Vehicle Operator Permit" means any permit that may be required by the Airport Manager, in his or her discretion, to operate a Commercial Vehicle upon the Airport Premises while performing ground transportation services.

(o) "County" means the County of Sonoma, California.

(p) "Double Parking" means to park alongside another vehicle that is already parked parallel to a curb.

(q) "DOT" means the United States Department of Transportation or any successor agency or organization.

(r) "CPUC" means the California Public Utilities Commission.

(s) "FBO" means a business providing aeronautical services at the Airport and referred to as a "Fixed Based Operator".

(t) "Hotel Shuttles, Courtesy Vehicles, Messenger Service Vehicles" means those ground transportation services that are provided by one or more businesses that arrange for transportation which is only incidental to the business entities' primary business or activities or is provided for the exclusive use of the officers, agents, employees, customers or invitees of the business. Vehicles used exclusively as Courtesy Vehicles or Messenger Service Vehicles are not considered to be Commercial Vehicles.

(u) "Online-enabled Platform, Mobile Device, or Application ("App")" means the device, technology or other online method used by drivers and prospective passengers to arrange for passenger transportation in a motor vehicle, including the driver's personal vehicle.

(v) "Passenger Stage Corporation (PSC)" means a passenger stage corporation as set forth in Section 226 of the California Public Utilities Code, as that section may be Amended from time to time.

(w) "Person" means any person, firm, association, organization, partnership, joint venture, business trust, corporation or company.

(x) "Pre-Arranged Pick-Up" means passenger pick-ups that are arranged in advance with an authorized Commercial Vehicle Operator before a Commercial Vehicle drives on the Airport Premises to pick up a passenger at any location on the Airport Premises.

(y) "Radio Frequency Identification (RFID) tag" means any automatic vehicle identification device issued by the Airport Manager for the purpose of automatically identifying and tracking Commercial Vehicles on the Airport Premises.

(z) "Ridesharing" means two or more persons traveling by any mode, including, but not limited to, carpooling and vanpooling. Ridesharing by persons traveling between home and work locations, by persons having a common work related trip, or when the ridesharing is incidental to another purpose of the driver and is not provided by the driver for the purpose of obtaining compensation of any kind, is not considered a Commercial Vehicle operation.

(aa) "Roadway Access Fee" ("Trip Fee") means a fee charged to Commercial Vehicle Operators each time a Commercial Vehicle drives onto the Airport and/or exits off of the Airport while conducting business.

(bb) "Sheriff" or "Sheriff's Office" means the Office of the Sheriff-Coroner of the County and employees of the Sheriff-Coroner's office.

(cc) "SIDA" means the Security Identification Display Area. The SIDA is a portion of the Airport specified in the Airport Security Program, which is a secure area. The SIDA is identified by a bold red line painted on the ground. All Commercial Vehicles are prohibited from operating in the SIDA at all times.

(dd) "Solicitation" means the uninvited initiation of a conversation by a driver, representative, employee or agent of a Commercial Vehicle Operator with any potential customer for the purpose of persuading or urging any potential customer to use or hire the Commercial Vehicle Operator.

Solicitation includes the placement of business cards, flyers, or other materials in the Commercial Passenger Terminal telephone booth, kiosks, restrooms, or any other place on the Airport Premises without the prior written permission of the Airport Manager. Solicitation also includes handing business cards to any person on the Airport Premises or greeting any person for the purpose of soliciting a customer.

(ee) "Staging" means parking or waiting in a Commercial Vehicle anywhere on the Airport Premises while waiting for passengers, whether the passenger is a Pre-Arranged Passenger or not.

(ff) "Staging Area" means a location or locations on the Airport Premises that are designated by the Airport Manager for temporary parking of authorized Commercial Vehicles while waiting for passengers.

(gg) "Taxicab" means a motor vehicle, as that term is defined in Vehicle Code section 415 and in Article 18 of the County Code, designed for carrying not more than eight persons, excluding the driver, and used to carry passengers for hire.

(hh) "Taximeter" means an instrument, or device, attached to a Taxicab that mechanically or electronically, calculates a fare on the basis of distance traveled or waiting time, or a combination thereof, and displays the fare in figures of dollars and cents

(ii) "Transportation Charter Party (TCP)" means those carriers defined by California Public Utilities Commission (CPUC) General Order 157-D, including limousines, vans, SUVs and buses. A TCP carrier operates on a prearranged basis with the party arranging the transportation and fares are charged on a vehicle mileage or time basis, not on an individual basis.

(jj) "Transportation Network Company" ("TNC") means a company or an organization, whether a corporation, partnership, sole proprietor, or other form, operating in California pursuant to a CPUC TNC Permit, that provides transportation services using an Online-Enabled Platform, Mobile Device or App (such as smart phone Apps) to connect passengers with drivers using their personal vehicles; or as the term may subsequently be defined in California Law or by the CPUC.

(kk) "Transportation Network Company (TNC) Driver" means an individual who has been approved by a TNC to use his/her privately owned vehicle to transport passengers whose rides are arranged through the TNC's online-enabled application. The term "TNC Driver" applies at all times that a TNC's driver is on the Airport Premises by reason of the TNC Driver's relationship with the TNC, regardless of whether the TNC Vehicle is carrying a passenger.

(ll) "Transportation Network Company (TNC) Vehicle" means the personal, privately-owned vehicle used by a TNC Driver, which vehicle has passed the 19-point safety inspection referenced in the CPUC's September 23, 2013 decision regulating TNCs and is insured by the vehicle's owner and covered by the TNCs commercial liability insurance policy.

(mm) "Transportation Network Company (TNC) Trade Dress" means distinctive symbols, signage or a display on a TNC vehicle that is sufficiently large and color-contrasted as to be readable at a distance of 50 feet. The Trade Dress must be sufficient to allow a passenger, government official, or member of the public to associate a vehicle with a particular TNC Company. The Airport Manager shall approve trade Dress and location.

(nn) "TSA" means the United States Transportation Security Administration of the Department of Homeland Security, or any successor agency or organization.

(oo) "Trip" means an entrance to and an exit from the Airport Premises by a Commercial Vehicle for the purpose of making a passenger or a package pick-up, whether pre-arranged or not.

(pp) "Vehicle Identification Decal" means a decal, issued by the Airport to be placed, on or in each Commercial Vehicle by Airport staff, for the purpose of identifying vehicles that are registered and permitted to operate on Airport Premises.

(qq) "Vehicle Inspection" means 1) a Safety Inspection pursuant to Section 3-6-1 of this article and/or 2) a Visual Inspection pursuant to Section 3-6-2 of this article.

(rr) "Waybill" means a document prepared in advance of a Commercial Vehicle's arrival at the Airport stating the name of the Commercial Vehicle Operator, their Transportation Charter Party (TCP) or Transportation Network Company (TNC) certificate number, their vehicle's license plate number, the name and address of the person requesting the charter or transportation and the name of the passenger(s) if different, the date and time the charter or transportation was arranged, the number of persons in the party, the location of the customer pickup, the time of the scheduled customer pickup, the airline and flight number on which the customer is scheduled to arrive, and the points of origin and destination of the charter or transportation. Waybills may be kept and presented in hardcopy or electronic format.

Sec. 3-50 Provisions applicable to all commercial vehicle operators

3-50-1 Regulatory provisions

(a) All Commercial Vehicle Operators doing business on the Airport shall comply fully with all applicable federal, state, and local laws and regulations that may be in effect or may come into effect after the effective date of this article, and all directives and notices issued by the Airport Manager.

(b) All Commercial Vehicle Operators doing business on the Airport are responsible for knowing and informing their drivers, employees, and agents of all laws, rules and regulations that apply to their operations on the Airport.

(c) Nothing in this article shall be construed as granting any Commercial Vehicle Operator the right to operate on the Airport Premises without first registering with the Airport Manager and paying the fees or charges established by the Airport, the County or other applicable agencies.

(d) The Airport Manager may temporarily suspend or modify any of the rights and privileges granted pursuant to this article as necessary to comply with direction from the United States Department of Transportation (DOT) or the Transportation Security Administration (TSA) of the Department of Homeland Security, or any successor organizations, or as warranted by unforeseen or exigent circumstances.

(e) No smoking shall be permitted in any Commercial Vehicle at any time, either by Commercial Vehicle Drivers or their passengers.

(f) If an interpretation of any provisions of this article is required, the Airport Manager shall render an interpretation, and his or her determination shall be final.

3-50-2 Commercial vehicle driver registration and conduct

(a) Commercial vehicle drivers shall register with the Airport and obtain the required permit before operating on the Airport Premises.

(b) Commercial vehicle drivers shall comply with rules of conduct established by the Airport Manager.

Sec. 3-51 Commercial vehicle and operator registration and fees/staging permits

3-51-1 Registration and fees

(a) Prior to providing any ground transportation service at the Airport, every Commercial Vehicle Operator, including Taxicab Operators, Charter Party Carriers (TCPs), Passenger Stage Carriers (PSCs), and Transportation Network Companies (TNCs) desiring to provide Commercial ground transportation services at the Airport shall:

Complete and submit an Airport Registration form to the Airport Manager pursuant to Section 3-13 of this article;

Provide proof of required local, state, and federal permits and licenses;

Obtain all permits and licenses required by this article including an Airport Vehicle Identification Decal;

Pay all required fees; and

Provide physical copies of all required information and documents at their own cost and expense.

(b) Commercial Vehicle Operators shall, at their own cost and expense, obtain from all federal, state, and/or local agencies having jurisdiction, all licenses, permits, consents, approvals, and authorizations that may be necessary for providing commercial ground transportation services at the Airport. Such documentation shall be produced for examination immediately upon request of the Airport Manager.

(c) Messenger Service Vehicles are not required to register with the Airport or obtain Airport vehicle identification decal.

(d) The Airport Manager, at his or her discretion, may implement a program and procedures for charging Airport Roadway Access fees for the use of the Airport roadways and facilities by Commercial Vehicle Operators conducting business on Airport Premises.

3-51-2 Airport staging permits required

(a) All Commercial Vehicles, except Hotel Shuttles, Courtesy Vehicles, Messenger Service Vehicles and PSCs operating pursuant to an agreement with the Airport, shall have an

Airport Staging Permit before entering the Airport Premises for purposes of picking up a passenger.

- (b) Commercial Vehicles, except Hotel Shuttles, Courtesy Vehicles, and Messenger Service Vehicles shall not stage or pick up passengers at any location on the Airport Premises unless an Airport Staging Permit, purchased from the Airport and endorsed by the Airport Parking Operator or other Person designated by the Airport Manager, is clearly displayed on the Commercial Vehicle's dashboard.
- (c) Registered Commercial Vehicles may purchase Airport Staging Permits from the Airport at a cost established by the Airport Manager. Each Airport Staging Permit authorizes the Commercial Vehicle Operator or Driver to make one (1) passenger pickup at the Airport on the date and at the time the permit is endorsed by the Airport Parking Operator. Airport Staging Permits shall be required for all passenger pick-ups, including Pre-Arranged Passenger Pick-Ups, at the Airport.
- (d) Airport Staging Permits shall only be used by Commercial Vehicle Drivers who are individually registered with the Airport or identified on an approved operator's list.
- (e) Airport Staging Permits shall be displayed on the vehicle's dashboard so that they are clearly visible from the front of the Commercial Vehicle.
- (f) Airport Staging Permits are good for one (1) trip and are not transferable, replaceable, or refundable.
- (g) An Airport Staging Permit is required whether or not a Commercial Vehicle makes a passenger pick up at the Airport.
- (h) All Staging Permits are, and shall remain the property of the Airport.

3-51-2-1 Passenger pick-ups at Commercial Passenger Terminal

An Airport Staging Permit is required before making a passenger pick-up on the Airport Premises. Before a pick-up is made, the Airport Staging Permit will be presented to the Airport Parking Agent or, if a Parking Agent is not present, shall be endorsed using a date/time stamp machine provided by the Airport. After the Staging Permit has been endorsed, Part A of the Permit shall either be retained by the Airport Parking Agent or deposited in the box provided. Part B of the Permit shall be clearly displayed on the vehicle's dashboard before a passenger pick-up and shall remain on the vehicle's dashboard until the vehicle leaves the Airport Premises.

3-51-2-2 Passenger pick-ups at FBOs

An Airport Staging Permit is required before making a passenger pick-up at an FBO. The Airport Staging Permit will be presented to an FBO representative before a pick-up is made. The FBO representative will date stamp or will write the date and time on the Permit, and sign the Permit,

then detach and retain Part A of the Permit. Part B of the Permit shall be clearly displayed on the vehicle's dashboard until the vehicle leaves the Airport Premises.

3-51-2-3 Passenger pick-ups from Airport Express or other buses

An Airport Staging Permit is required before making a passenger pick-up from any Airport Express vehicle or from any bus or other similar airport transportation service on the Airport Premises. The Airport Staging Permit will be presented to the Airport Express or other similar airport transportation service driver before a pick-up is made. The Airport Express driver or other driver will endorse the Airport Staging Permit with a date stamp or will write the date and time on the Permit, and sign the Permit, then detach and retain Part A of the Permit. Part B of the Permit shall be clearly displayed on the vehicle's dashboard until the vehicle leaves the Airport Premises.

Sec. 3-52 Vehicle inspections – all commercial vehicles

Every Commercial Vehicle operating at the Airport shall be subject to safety and visual inspections. Commercial Vehicle operators are responsible for all costs associated with obtaining the required inspections.

3-52-1 Safety inspections – all commercial vehicles

(a) Within thirty (30) days prior to registering with the Airport pursuant to this article, and every twelve (12) months thereafter, every Commercial Vehicle used at the Airport shall be inspected by a State of California licensed automobile repair facility, utilizing a Vehicle Inspection Checklist provided by the Airport unless exempt from the requirement pursuant to Section 3-52-1-2.

(b) Vehicles failing to pass any portion of the safety inspection may be prohibited from picking up passengers at the Airport until the discrepancies have been corrected to the satisfaction of the Airport Manager or any official having jurisdiction.

3-52-1-1 Exemption from safety inspection requirement

Commercial Vehicles that have a current certificate evidencing the successful completion of an annual safety inspection conducted or approved by one or more of the agencies listed in Section 3-52-1-2 are exempt from the Safety Inspection requirement in Section 3-52-1. Commercial Vehicle Operators shall provide written documentation, acceptable to the Airport, of the successful completion of an annual safety inspection and shall also provide the name and telephone number of a contact person at the inspecting agency who can verify that the inspection was successfully completed. Safety Inspections are valid for a twelve (12) month period from the date of the original inspection and must be current in order to operate at the Airport.

3-52-1-2 Acceptable inspecting agencies

Safety Inspections conducted or approved by the following agencies will be accepted to meet the requirement of Section 3-52-1:

The County of Sonoma

Cities in Sonoma County

California Highway Patrol or Sonoma County Sheriff-Coroner

Bay Area Commercial Air Carrier Airport (San Francisco International, Oakland International, San Jose International, and/or Sacramento International)

3-52-2 Visual inspections

(a) Prior to registering a Commercial Vehicle and every twelve (12) months thereafter, every Commercial Vehicle shall be visually inspected by the Airport to verify compliance with the requirements of this article.

(b) Failure to pass any portion of the visual inspection may result in the Commercial Vehicle being prohibited from picking up passengers at the Airport until the discrepancies have been corrected to the satisfaction of the Airport Manager or any official having jurisdiction. If a Commercial vehicle fails a Visual Inspection, all identified discrepancies shall be corrected and the vehicle shall be submitted for a re-inspection.

(c) The Airport will charge a fee for every required Visual Inspection, including re-inspections, based upon the rates and charges established annually by Resolution of the Board of Supervisors.

3-52-2-1 Exemption from visual inspection requirement

(a) The Airport Manager in his or her sole discretion may exempt Commercial Vehicles from the visual inspection requirement if it is determined that the vehicle has received a visual inspection pursuant to the requirements of another agency, that meets the intent and requirements of the Airport's visual inspection.

(b) Commercial Vehicles that are less than two (2) years old, based upon the "Model Year" of the vehicle, as stated on the taxicab's current State of California vehicle registration, are exempt from the visual inspection requirement unless the Airport receives a complaint about the condition of the vehicle. If a complaint is received, the Airport Manager, in his or her sole discretion, may require the vehicle to undergo a visual inspection, including payment of any applicable inspection fee(s).

3-52-2-2 Acceptable inspecting agencies

Visual Inspections conducted by the following agencies will be accepted to meet the requirement of Section 3-52-2:

The County

Cities within the County

California Highway Patrol or County Sheriff-Coroner

The following Bay Area Commercial Air Carrier Airports: San Francisco International, Oakland International, San Jose International, and/or Sacramento International

Sec. 3-53 Driver requirements – all commercial vehicle drivers

Every Commercial Vehicle driver shall meet the following criteria and shall operate in conformance with the following standards. Every Commercial Vehicle drive shall be:

In possession of a valid California driver's license as required by the California Vehicle Code;

A Commercial Vehicle Driver listed on a roster of drivers provided to the Airport by a Commercial Vehicle Operator;

Required to have knowledge and understanding of this article and applicable Airport Regulations;

Knowledgeable of local geography and/or able to use maps, GPS or other similar resources necessary to efficiently transport passengers to desired locations within Sonoma County;

Able to communicate satisfactorily with passengers; and

Cooperative and communicative with Airport personnel and shall not be verbally or physically abusive toward any Airport representative, any customer, or another ground transportation driver or representative.

Sec. 3-54 Taxicab services

3-54-1 Requirements for taxicab service

(a) Only Taxicab Operators and Taxicab Drivers that are in full compliance with the County Taxicab Regulations in Article 18 of the County Code shall be permitted to operate on the Airport Premises.

(b) Prior to providing any ground transportation service at the Airport, every Taxicab Operator shall comply with provisions of this article that are applicable to all Commercial Vehicle Operators, and shall:

- (1) Obtain a Taxicab Vehicle Permit, a Taxicab Driver's permit, and/or a Certificate of Exemption issued by the County of Sonoma, and be in full compliance with all applicable provisions of the County Taxicab Regulations;
- (2) Register with the Airport as required by this article;
- (3) Provide required certificates of insurance;
- (4) Provide proof of required local, state, and federal permits and licenses;
- (5) After receiving written approval from Airport, obtain an Airport Vehicle Identification Decal;
- (6) Have a valid, County issued driver identification badge;
- (7) Purchase and use Airport Staging Permits from Airport;
- (8) Provide an executed Statement and Indemnification using the form provided by the Airport;
and
- (9) Comply with applicable rules of conduct established by the Airport Manager.

3-54-2 Taxicab driver appearance

(a) Professional Appearance. While operating at the Airport, Taxicab Drivers shall maintain a professional look and appearance (e.g., clean shirt with collar and long pants, shoes, and socks).

(b) Identification Badge. Taxicab Drivers shall display a picture identification badge provided by the County that includes the driver's name and photograph, and the name of the driver's company. The identification badge shall be clearly visible to passengers in the taxicab

3-54-3 Passenger loading and unloading

3-54-3-1 Use of loading zone

Taxicabs may drop off passengers in the designated Loading Zone in front of the Commercial Passenger Terminal, but must then move to the designated Taxicab Parking Area to wait for new passengers. Any Taxicab left unattended in a Loading Zone in front of the Commercial Passenger Terminal for any reason will be ticketed and may be towed at the Taxicab operator's expense.

3-54-3-2 Passenger pick-up

(a) Taxicab Operators shall only receive passengers for hire at the Airport from designated taxicab parking or pick-up spaces identified on a Terminal Area Map issued by the Airport and other areas that may be designated by the Airport Manager.

(b) Picking up passenger(s) for hire after or while dropping off passengers and prior to taking position at the rear of the line in the designated Taxicab parking area is strictly prohibited.

(c) Taxicabs may not refuse a passenger for any reason unless the vehicle is already in service, the person seeking transportation is unruly, boisterous, or intoxicated, or the person seeking transportation is known to the driver to have been unruly or created problems of a confrontational nature in the past.

(d) Taxicab Drivers shall receive passengers only in the order in which their Taxicabs are parked unless a passenger selects a Taxicab that is not first in line. A passenger may board the Taxicab of the passenger's choice regardless of the position the Taxicab occupies in the designated Taxicab Loading Zone.

3-54-4 Parking or stopping

(a) Taxicabs shall only park in the designated Taxicab Parking Areas. Taxicabs may not park in the designated Taxicab Parking Area for longer than 30 minutes at any time.

(b) Only authorized Taxicabs shall use the Designated Taxicab Parking Area for parking while waiting for passengers.

(c) After discharging passengers at the Airport, each Taxicab shall immediately leave the Airport (no loitering) or, if authorized to operate at the Airport and in possession of an Airport Staging Permit, proceed by the most direct route to the Designated Taxicab Parking Area or such other location as may be designated from time to time by the Airport Manager.

(d) Taxicabs shall not be parked, staged, or stopped in such a manner as to interfere with vehicular or pedestrian traffic and shall only park, stage, or stop in areas designated by the Airport Manager.

(e) Taxicabs shall not be parked overnight in the designated Taxicab Parking Area. If a Taxicab is left overnight in the designated Taxicab Parking Area or in any other unauthorized area on the Airport, it will be ticketed and may be towed at the Taxicab owner's expense.

(f) Taxicabs shall not double park in front of the Commercial Passenger Terminal or anywhere on the Airport Premises under any circumstances.

(g) Taxicabs may not park in front of the Commercial Passenger Terminal to wait for arriving passengers or for any other reason except briefly to drop off passengers.

(i) Taxicabs shall not park or stage in designated public parking spaces, including disabled parking spaces and the Short-Term Parking Lot, or from public roadways on the Airport Premises.

3-54-5 Posting rates/passenger receipts/credit and debit cards

(a) Taxicabs shall prominently display, both inside and outside the vehicle, the rates of fare charged for carrying passengers. Any additional fees that may be applicable, such as bridge toll fees, shall also be posted inside the vehicle. Rates of fare and additional fees charged to passengers must not exceed the posted rates or the rates provided to the County as part of the application for a taxicab vehicle permit or certificate of exemption.

(b) All Taxicab Operators and drivers shall accept cash, credit cards, and debit cards as payment for their services. The types of credit cards accepted shall be clearly posted, in a permanent manner, and readable on the outside and on the inside of all Taxicabs.

(c) All taxicab drivers shall have passenger receipts in all of their taxicabs that are imprinted with the name, address, and telephone number of the taxicab owner or business. The receipt shall provide space for the taxicab driver's name, date and time of service, and the fare charged. Each customer shall be offered a receipt following payment.

(d) The Board of Supervisors may, by resolution, establish a schedule of maximum rates that may be charged by Taxicab Operators. In such case, Taxicab Operators' rates may not exceed such schedule. In the absence of an adopted schedule, Taxicab Drivers may not charge rates that exceed the schedule adopted by the City of Santa Rosa for Taxicab fares.

3-54-6 Taxicab vehicle equipment and condition

(a) All Taxicabs shall be kept in good physical and operating condition with no broken windows, no dents on vehicle body, and no torn or soiled seats. The exterior of each vehicle shall be clean with a clear and visible taxi company designation. The vehicle interior and trunk area shall be neat and clean. All taxicabs shall be professionally painted, lettered, and numbered. All Taxicabs operating on the Airport shall have a unique color scheme and logos and insignia that are not used by any other Taxicab Operator and cannot be confused with any other Taxicab Operator operating at the Airport.

(b) Each Taxicab operated at the Airport shall be subject to inspection by the Airport Manager, or any official having jurisdiction, at any time to determine compliance with the provisions of this article. Failure to pass any portion of the inspection may result in the Taxicab being prohibited from picking up and/or dropping off passengers at the Airport until the discrepancies have been corrected to the satisfaction of the Airport Manager or any official having jurisdiction.

(c) Taxicabs shall not be cleaned, repaired, or maintained while on Airport Premises, except as may be required to remove the Taxicab from the Airport Premises for repair.

3-54-7 Taxicabs not permitted on the AOA unless escorted

(a) Taxicabs shall only enter the AOA through a full service FBO's vehicle gate while under escort by a member of the FBOs staff who possesses a valid AOA or SIDA badge, and shall only enter the AOA to deliver or pick-up passengers and/or baggage on the FBO's ramp. The AOA shall not be entered through any other vehicle gate.

(b) Taxicabs shall not enter or operate within the SIDA under any circumstances.

Sec. 3-55 Transportation charter party (TCP) services

3-55-1 Requirements for transportation charter party (TCP)

(a) Only Transportation Charter Party (TCP) operators in full compliance with State law and CPUC requirements shall be permitted to operate on the Airport Premises.

(b) Prior to providing any ground transportation service at the Airport, every TCP Operator and driver shall comply with provisions of this article that are applicable to all Commercial Vehicle Operators, and shall:

- (1) Obtain all permits and licenses required by this article, including an Airport Vehicle Identification Decal and Airport Staging Permits;
- (2) Provide required certificates of insurance;
- (3) Provide proof of required local, state, and federal permits and licenses;
- (4) Provide an executed Statement and Indemnification using the form provided by the Airport; and
- (5) Comply with applicable rules of conduct established by the Airport Manager.

3-55-2 TCP vehicle driver appearance

(a) Professional Appearance. While operating at the Airport, TCP Vehicle Drivers shall maintain a professional look and appearance (i.e., clean shirt with collar and long pants, shoes, and socks).

(b) Identification Badge. TCP Vehicle Drivers shall display a company-issued identification badge, visible to all passengers, that includes the name and a photograph of the driver and the name of the driver's company.

3-55-3 Passenger loading and unloading

TCP Operators shall only receive passengers for hire at the Airport from designated TCP parking or pick-up spaces identified on a Terminal Area Map issued by the Airport and other areas that may be designated by the Airport Manager.

3-55-4 Waybill required

TCP drivers are required to have a waybill for each passenger for whom they are providing ground transportation services and, upon demand, this waybill shall be presented to any Sheriff, traffic enforcement officer, or person authorized by the Airport Manager to demand presentation of a waybill. A fine will be issued for TCP providers who do not possess a waybill before making a passenger

pick-up. The fines issued shall be those established from time to time by Resolution of the Board of Supervisors.

3-55-5 Parking or stopping

(a) TCP Vehicles shall park in the designated TCP Vehicle Parking Area while waiting for passengers. TCP Vehicles may not park in a designated TCP Vehicle Parking Area for longer than 30 minutes at any time.

(b) Only authorized TCP Vehicles shall use the designated TCP Vehicle Parking Area for parking while waiting for passengers.

(c) After discharging passengers at the Airport, each TCP Vehicle shall immediately leave the Airport (no loitering) or, if authorized to operate at the Airport and in possession of both a waybill and an Airport Staging Permit, proceed by the most direct route to the designated TCP Vehicle Parking Area.

(d) TCP Vehicles shall not be parked, staged, or stopped in such a manner as to interfere with vehicular or pedestrian traffic and shall only park, stage, or stop in areas designated by the Airport Manager.

(e) Any TCP Vehicle left unattended in any designated Loading Zone will be ticketed and may be towed at the vehicle owner's expense.

(f) TCP Vehicles shall not be parked overnight in the designated TCP Vehicle Parking Area. If a TCP Vehicle is left overnight in the designated TCP Vehicle Parking Area or in any other unauthorized area on the Airport Premises, it will be ticketed and may be towed at the TCP Vehicle owner's expense.

(g) TCP Vehicles shall not double park in front of the Commercial Passenger Terminal under any circumstances.

(h) TCP Vehicles may not park in front of the Commercial Passenger Terminal or anywhere else on the Airport Premises to wait for arriving passengers or for any other reason except to drop off passengers.

(i) TCP Vehicles shall not park or stage in designated public parking spaces, including disabled parking spaces and the Short-Term Parking Lot, while operating at the Airport.

3-55-6 Vehicle equipment and condition

(a) All TCP vehicles shall be kept in good operating condition. The exterior of each vehicle shall be clean with clear and visible company designation and TCP numbers. The vehicle interior and trunk area shall be neat and clean.

(b) Each TCP vehicle operated at the Airport shall be subject to inspection by the Airport Manager, or any official having jurisdiction, at any time to determine compliance with the provisions of this article. Failure to pass any portion of the inspection may result in the TCP Vehicle being prohibited from picking up and/or dropping off passengers at the Airport until the discrepancies have been corrected to the satisfaction of the Airport Manager or any official having jurisdiction.

(c) TCP vehicles, shall not be cleaned, repaired, or maintained while on the Airport Premises.

3-55-7 TCP vehicles not permitted on the AOA unless escorted

(a) TCPs shall only enter the AOA through a full service FBO's vehicle gate while under escort by a member of the FBOs staff who possesses a valid AOA or SIDA badge, and shall only enter the AOA to deliver or pick-up passengers and/or baggage on the FBO's ramp. The AOA shall not be entered through any other vehicle gate.

(b) TCP vehicles shall not enter or operate within the SIDA under any circumstances.

Sec. 3-56 Transportation network company (TNC) services

3-56-1 Requirements for transportation network company (TNC)

(a) Only Transportation Network Company (TNC) operators in full compliance with State law and CPUC requirements shall be permitted to operate on the Airport Premises.

(b) All TNC operators desiring to operate on the Airport Premises understand and agree that

(1) the CPUC may modify its decisions relating to TNC operations, and/or local, state or federal statutes or regulations may be enacted that affect the requirements for TNC operation in California, and

(2) the terms and provisions of any permit or authorization issued by the Airport Manager pursuant to this article, including insurance provisions, shall be modified to be consistent with all such modified CPUC decisions, and/or local, state or federal statutes or regulations, and all such modifications shall be self-executing.

(c) Prior to dropping off or picking up passengers at the Airport, every TNC Operator and driver shall comply with provisions of this article that are applicable to all Commercial Vehicle Operators, and shall:

(1) Obtain all permits and licenses required by this article, including an Airport Vehicle Identification Decal and Airport Staging Permits;

(2) Provide required certificates of insurance;

(3) Provide proof of required local, state, and federal permits and licenses;

(4) Provide an executed Statement and Indemnification using the form provided by the Airport; and

(5) Comply with applicable rules of conduct established by the Airport Manager.

3-56-2 TNC Vehicle driver appearance

(a) Professional Appearance. While operating at the Airport, TNC Vehicle Drivers shall maintain a professional look and appearance (i.e., clean shirt with collar and long pants, shoes, and socks).

(b) Identification Badge. TNC Vehicle Drivers shall display a company-issued identification badge, visible to all passengers, that includes the name and a photograph of the driver and the name of the driver's company.

3-56-3 Passenger loading and unloading

TNC Operators shall only receive passengers for hire at the Airport from designated TNC parking or pick-up spaces identified on a Terminal Area Map issued by the Airport and other areas that may be designated by the Airport Manager.

3-56-4 Waybill required

(a) TNC drivers are required to have a waybill in either written or electronic form for each passenger for whom they are providing ground transportation services and, upon demand, this waybill shall be presented to any Sheriff, traffic enforcement officer, or person authorized by the Airport Manager to demand presentation of a waybill. A fine will be issued for TNC providers who do not possess a waybill before making a passenger pick-up. The fines issued shall be those established from time to time by Resolution of the Board of Supervisors.

3-56-5 Parking or stopping

(a) TNC Vehicles shall park in the designated TNC Vehicle Parking Area while waiting for passengers. TNC Vehicles may not park in a designated TNC Vehicle Parking Area for longer than 30 minutes at any time.

(b) Only authorized TNC Vehicles shall use the designated TNC Vehicle Parking Area for parking while waiting for passengers.

(c) After discharging passengers at the Airport, each TNC Vehicle shall immediately leave the Airport (no loitering) or, if authorized to operate at the Airport and in possession of both a waybill and an Airport Staging Permit, proceed by the most direct route to the designated TNC Vehicle Parking Area.

(d) TNC Vehicles shall not park, stage, or stop in such a manner as to interfere with vehicular or pedestrian traffic and shall only park, stage, or stop in areas designated by the Airport Manager.

(e) Any TNC Vehicle left unattended in any designated Loading Zone will be ticketed and may be towed at the vehicle owner's expense.

(f) TNC Vehicles shall not park overnight in the designated TNC Vehicle Parking Area. If a TNC Vehicle is left overnight in the designated TNC Vehicle Parking Area or in any other unauthorized area on the Airport Premises, it will be ticketed and may be towed at the TNC Vehicle owner's expense.

(g) TNC Vehicles shall not double park in front of the Commercial Passenger Terminal under any circumstances.

(h) TNC Vehicles may not park in front of the Commercial Passenger Terminal or anywhere else on the Airport Premises to wait for arriving passengers or for any other reason except to drop off passengers.

(i) TNC Vehicles shall not park or stage in designated public parking spaces, including disabled parking spaces and the Short-Term Parking Lot, while operating at the Airport.

3-56-6 Vehicle equipment and condition

(a) All TNC vehicles shall be kept in good operating condition. The exterior of each vehicle shall be clean with clearly visible Trade Dress and an Airport Vehicle Identification Decal. The vehicle interior and trunk area shall be neat and clean.

(b) Each TNC vehicle operated at the Airport shall be subject to inspection by the Airport Manager, or any official having jurisdiction, at any time to determine compliance with the provisions of this article. Failure to pass any portion of the inspection may result in the TNC Vehicle being prohibited from picking up and/or dropping off passengers at the Airport until the discrepancies have been corrected to the satisfaction of the Airport Manager or any official having jurisdiction.

(c) TNC vehicles, shall not be cleaned, repaired, or maintained while on the Airport Premises.

3-56-7 TNC vehicles not permitted on the AOA

(a) TNC vehicles shall not enter the AOA.

(b) TNC vehicles shall not enter or operate within the SIDA under any circumstances.

Sec. 3-57 Scheduled or on-call van services / passenger stage corporations (PSC) services

3-57-1 Requirements for PSC service

(a) Only Passenger Stage Corporation (PSC) operators in full compliance with State law and CPUC requirements shall be permitted to operate on the Airport Premises.

(b) Prior to providing any ground transportation service at the Airport, every PSC operator and driver is required to comply with provisions of this article that are applicable to all Commercial Vehicle Operators, and shall:

- (1) Obtain all permits and licenses required by this article, including an Airport Vehicle Identification Decal and Airport Staging Permits;
- (2) Provide certificates of required insurance;
- (3) Provide proof of required local, state, and federal permits and licenses;
- (4) Provide an executed Statement and Indemnification using the form provided by the Airport; and
- (5) Comply with applicable rules of conduct established by the Airport Manager.

3-57-2 PSC vehicle driver appearance

(a) Professional Appearance. While operating at the Airport, PSC Vehicle Drivers shall maintain a professional look and appearance (e.g., clean shirt with collar and long pants, shoes, and socks).

(b) Identification Badge. PSC Vehicle Drivers shall display a company-issued identification badge, visible to all passengers, that includes the name and a photograph of the driver and the name of the driver's company.

3-57-3 Passenger loading and unloading

PSC Operators shall only receive passengers for hire at the Airport from Commercial Vehicle spaces that may be designated by the Airport Manager on a Terminal Area Map.

3-57-4 Parking (or stopping)

(a) PSC Vehicles shall park in the designated PSC Vehicle Parking Area while waiting for passengers. PSC Vehicles may not park in the designated PSC Vehicle Parking Area for longer than 30 minutes at any time.

(b) While waiting for passengers, authorized PSC Vehicles shall use the designated PSC Vehicle Parking Area for parking.

(c) After discharging passengers at the Airport, each PSC Vehicle shall immediately leave the Airport (no loitering) or, if authorized to operate at the Airport and in possession of an Airport Staging Permit, proceed by the most direct route to the designated PSC Vehicle Parking Area.

(d) PSC Vehicles shall not be parked, staged, or stopped in such a manner as to interfere with vehicular or pedestrian traffic and shall only park, stage, or stop in areas designated by the Airport Manager.

(e) Any PSC Vehicle left unattended in any designated Loading Zone will be ticketed and may be towed at the vehicle owner's expense.

(f) PSC Vehicles shall not be parked overnight in the designated PSC Vehicle Parking Area. If a PSC Vehicle is left overnight in the designated PSC Vehicle Parking Area or in any other unauthorized area on the Airport, it will be ticketed and may be towed at the PSC Vehicle owner's expense.

(g) PSC Vehicles shall not double park in front of the Commercial Passenger Terminal or anywhere on the Airport Premises under any circumstances.

(h) PSC Vehicles may not park in front of the Commercial Passenger Terminal to wait for arriving passengers or for any other reason.

(i) PSC Vehicles shall not park or stage in designated public parking spaces, including disabled parking spaces, while operating at the Airport.

3-57-5 Staging permits required

PSCs shall not stage or pick-up passengers on the Airport Premises without first obtaining and displaying an Airport Staging Permit pursuant to Section 3-51-2 of this article.

3-57-6 Vehicle equipment and condition

(a) All PSC vehicles shall be kept in good operating condition. The exterior of each vehicle shall be clean with a clear and visible PSC company designation. The vehicle interior and trunk area shall be neat and clean.

(b) Each PSC vehicle operated at the Airport shall be subject to inspection by the Airport Manager, or any official having jurisdiction, at any time to determine compliance with this article. Failure to pass any portion of the inspection may result in the PSC vehicle being prohibited from picking up and/or dropping off passengers at the Airport until the discrepancies have been corrected to the satisfaction of the Airport Manager or any official having jurisdiction.

(c) PSC vehicles shall not be cleaned, repaired, or maintained while on Airport Premises.

3-57-7 PSC vehicles not permitted on the AOA unless escorted

(a) PSC Vehicles shall only enter the AOA through a full service FBO's vehicle gate while under escort by a member of the FBO's staff, who possesses a valid AOA or SIDA badge, and shall only enter the AOA to deliver or pick-up passengers and/or baggage on the FBO's ramp. The AOA shall not be entered through any other vehicle gate.

(b) PSC vehicles shall not enter or operate within the SIDA under any circumstances.

Sec.3-58 Hotel Shuttles, Courtesy Vehicles, Messenger Service

3-58-1 Requirements for Hotel Shuttles, Courtesy Vehicles, Messenger Service

(a) Prior to providing any ground transportation service at the Airport, every Hotel Shuttle operator, which shall be defined as any entity that on behalf of a hotel makes scheduled trips to transport guests of that hotel between the Airport and the hotel, shall comply with provisions of this article that are applicable to all Commercial Vehicle Operators, and shall:

- (1) Obtain all permits and licenses required by this article, including an Airport Vehicle Identification Decal;
- (2) Provide required certificates of insurance;
- (3) Provide proof of required local, state, and federal permits and licenses;
- (4) Provide an executed Statement and Indemnification using the form provided by the Airport; and
- (5) Comply with applicable rules of conduct established by the Airport Manager.

(b) Vehicles used exclusively as Courtesy Vehicles or Messenger Service Vehicles are not considered to be Commercial Vehicle and are not required to register with the Airport.

(c) If, for any reason, a Taxicab, a TCP, a TNC, or a PSC is used to perform the function of a Hotel Shuttle anywhere on the Airport Premises, the Taxicab, TCP, TNC, or PSC shall first be registered with the Airport and shall comply with all provisions of this article, including, if applicable, the requirement to purchase and display an Airport Staging Permit.

3-58-2 Passenger loading and unloading

Hotel and Courtesy Vehicle Operators shall only receive passengers at the Airport from areas that are designated by the Airport Manager on a Terminal Area Map issued by the Airport.

3-58-3 Parking or stopping

- (a) Only authorized Hotel Shuttle Vehicles shall use the designated Hotel Shuttle Vehicle Parking Area for parking while waiting for passengers.
- (b) After discharging passengers at the Airport, each Hotel Shuttle Vehicle shall immediately leave the Airport (no loitering) or proceed by the most direct route to an area that is designated for Hotel Shuttle Vehicles by the Airport Manager.
- (c) Hotel Shuttle Vehicles shall not be parked, staged, or stopped in such a manner as to interfere with vehicular or pedestrian traffic and shall only park, stage, or stop in areas designated by the Airport Manager.
- (d) Any Hotel Shuttle Vehicle left unattended in any designated Loading Zone will be ticketed and may be towed at the vehicle owner's expense.
- (e) Commercial Vehicles, including Hotel Shuttle Vehicles, shall not be cleaned, repaired, or maintained while on Airport Premises.

3-58-4 Hotel Shuttle Vehicles on the AOA

- (a) Hotel Shuttle Vehicles shall only enter the AOA through a full service FBO's vehicle gate while under escort by a member of the FBO's staff, who possesses a valid AOA or SIDA badge, and shall only enter the AOA to deliver or pick-up passengers and/or baggage on the FBO's ramp. The AOA shall not be entered through any other vehicle gate.
- (b) Hotel Shuttle Vehicles shall not enter or operate within the SIDA under any circumstances.

Sec. 3-59 Commercial vehicle operator registration and insurance

3-59-1 Commercial vehicle operator airport registration

Every Commercial Vehicle Operator desiring to provide services on the Airport must be registered with the Airport and shall comply with the requirements of this article.

3-59-2 Registration of commercial vehicle operators

- (a) Each Commercial Vehicle Operator will be charged an annual fee per vehicle for the cost of registering and inspecting a vehicle. The fee will be collected by the Airport upon acceptance of a completed registration and before performing any required vehicle inspection. The fees charged shall be those fees established from time to time in the rates and charges established by Resolution of the Board of Supervisors and listed in the Airport Rates and Charges.
- (b) Registration of Commercial Vehicle Operators shall be initiated using forms provided by the Airport Administrative Office. Applications shall be subject to such terms and conditions as the Airport Manager determines to be necessary for the protection of the safety, convenience, and welfare of the County and the general public. All Commercial Vehicle Operators desiring to register

must provide all information required by the Airport Manager, including, but not limited to, the following information:

Commercial Vehicle Operator's business name, business (street) address, mailing address, telephone number, fax number, e-mail address (if available), and a color copy of the applicant's valid California driver's license;

Business/operating entity name, if different than Commercial Vehicle Operator's name;

Type of commercial vehicle business as described in Section 3-49 of this article;

For each vehicle to be permitted, the vehicle description, license number, VIN Number, Taximeter Number (if applicable), year, make, body type, and number of passenger seats;

Detailed and complete description of the commercial service(s) to be provided and rates to be charged by the operator;

Copy of applicable approvals (e.g., TCP, TNC or PSC permit and/or certificate or County Taxicab Vehicle Permit, if applicable) for each vehicle to be permitted;

Any applicant that is a Commercial Vehicle Operator seeking permission for multiple drivers operating his/her vehicles or operating any vehicle while doing business under his/her company name must provide a current list of drivers together with a color copy of each driver's current, valid California driver's license;

Certificates of current and valid insurance in the minimum amounts and types required by County Risk Management as amended from time to time;

Written information regarding the Commercial Vehicle Operator's procedures for accommodating passengers with disabilities; and

Taxicab Operators shall provide a copy of their County Taxicab Permit or Certificate of Exemption issued by the Sheriff.

(c) The Airport will only accept hard copies of required registration information and documents hand delivered by employees or by representatives designated in advance, in writing by the Commercial Vehicle Operator Company owner. Information and documents will not be accepted from Commercial Vehicle Drivers unless they are designated representatives of a Commercial Vehicle Operator. Required registration information and documents will not be accepted in any other manner unless prior written permission has been received from the Airport Manager.

3-59-3 Commercial vehicle records

(a) Every Commercial Vehicle Operator is responsible for maintaining current information on file with the Airport on each vehicle and driver. This information shall include, but is not limited, to the following:

(1) Copy of certificate of title, current vehicle registration, or other evidence of vehicle ownership or, for a leased vehicle, a copy of the vehicle lease indicating the name of the owner of the vehicle, the vehicle license plate number and vehicle identification number;

- (2) License plate number;
- (3) Operator(s) associated with vehicle;
- (4) Certificates of insurance as required by this article;
- (5) All applicable operating permits including CPUC permits and/or certificates, and County Taxicab Vehicle or Driver Permits for each driver on approved roster of drivers;
- (6) Copy of applicable regulatory approvals, including County Taxicab Permits or Certificates of Exemption;
- (7) Roster of drivers authorized to operate on behalf of Commercial Vehicle Operator;
- (8) Color photographs demonstrating compliance with vehicle appearance and information posting requirements, and, if applicable, documenting the operator's, distinctive Trade Dress;
- (9) Executed Statement and Indemnification using the form provided by the Airport; and
- (10) Any additional information or document required by the Airport Manager.

(b) Driver rosters and required supporting information, including color copies of each driver's current, valid California driver's license shall be updated and filed with the Airport *annually or whenever changes occur*.

Sec. 3-60 Enforcement and penalties

3-60-1 Violations

Violations of this article may lead to the temporary suspension or permanent revocation of an operator's Airport Commercial Vehicle Operator Permit and its driver's right to operate on the Airport Premises criminal fines and prosecution, or issuance of administrative fines under Section 3-17 of this Chapter.

3-60-2 Administrative fines and penalties

(a) The Airport Manager may impose, increase, or decrease suspensions or institute revocation of privileges to operate at the Airport depending upon the gravity, the number or the severity of violations, and the Commercial Vehicle Operator's response. Repeat violators shall be put on probation and may have their privileges to operate at the Airport revoked.

(b) The Airport Manager may, in his or her discretion, reinstate a Commercial Vehicle Operator's permit to operate at the Airport after the violations or other causes giving rise to the suspension have been corrected or otherwise remedied to the satisfaction of the Airport Manager.

(c) Penalties may be imposed against a Commercial Vehicle Operator and against a driver, if the driver is a different person than the Commercial Vehicle Operator.

3-60-3 Responsibility for drivers, agents, employees or other representatives

Each Commercial Vehicle Operator shall be held responsible for the failure of its drivers, agents, employees or other representatives to comply with the provisions of this article and any other applicable law or regulation.



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____



4/5 Vote Required

**Resolution of The Board of Supervisors of the County of Sonoma, State of California,
Introducing, Reading the Title of, and Waiving Further Reading of a Proposed Ordinance
Revising Chapter 3 of the Sonoma County Code**

Whereas, an ordinance entitled “An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Revising Article I (General) and establishing Article IV (Commercial Vehicle Operations) at the Charles M. Schulz- Sonoma County Airport, Chapter 3 (Airport) of the Sonoma County Code” has been introduced and the title of which has been read.

Now, Therefore, Be It Resolved that further reading of the proposed ordinance is waived.

Be It Further Resolved that the Sonoma County Board of Supervisors will consider adoption of the proposed ordinance on December 2, 2014 in the Board of Supervisors Chambers, 575 Administration Drive, Room 102A, Santa Rosa, California.

Be It Further Resolved that the Clerk of the Board shall cause a summary of the proposed ordinance to be published five (5) days in advance of the board meeting to consider adoption of the ordinance in a newspaper of general circulation published in the County of Sonoma, State of California.

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: 35
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator

Staff Name and Phone Number:

Veronica Ferguson

Supervisorial District(s):

All

Title: Report on Strategies to Reduce Poverty

Recommended Actions:

Accept report on strategies to reduce poverty in Sonoma County, and direct the County Administrator to return with a Living Wage Ordinance and prioritize investments in the FY 15-16 budget consistent with the recommendations in the staff report.

Executive Summary:

Sonoma County has demonstrated its commitment to reducing poverty through its Upstream Investments and Health Action initiatives, the publication of the recent report "A Portrait of Sonoma County," and the support for many programs that address poverty in the County. Building on this legacy, in March 2014, your Board set an annual work priority to develop policy and program options to address poverty, including an evaluation of a living wage ordinance. In June, the County Administrator hired the Blue Sky Consulting Group (Blue Sky), a firm with economic and policy expertise in this area, to investigate specific actions the County can take, including the adoption of a Living Wage Ordinance, to address poverty in Sonoma County.

Since June, Blue Sky has conducted extensive research in the existing literature, conducted a survey of County Departments and County contractors, conducted interviews with local experts and County staff responsible for delivering programs and services, and solicited input from individual members of the Living Wage Coalition/Jobs for Justice, as well as reviewing the Health Action and Upstream Investments initiatives. The report (attached) provides information on effective anti-poverty efforts, an analysis of existing living wage ordinances, and a set of recommended actions for Board consideration that emphasize evidence-based strategies that have a proven impact on poverty, in addition to components of a living wage ordinance for Sonoma County.

According to the U.S. Census Bureau, more than 1 in ten Sonoma County residents live in poverty. Poverty can be found among the County's children and among the elderly, among the unemployed as well as among low-wage workers, and among citizens and legal immigrants as well as the undocumented. Ultimately, designing and implementing a poverty reduction strategy requires a

conscious decision about how to prioritize resources and address needs within the community.

Because our society recognizes the value of innovation to produce economic benefits and improve quality of life, we rightly turn to a search for new ideas and innovative programs when seeking to address persistent public policy problems. The pitfall for those seeking to develop strategies for addressing poverty, however, can be a constant search for new and innovative approaches that draws limited resources away from more evidence-based programs that have a demonstrated and proven impact.

Report Findings and Recommendations

Addressing poverty is one of the most important and most challenging issues counties confront. Sonoma County has demonstrated its commitment to improving quality of life and reducing poverty through many policies and actions the County has undertaken, including the Upstream Investments and Health Action initiatives, publication of the recent report “A Portrait of Sonoma County,” and operation of many programs that address poverty in the County. The report includes a set of recommendations that can be scaled based on the level of financing available as well as the details for how a living wage ordinance should be structured should the county choose to adopt one.

The primary benefits of a living wage policy are increased earnings for low-wage workers. In Sonoma County, virtually all County employees already earn a living wage. Therefore, the beneficiaries of such a policy would primarily be the employees of County contractors and service providers. The cost of a living wage policy depends directly on the wage rate established and the categories of workers that are covered. A living wage policy with few exemptions and a wage rate of \$15 per hour would increase County costs by \$12.3 million annually after factoring in available cost reimbursements from the State and Federal government. Most of this cost (approximately 93 percent) would be paid to In-Home Supportive Services (IHSS) providers.

The report includes a detailed discussion of the benefits and challenges presented in implementing a living wage ordinance in addition to the cost. Given the cost and potential limitations of a living wage policy, Blue Sky recommends a policy with exemptions for non-profits and IHSS providers and a wage rate sufficient to meet the needs of single workers (\$13 per hour); such a policy would cost about \$100,000 annually.

In addition to the living wage ordinance, Blue Sky recommends implementing a series of effective programs and policies, which were identified using criteria for applicability to Sonoma County and likely impact. In particular, Blue Sky reviewed a substantial body of research to identify the most promising practices, identified policies that would be relatively easy for the County to implement, that would maximize revenue from State and Federal sources, and that span the breadth of the County’s various populations of low-income and very low-income residents. In addition, Blue Sky identified policies that both alleviate the circumstances of poverty as well as help to prevent it in the future. Each of the recommended programs and policies is discussed in detail as part of the attached report.

The recommendations, based on three levels of available financing are:

\$1 Million Annual Investment

With a budget of \$1 million each year augmenting the County’s existing poverty reduction efforts, we

would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership.

\$5 Million Annual Investment

With a budget of \$5 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership.
3. Implement an asset building program designed to help low-income families save for college or build other assets.
4. Expand access to high quality preschool for low-income families.

\$12.3 Million Annual Investment

With a budget of \$12.3 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership
3. Implement an asset building program designed to help low-income families save for college or build other assets.
4. Expand access to high quality preschool for low-income families.
5. Expand existing worker skill development, mentoring, or youth employment programs.
6. Develop additional affordable housing.

Should the County choose to adopt a living wage, a policy with the following elements is recommended:

1. Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
2. Exemptions: Interns, students, and temporary employees; small businesses, non-profits and governmental entities; lease holders; ad hoc exemptions for demonstrated hardship.
3. IHSS providers: Continue to set wage rates through existing collective bargaining

process

Recommended Action

Accept report on strategies to reduce poverty in Sonoma County, and direct the County Administrator to return with a Living Wage Ordinance and prioritize investments in the FY 15-16 budget consistent with the recommendations in the staff report.

Prior Board Actions:

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

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:

Report: Strategies to Reduce Poverty in Sonoma County, An Analysis of the impact of a Living Wage and

other poverty reduction strategies on Sonoma County

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

Strategies to Reduce Poverty in Sonoma County

An Analysis of the Impact of a Living Wage and Other
Poverty Reduction Strategies on Sonoma County

November 19, 2014

DRAFT

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ACKNOWLEDGEMENTS

The report was prepared by Matthew Newman, Shawn Blosser, and Katrina Connolly for the County of Sonoma. Tim Gage provided strategic guidance and editorial assistance. The analysis presented and the conclusions of this report are those of the authors.

EXECUTIVE SUMMARY

Sonoma County has demonstrated its commitment to reducing poverty through its Upstream Investments and Health Action initiatives, the publication of the recent report “A Portrait of Sonoma County,” and the support for many programs that address poverty in the County. Building on this legacy, the Board of Supervisors set a 2014 work priority to “develop a systemic approach to addressing income inequality and poverty in Sonoma County, including evaluation of a Living Wage Ordinance.” In June 2014, the Board of Supervisors acted to engage a consultant to aid in investigating “specific actions the County can take, including the adoption of a Living Wage Ordinance, to address poverty in Sonoma County.”¹ This report presents information about the impact of a living wage ordinance on the County as well as other research supported poverty reduction strategies the County could employ.

Poverty in Sonoma County

According to the U.S. Census Bureau, more than 1 in ten Sonoma County residents live in poverty.² Poverty can be found among the County’s children and among the elderly, among the unemployed as well as among low-wage workers, and among citizens and legal immigrants as well as the undocumented. Ultimately, designing and implementing a poverty reduction strategy requires a conscious decision about how to prioritize resources and address needs within the community.

No Magic Bullets

Because our society recognizes the value of innovation to produce economic benefits and improve quality of life, we rightly turn to a search for new ideas and innovative programs when seeking to address persistent public policy problems. The pitfall for those seeking to develop strategies for addressing poverty, however, can be a constant search for new and innovative approaches that draws limited resources away from more evidence-based programs that have a proven and demonstrated impact on poverty.

This, then, is the subject of this report: relying on research, best practices and the history of success from other jurisdictions, what can Sonoma County do to address poverty?

¹ Sonoma County Request for Proposals, June 10, 2014.

² Census Bureau: <http://quickfacts.census.gov/qfd/states/06/06097.html>

A Living Wage

Living wage ordinances have been proposed as a way for localities to address concerns about the lingering impact of the “great recession,” lack of economic opportunity, and increasing income inequality.

The primary benefits of a living wage policy are straightforward: increased earnings for low-wage workers. Living wage policies can also help to reduce income inequality and help employers by reducing absenteeism and turnover among affected employees. Living wage policies may also produce less tangible benefits, such as increasing awareness of income inequality and the plight of low-wage workers.

In Sonoma County, virtually all County employees already earn a living wage. Therefore, the beneficiaries of such a policy would primarily be the employees of County contractors and service providers.

The cost of a living wage policy depends directly on the wage rate established and the categories of workers that are covered. According to our analysis, a living wage policy with few exemptions and a wage rate of \$15 per hour would increase County costs by \$13.3 million annually (after accounting for federal and state reimbursement).³ Most of this cost (approximately 93 percent) would be paid to In-Home Supportive Services (IHSS) providers. A more modest policy with exemptions for non-profits and IHSS providers and a wage rate sufficient to meet the needs of single workers (\$13 per hour) would cost about \$100,000.⁴

In addition to the direct fiscal costs of a living wage, such policies may also act to reduce the number of low-wage jobs at affected firms, as employers seek ways to lower labor costs by utilizing fewer low-wage workers. And, while most of the benefits of living wage policies go to low income households, some benefits inevitably go to higher income households (i.e., those with at least two workers, including one low-wage worker and one or more higher-wage workers).

Recommended Strategies to Reduce Poverty in Sonoma County

In addition to increasing the wages of low-wage workers, there are literally hundreds of other poverty reduction strategies that have been developed and implemented across the country. Identifying the “best” or “most effective” programs from within the broad universe of anti-poverty strategies is no simple task (indeed, it may not be possible). In most cases, making a comparison among programs requires making a value

³ A proposal for such a living wage has been made by a coalition of Sonoma County labor, faith, environmental and community organizations.

⁴ This figure represents just the cost for increased service contract prices to the County general fund, and does not include any additional costs that may be incurred by County enterprises or administrative costs for operating the program.

judgment. Nevertheless, there are some tools that can be applied to identify the most promising strategies. First, through the course of the many previous efforts to address poverty, a substantial body of research has been developed. Building on this foundation, we sought to identify a subset of the most promising practices based on evidence from this research. Next, we sought to identify policies that would be relatively easy (or at least feasible) for the County to implement. Finally, we sought to include policies that span the breadth of the County's various populations of low-income and very low-income residents. We also sought to identify policies that both alleviate the circumstances of poverty as well as help to prevent it in the future. We also looked for policies that directly target those in need and that maximize use of state and federal funding sources available.

Following our review, we identified six specific strategies that the County could employ. Recognizing that resource constraints may prevent the County from initially adopting all of these approaches, we developed recommendations for three alternative investment amounts.

\$1 Million Annual Investment

With a budget of \$1 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership.

\$5 Million Annual Investment

With a budget of \$5 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership.
3. Implement an asset building program designed to help low-income families save for college or build other assets.
4. Expand access to high quality preschool for low-income families.

\$13.3 Million Annual Investment

With a budget of \$13.3 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership
3. Implement an asset building program designed to help low-income families save for college or build other assets.
4. Expand access to high quality preschool for low-income families.
5. Expand existing worker skill development, mentoring, or youth employment programs.
6. Develop additional affordable housing.

Living Wage

Should the County choose to adopt a living wage, we recommend a policy with the following elements:

- Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
- Exemptions: Interns, students, and temporary employees; small businesses, non-profits and governmental entities; lease holders; ad hoc exemptions for demonstrated hardship.
- IHSS providers: Continue to set wage rates through existing collective bargaining process.

CONCLUSION

Addressing poverty is one of the most important and most challenging issues counties confront. Sonoma County has demonstrated its commitment to improving quality of life and reducing poverty through many policies and actions the County has undertaken, including the Upstream Investments and Health Action initiatives, publication of the recent report “A Portrait of Sonoma County,” and operation of many programs that address poverty in the County.

This report identifies several promising strategies the County could pursue that would build on this foundation.

INTRODUCTION

Background and context

Sonoma County has demonstrated its commitment to reducing poverty through many actions the County has taken, including the Upstream Investments and Health Action initiatives, publication of the recent report “A Portrait of Sonoma County,” and support for many programs that address poverty in the County. Building on this legacy, the Board of Supervisors set a 2014 work priority to “develop a systemic approach to addressing income inequality and poverty in Sonoma County, including evaluation of a Living Wage Ordinance.” In June 2014, the Board of Supervisors acted to engage a consultant to aid in investigating “specific actions the County can take, including the adoption of a Living Wage Ordinance, to address poverty in Sonoma County.”⁵ This report presents information about the impact of a living wage ordinance on the County as well as other research-supported poverty reduction strategies the County could employ.

Poverty in Sonoma County

According to the U.S. Census Bureau, more than 1 in ten Sonoma County residents live in poverty.⁶ The recently published report, “A Portrait of Sonoma County” presented a detailed view of the current state of well-being among residents of the County. This report detailed the extent of disparities (across many measures) that exist within the County. For example, the report found that “significant disparities in earnings separate census tracts within Sonoma County.”⁷ This report also found that significant disparities exist across racial and ethnic lines, with Whites earning significantly more than Latinos. Among the other important findings in the report relevant to addressing poverty, undocumented immigrants were found to make up a significant portion of the County’s population and are disproportionately likely to be poor.

What does it mean to be poor?

As the “Portrait of Sonoma” report demonstrated, “the poor” in Sonoma County are not a homogenous group. Poverty can be found among the County’s children and among the elderly, among the unemployed as well as among low-wage workers, and among citizens and legal immigrants as well as the undocumented.

⁵ Sonoma County Request for Proposals, June 10, 2014.

⁶ Census Bureau: <http://quickfacts.census.gov/qfd/states/06/06097.html>

⁷ Portrait of Sonoma County, p. 11.

Perhaps because of the diversity of the population of low-income or very low-income residents of the County, there is no universally accepted definition of “poor” or “poverty.” The federal government establishes one measure, the “federal poverty line” (also known as the federal poverty threshold or guideline).⁸ Though commonly used, the federal measure is often criticized for failing to take account of variations in the cost of living across the country and the impact of non-cash transfer programs. Other measures have attempted to account for variations in the cost of living as well as the impact of economic support programs, such as the Earned Income Tax Credit and the Supplemental Nutritional Assistance Program (or SNAP, formerly Food Stamps and now called CalFresh in California). Even these measures, however, may fail to account for what it takes to provide food, shelter, transportation, childcare, health care, and other basic necessities in many communities across California and in Sonoma County.

What these varying measures make clear is that poverty’s reach is broad, encompassing both the “working poor” (e.g., those living paycheck to paycheck, one medical bill or auto repair away from bankruptcy or eviction or those forced to choose between food, medicine, shelter or other necessities) and the “very low income” (e.g., those with little or no income, such as chronically unemployed, disabled, or homeless). Ultimately, designing and implementing a poverty reduction strategy requires a conscious decision about how to prioritize resources and address needs within the community. A broad-based effort encompassing all of the varying definitions of poverty has the greatest reach and can help the largest number of people. But, of course, such an effort comes at a greater cost relative to a more narrowly focused approach.

Sonoma County’s Current Efforts to Address Poverty

Developing strategies to address the diverse population of low-income and very low-income residents of Sonoma County presents a complex challenge, yet it is one the County has embraced. Through the efforts of many County departments, agencies and programs, Sonoma County delivers a host of services that can both alleviate and prevent poverty. The County’s Upstream Investments initiative explicitly seeks to eliminate poverty in Sonoma County by identifying evidence-based mechanisms by which the County can invest in proven poverty prevention policies and programs.

In addition to Upstream, the County has convened, under the banner of its Health Action initiative, an Economic Wellness Operations Team. This group of County and community representatives has been working since August 2014 to identify promising strategies that the County can adopt to help achieve the goal of

⁸ According to the federal Department of Health and Human Assistance, the federal poverty guideline for a three person household is \$19,790 per year for 2014. See: <http://aspe.hhs.gov/poverty/14poverty.cfm>

ensuring that “Sonoma County Families have the economic resources to make ends meet and lead a long and healthy life.”

Together with the day-to-day operation of County run programs such as CalWorks, CalFresh, MediCal, home visiting programs, youth employment and job training programs, and many others, Sonoma County is already well engaged in the fight against poverty. The information and analysis presented in this report seek to build on this solid foundation.

Strategies for Reducing Poverty

No Magic Bullets

Because our society recognizes the value of innovation to produce economic benefits and improve quality of life, we rightly turn to a search for new ideas and innovative programs when seeking to address persistent public policy problems. Indeed, such an approach may make particular sense when a problem has proven as stubborn to address as has poverty, a consistent focus of public policies since at least the “War on Poverty” of the 1960s.

The value and importance of innovation notwithstanding, a search for the “new new thing” can at times divert attention from tried and true approaches. The pitfall for those seeking to develop strategies for addressing poverty can be a constant search for new and innovative approaches that draws limited resources away from more evidence-based programs. There is always room for new good ideas; however, in seeking to develop an approach to addressing poverty in Sonoma County, looking to what has been proven to work may be the most effective strategy.

This point was persuasively made recently by Stanford Professor David Grusky in a presentation at the Los Cien State of the Latino Community event in Santa Rosa on October 2, 2014. According to Professor Grusky’s presentation, we are too often led to believe that “we need to innovate and find the magic-bullet poverty cure.” Instead, Professor Grusky urged participants at the conference to pursue strategies and policies already in place, admonishing that “we already know what causes poverty and it’s counterproductive to search for that magic-bullet cure.”

Using Research to Guide the Way

This, then, is the subject of this report: relying on research, best practices and the history of success from other jurisdictions, what can Sonoma County do to address poverty? The potential strategies the County can pursue can be divided into three categories:

POLICIES THE COUNTY CAN ADOPT AFFECTING ITS OWN OPERATIONS

First, there are steps the County can take to ensure that its own actions with respect to employees and working conditions do not contribute to poverty. Adopting a living wage ordinance is one such policy.

EXPANDING AND ENHANCING EXISTING PROGRAMS

Second, the County already operates many programs that have been shown to be effective. Such programs include, for example, the CalFresh (food stamps) program, home visitation programs such as the Nurse Family Partnership, and many others. In fact, most of the research-proven poverty reduction strategies fall into this category. Expanding access to these effective, existing programs may be the easiest to implement and most effective thing the County can do to address poverty.

NEW PROGRAMS

Finally, there are some new, research-supported programs the County might consider adopting to address poverty. For example, research has shown that children are more likely to go to college simply by virtue of having an account set up to save for college. Establishing a program that can help low income families save for college could be an effective way to help prevent the next generation from falling into (or remaining in) poverty.

Overview of the Report

The remainder of this report is divided into two sections. In the first section, we discuss the impact of a living wage ordinance on Sonoma County, including an assessment of the likely effects on businesses and workers as well as an estimate of the fiscal effects of such a policy on the County. The next section of the report identifies six poverty reduction strategies that have been shown through research to be effective in addressing poverty. Recommendations are presented at the end of the report, followed by technical appendices that identify the methodologies and data sources used to estimate the effects of the policies analyzed in the report.

A LIVING WAGE FOR SONOMA

What is a Living Wage?

Concerns about the lingering impact of the “great recession,” lack of economic opportunity, and increasing income inequality have fueled efforts to increase the earnings of low-wage workers. Living wage ordinances have been proposed as a way for localities to address these concerns.

Similar to a minimum wage, a living wage policy seeks to raise the wages of the lowest-paid workers. Two important distinctions, however, separate living wage and minimum wage policies. First, living wage policies typically call for a higher wage rate, above the rate established by state or federal minimum wage laws. The

living wage rate is generally set based on an assessment of what is required for a worker or household to meet basic needs, such as food, shelter, and health care. Second, a living wage ordinance typically applies just to the employees of the local jurisdiction adopting the living wage as well as to firms doing business with the local jurisdiction or receiving some other form of benefit such as economic development incentives.

Benefits and Costs of Living Wage Policies

The primary benefit of a living wage policy is straightforward: increased earnings for low-wage workers. By raising the pay for low-wage workers, living wage policies can substantially increase the standard of living and quality of life for those who receive a wage increase or get hired by a local government agency or firm covered by the living wage policy.

Beyond this basic argument, many have suggested that living wage policies have other benefits, such as reducing income inequality and stimulating short-term economic growth. This economic growth occurs because low-wage workers tend to spend much of their increased earnings in the local economy, thereby benefitting workers and employers at firms that supply goods and services to these workers. Research also suggests that increases in wages brought about by living wage policies can lead to other benefits for employers, such as reductions in absenteeism and turnover among affected employees. Living wage policies may also produce less tangible benefits, such as increasing awareness of income inequality and the plight of low-wage workers.

Although the number of jurisdictions with living wage policies has been increasing, these policies are not without their detractors. Opponents of living wage policies generally argue that they can act to increase costs for the governments adopting them, as the cost of increased wages is passed on in the form of higher prices for service contracts or increased employee expenses for a jurisdiction's own workers. Living wage policies may also discourage firms from bidding on government contracts, which could act to increase prices as a result of the decrease in competition. And, living wage policies may modestly reduce the number of low-wage jobs at affected firms, as employers seek ways to lower labor costs by utilizing fewer workers. Finally, while most of the benefits of living wage policies go to low-income households, some benefits inevitably go to higher-income households (i.e., those with at least two workers, including one low-wage worker and one or more higher-wage workers). Ultimately, the most compelling criticism of living wage policies may simply be their limited reach as a poverty reduction strategy. Because these policies primarily affect workers at firms contracting with the local government, the overwhelming majority of low-wage workers and poor households do not receive any direct benefit.

RESEARCH ON ABOVE MARKET WAGE POLICIES GENERALLY

Although the circumstances in which they apply, rates required, and other specific terms may differ, minimum wage and living wage policies have many similarities in terms of their economic effects. Both living wage and

minimum wage policies are intended to raise the wages of the lowest paid workers, and are frequently justified on the grounds that those working full time should not live in poverty.

These benefits notwithstanding, economists and business owners alike have suggested that increases in the minimum wage (or adoption of a living wage) may act to reduce employment among the low-wage workers these policies are intended to help.

Whether and to what extent minimum and living wage policies in fact lead to job losses has long been a subject of debate among economists. Economic theory suggests that if wages are raised, employers will look for ways to cut labor costs by shifting more of the production process to capital equipment (e.g., by automating a process previously performed manually). Increases in wage rates may also act to increase worker productivity, which has the additional effect of reducing the number of workers needed by employers. In addition to reducing employment, higher wages resulting from a minimum wage or living wage policy may result in higher prices generally (or higher taxes or lower service levels), leaving low-wage workers no better off in real terms. Finally, increases in the minimum wage or living wage rate may also reduce profits in affected firms, reducing the ability of and incentive for these firms to invest in expanding their businesses. Such increases could also encourage firms to relocate to other areas where wages are lower.

The minimum wage has been the subject of research by economists for many decades (the living wage has been less well studied, but many of the same economic principles apply). In fact, it has been claimed that “the minimum wage-employment debate... is as old as the Department of Labor.”⁹

Economic theory suggests that, in a competitive labor market, increases in the minimum wage should lead to reductions in employment, either in the number of jobs or the number of hours worked. Many studies have supported this conclusion.¹⁰ For example, in their 2000 book *Minimum Wages*, economists David Neumark and William Wascher summarize the state of research existing at the time, concluding that “...the preponderance of evidence supports the view that minimum wages reduce the employment of low wage workers.”¹¹

Although many studies have found a negative relationship between increases in the minimum wage and the number of jobs for low-wage workers, the findings of some recent empirical studies have been less clear. For example, a 2013 study analyzed payroll data from a large, national retailer and found that the 1996 increase in

⁹ Neumark, et.al. (2013), p.1.

¹⁰ See, for example, Brown (1999).

¹¹ Quoted in Schmitt (2013), p. 4.

the federal minimum wage resulted in no statistically significant change in overall employment at the firm.¹² Similarly, a 2007 study analyzed the effects of San Francisco's local minimum wage and found no statistically significant change in employment.¹³ Finally, in their recently published book, Dale Belman and Paul Wolfson provide a qualitative assessment of some 70 published articles on the impact of minimum wages on employment, as well as a meta-analysis using 439 distinct estimates of the effect of minimum wages from 23 of the studies reviewed. Based on this research, they conclude that "...if negative effects on employment are present, they are too small to be statistically detectable. Such effects would be too modest to have meaningful consequences in the dynamically changing labor markets of the United States."¹⁴

Perhaps the most relevant analysis of how a proposed minimum wage increase might impact employment was recently published by the nonpartisan Congressional Budget Office (CBO) in February 2014.¹⁵ This report assessed the potential impact of a proposal to increase the federal minimum wage from its current rate of \$7.25 per hour to either \$9.00 or \$10.10 per hour. The CBO conducted an extensive review of the published literature on the minimum wage, including both studies that found employment effects and studies that did not. Based on this review, the CBO study concluded that (a) increases in the minimum wage can be expected to reduce (at least to some degree) the number of jobs for low-wage workers and (b) a larger increase in the minimum wage will result in a greater reduction in employment. In addition, the CBO research concluded that, while an increase in the minimum wage would likely boost economic activity in the short term as a result of increased earnings on the part of low-wage workers, it would ultimately lead to reductions in economic activity in the long term, as the overall productivity of the economy declines due to reductions in the workforce.¹⁶

The CBO also concluded, however, that, job losses among low-wage workers notwithstanding, a large number of Americans (approximately 900,000) would be lifted from poverty by a minimum wage increase. According to the CBO report, about one-fourth of the benefits of an increase in the federal minimum wage would go to households earning less than the federal poverty threshold and roughly 90 percent of the benefits would go to

¹² See Giuliano (2013).

¹³ See Dube et al (2007). Note that this study relied on survey data collected from San Francisco restaurants, and included the number of part-time and full-time employees (headcount) as well as the average weekly hours worked for each. They constructed their full-time equivalent employment measure as the total number of hours worked divided by 40.

¹⁴ See Belman, Dale, and Paul J. Wolfson. 2014. "The New Minimum Wage Research." *Employment Research*. 21(2): 4-5. (http://research.upjohn.org/empl_research/vol21/iss2/2). The full book is available at <http://www.upjohninstitute.org/Publications/Titles/WhatDoestheMinimumWageDo>.

¹⁵ Congressional Budget Office (2014).

¹⁶ *ibid.*, p. 8.

families earning less than three times the federal poverty threshold (the remaining 10 percent of benefits would go to families earning more than three times the poverty threshold).

Although these studies looked at the minimum wage rather than the living wage, the economic effects of a living wage policy are likely to be comparable (though they would apply to a much smaller subset of workers and firms): affected low-wage workers would receive a pay raise; most of these benefits would accrue to low-income households; some households would be lifted out of poverty; and, some low-wage workers may lose their jobs as employers who cannot pass on the cost increases to their customers seek other means to reduce labor costs.

Previous Research on the Impact of Living Wage Policies

Research on living wages specifically is much more limited than research on minimum wage policies. Most of the studies that have been done have sought to prospectively examine the likely fiscal impact on jurisdictions considering such policies rather than examine the impact on poverty or employment in a community more broadly. Several recent studies, however, have sought to quantify the impacts on local employment, poverty rates, and economic growth. It is important to remember, however, that not all living wage ordinances are structured in the same way. Differences in wage rates and exemptions may make an important difference when comparing studies because the empirical findings associated with such different policies often vary widely.

A recent review of the economic literature found that there is fairly consistent evidence that such laws do raise the wages of the targeted workers, though this group of targeted workers tends to be a very small group, usually between 1 percent and 3 percent of the local workforce. The results also indicate that there may be a modest indirect spillover effect, with some low-wage workers not directly covered by the policy also experiencing wage increases, though these effects are estimated to be quite small.¹⁷

In terms of employment effects, a 2005 study used data from the Census Bureau's Current Population Survey to compare metropolitan areas with and without living wage policies, and to track changes in employment. This analysis found a statistically significant effect on employment 12 months after a living wage policy was enacted or increased, with a 50 percent increase in the living wage rate resulting in a 6 percent decrease in employment among those in the lowest income decile (i.e., those whose earnings are in the bottom 10

¹⁷ Maloney, Tim with Gilbertson, Amanda (2013). A literature review on the effects of living wage policies. Prepared by Tim Maloney, Auckland University of Technology for Auckland Council. Auckland Council technical report, TR2013/034, p. 6.

percent of all wage earners).¹⁸ For those between the 10th and 50th percentiles, however, the researchers found a positive effect on employment from the living wage policy, though these increases were not statistically significant. The authors concluded that these findings were consistent with their theory that the living wage increases were leading employers to substitute away from the lowest-skilled workers and seek out more highly skilled workers.

Finally, a number of studies have sought to investigate the impact of living wage laws on reducing poverty. While most studies on minimum wage laws have shown that they have, at most, a very small impact at reducing poverty rates, the literature on living wage policies has shown more measurable effects. A number of studies using data from the Current Population Survey from 1996 through 2009 found that poverty rates were indeed lower in jurisdictions that had enacted living wage policies. For living wage policies that included only contractors, the research showed a reduction in poverty, but the results were not statistically significant.¹⁹ A 2005 study found similar results, estimating that a 50 percent increase in the living wage reduces the local poverty rate by 1.7 percentage points on average, though the effect did not persist for contractor-only living wage policies. The authors also found that the wage increases from the living wage policies were mostly experienced by those closer to the poverty line, and suggested that such policies may “nudge families over the poverty line” while leaving the lowest-income wage earners no better off.²⁰

History and Context – Other Jurisdictions with Living Wage Policies

Since Baltimore became the first major U.S. city to adopt a living wage ordinance in 1996, living wage policies have been growing in popularity. Many cities across the country and within California now have living wage ordinances in effect.²¹

In Sonoma County, three cities have living wage ordinances: Petaluma, Sebastopol, and Sonoma. Across the state, five counties have adopted living wage ordinances: Los Angeles, Marin, San Francisco, Santa Cruz, and Ventura. The policies adopted by these other jurisdictions vary widely in terms of the wage rate required and the types of firms and employees covered.

¹⁸ Adams, S., Neumark, D., & Public Policy Institute of California. (2005). A decade of living wages: What have we learned?. San Francisco, Calif: Public Policy Institute of California.

¹⁹ Maloney (2013), p. 10.

²⁰ Adams and Neumark (2005), p. 9.

²¹ Holzer, Harry, “LIVING WAGE LAWS: HOW MUCH DO (CAN) THEY MATTER?” Brookings Metropolitan Policy Program, 2008, p. 4.

Figure 1 compares the living wage policies of the three Sonoma County cities. As that table shows, Petaluma’s policy exempts non-profit contractors, while those of Sonoma and Sebastopol include non-profits but apply only those whose contracts total \$75,000 and \$25,000 per year, respectively. In addition, all three cities provide exemptions for various types of workers, including temporary workers, those receiving job training, and others.

FIGURE 1: COMPARISON OF EXISTING LIVING WAGE POLICIES ENACTED BY SONOMA COUNTY CITIES

	City of Petaluma (2006)	City of Sonoma (2004)	City of Sebastopol (2003)
Living Wage Rate ²²	\$13.82	\$14.26	\$14.63
City Employees	Yes	Yes	Yes
For-profit City Contractors	For contracts >= \$10K/yr	For contracts >= \$10K/yr	For contracts >= \$10K/yr
Non-profit City Contractors	No	For contracts >= \$75K/yr	For contracts >= \$20K/yr
City Leaseholders	If > 25 employees and annual gross receipts above \$350K	If > 25 employees and annual gross receipts above \$350K	If > 25 employees and annual gross receipts above \$350K
Businesses Receiving Aid from the City	If aid >= \$100K in a 12 month period and for 5 years after	If aid >= \$100K in a 12 month period and for 5 years after	If aid >= \$100K in a 12 month period and for 5 years after
Employees of Contractors, Leaseholders, and Firms Receiving Aid from City	Employees who spend 20% or more of time on city work	Employees who spend 20% or more of time on city work	Employees who spend 25% or more of time on city work
Employees in temporary job-training program	No	No	Yes
Employee in temp project <= 6 months	No	No	No
Volunteers	No	No	No
City public works contractors	No	No	No
Workers when standing by or on-call	No	No	No
Disabled worker w/ sub-minimum wage certificate	No	No	No
Employee subject to collective bargaining with waiver	No	No	Yes
City employees in first 6 months of employment (training period)	No	No	No
Employee < 21 yrs employed by non-profit for after-school programs, summer job, or trainee if less than 120 days	Yes	No	No

²² Note that all three cities require employers to pay an additional \$1.50 per hour if they do not contribute at least \$1.50 per hour towards medical benefits for their employees. The wage rates shown here assume such benefits are provided.

A comparison of the living wage ordinances currently in effect in other California counties is presented in Figure 2 below. Across these five counties, the current living wage rates vary from \$9.64 per hour in Los Angeles to \$14.97 per hour in Santa Cruz (for employers that provide health benefits). There are also notable differences among the five counties' policies in terms of which employees are covered and which are not. Interestingly, only Marin County's policy covers county employees directly. San Francisco and Marin Counties provide exemptions for non-profit contractors with contracts below \$25,000 and \$50,000 per year, respectively, and also include IHSS providers under their policies, while the other three counties exempt non-profit contractors entirely and also exclude IHSS providers. In addition, none of these counties' policies extend the living wage requirements to county leaseholders. Clearly, each of these differences affects the number of workers covered and the corresponding fiscal impact to the county's budget.

FIGURE 2: COMPARISON OF LIVING WAGE POLICIES ENACTED BY OTHER CALIFORNIA COUNTIES

	Los Angeles	Marin	San Francisco	Santa Cruz	Ventura
Living Wage Rate	\$9.64	\$10.50	\$12.66	\$14.97	\$10.50
County Employees	No	Yes	No	No	No
For-profit county contractors	For contracts >\$25K/year	Yes	For contracts >\$25K/year	For contracts >\$15K/year	For contracts >\$25K/year
Non-profit county contractors	No	For contracts >\$25K/year	For contracts >\$50K/year; lower wage rate	No	No
County leaseholders	No	No	No	No	No
Small businesses covered	Firms with 20+ employees, \$1m+ in revenue	All businesses covered	Firms with 20+ employees	Firms with 6+ employees	Firms with 6+ employees
IHSS Providers covered	No	Yes	Yes; lower wage rate	No	No

Note: Rate for employees receiving benefits shown. Most jurisdictions have a higher rate for employees without benefits.

Living Wage Rate Estimates Differ

As the comparison of other California jurisdictions with living wage policies makes clear, there is no clear consensus as to what an appropriate living-wage rate should be. Numerous analysts have sought to determine the wage rate needed to support a minimum standard of living. We identified three such estimates that appear

to have credible methodologies, rely on recognized and reliable data sources, and provide an estimate of the appropriate rate for Sonoma County workers.²³

Most analysts that calculate a living wage rate include similar types of expenses: food, shelter, healthcare, childcare (for parents), transportation, taxes, and other basic necessities. In spite of this basic agreement as to what categories to include, there is no consensus as to what the appropriate hourly wage rate should be. Differences in estimates for the cost of the varying components as well as methodologies for adjusting to regional cost-of-living measures and even judgments as to what a minimum standard should be can result in significant differences in the estimated wage rates.

Furthermore, the appropriate wage rate depends on the family structure. Single workers of course need the lowest wages while households with a single wage earner and multiple children tend to need the highest wages.

Figure 3 shows the wages calculated by three different entities for Sonoma County for families of varying sizes. The range of rates is quite large, from a low of \$10.69 per hour calculated by researchers at the Massachusetts Institute of Technology (MIT) for a single person to a high of \$34.02 per hour calculated by the Insight Center for Community Development for a single adult with two children.

FIGURE 3: LIVING WAGE RATES DIFFER

Living Wage Calculator	1 Adult	1 Adult, 1 Child	1 Adult, 2 Children	2 Adults, 1 Child
[1] MIT Living Wage Calculator	\$10.69	\$22.69	\$26.31	\$20.78
[2] CA Budget Project	\$15.94	NA	\$37.94	NA
[3] Insight Center for Community Economic Development	\$12.34	\$24.90	\$34.02	\$28.86
<i>Sources:</i>				
[1] http://livingwage.mit.edu/counties/06097 (accessed 10/16/2014)				
[2] http://www.cbp.org/MakingEndsMeet/family-budget-results.php (accessed 10/16/2014)				
[3] http://www.insightccd.org/communities/besa/besa-ca/calculator.html (accessed 10/16/2014; assumes all children are 3-5 years old)				

As this presentation of the variation in rates makes clear, choosing the appropriate rate for a living wage ordinance is not a straightforward matter. Choosing a lower rate, for example a rate sufficient to provide for the needs of a single person, is less costly and has the potential for the fewest economic dislocations for

²³ One calculator we reviewed, prepared by the Economic Policy Institute, provided estimates only for families with children and not for single workers and so has been omitted from this comparison.

affected firms and workers. However, choosing a low rate can also leave workers supporting larger families wanting.

Methodology for Analyzing Living Wage Impact on Sonoma

The impact of a living wage policy will, of course, depend on the specifics of the policy adopted. In order to analyze the likely effects of a living wage on Sonoma County, we sought to evaluate the effects of a range of policies with respect to wage rates and types of covered firms and employees.

Data Sources

We relied on two principal sources of information:²⁴

1. **Sonoma County wage data.** The starting point for our analysis was an examination of wage rate data for Sonoma County employees.
2. **Survey of service contractors.** We also developed a list of all service contracts in effect during the 2013-14 fiscal year, along with the vendor's name and the amount of the contract.²⁵ For all such contracts valued at \$25,000 or more, we collected contact information for the vendor from the appropriate County department, and contacted the vendors via email to complete an on-line survey to collect information on the type of business (for-profit vs. non-profit), the number of employees, and the wage rates and benefits of those employees performing work for the County under the service contract, following up by phone as necessary.

Results

Most County Workers Already Earn a Living Wage

Our analysis suggests that virtually all Sonoma County workers already earn in excess of \$15 per hour. Therefore, with the exception of IHSS providers, a living wage ordinance would primarily affect a relatively small number of workers and firms in Sonoma County. As a result, while some affected businesses (and County

²⁴ In addition to these principal sources of information, we also examined data on County leases. Based on our review of these leases, we determined that the impact in terms of reduced lease revenue was likely quite small; therefore, we focused our analysis on the most significant areas: County employees, IHSS workers and County contractors.

²⁵ This included contracts that may have begun prior to July 1, 2013. We pro-rated the amount of those contracts that began before July 1, 2013 and/or extended past June 30, 2014 to calculate the amount of the contract for the 2013-14 fiscal year.

departments or agencies, including the Sonoma County Airport) could experience a significant impact, the overall effect of a living wage is likely to be relatively modest.²⁶ Of course, the extent of this impact will depend on the wage rate established and the extent of any exemptions. Nevertheless, our analysis indicates that most potentially affected workers are already paid a living wage.

Likely Impact on Sonoma County Employers

Because the County already pays most workers at a rate above the likely range for a living wage (i.e., above \$15 per hour), the primary impact of a living-wage policy would be on entities that do business with the County.²⁷ These entities provide a range of services, from landscaping and janitorial services to health care and social services. For-profit firms represent 77 percent of the contractors with \$25,000 or more in service contracts with Sonoma County, and 69 percent of the dollar value of those contracts. Non-profit firms, however, are much more likely to pay their employees at a wage rate below the \$15 per hour threshold. Based on our analysis, 36 percent of the non-profit contractors would be affected by a \$15 per hour living wage, compared to only 5 percent of the for-profit contractors.

Cost Varies Depending on Rate and Exemptions

The fiscal impact of a living wage ordinance on Sonoma County will depend on several factors, including the wage rate, the extent of any exemptions offered and the extent to which employers pass on any increased costs to the County.

WILL EMPLOYERS PASS ON INCREASED COSTS?

Relatively little research has been conducted on the extent to which employers pass on any increase in labor costs stemming from a living wage. Based on a review of other living wage studies, we have assumed that for-

²⁶ Specifically, representatives from the County Airport and the County Fair have expressed concerns about the impact of a living wage on their operations. Because these two entities operate as enterprises, any increase in wage costs would not be passed on to the county general fund, but would instead need to be made up in the form of lower costs or higher revenues from another source, potentially with adverse effects on the operation of these two entities.

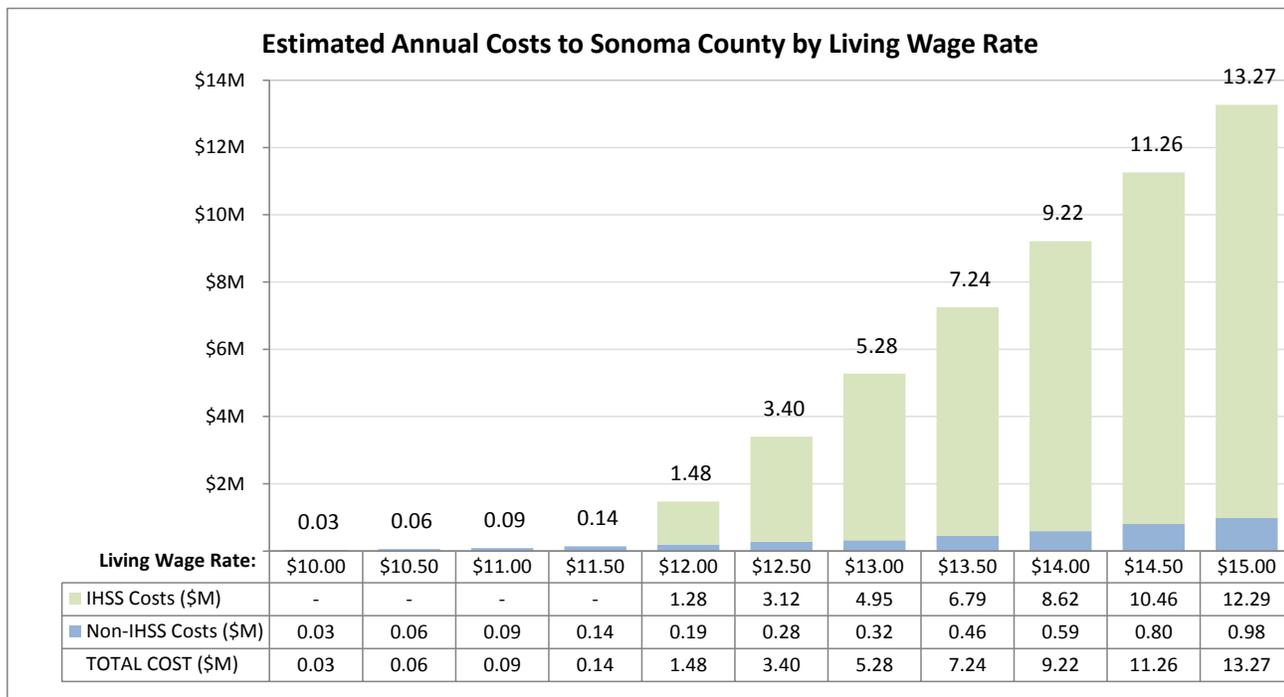
²⁷ Some tenants in County-owned property would be affected, but the impact on rents would be quite small. According to our analysis of lease data provided by Sonoma County, total rental income from tenants likely to be affected by the living wage ordinance totals approximately \$100,000 per year. Therefore even a 10 or 20 percent reduction in lease revenue would have only a minor impact on the County's budget.

profit contractors will pass on 50 percent of their cost increases to the County, and non-profit contractors will pass on 100 percent of their increased costs.²⁸

IMPACT OF VARYING WAGE RATES AND EXEMPTIONS

As shown in Figure 4 on the next page, the cost of a living wage varies significantly depending on the wage rate and the employees who are covered. At the low end, a policy that established a rate of \$10.69 (the rate identified by MIT as the living wage amount for a single worker in Sonoma County), the policy would cost approximately \$80,000 per year. At the high end, a policy that called for a wage rate of \$15 per hour and did not include an exemption for IHSS providers or non-profits would cost approximately \$13.3 million per year.

FIGURE 4: COST TO SONOMA COUNTY OF LIVING WAGE ORDINANCE BY WAGE RATE

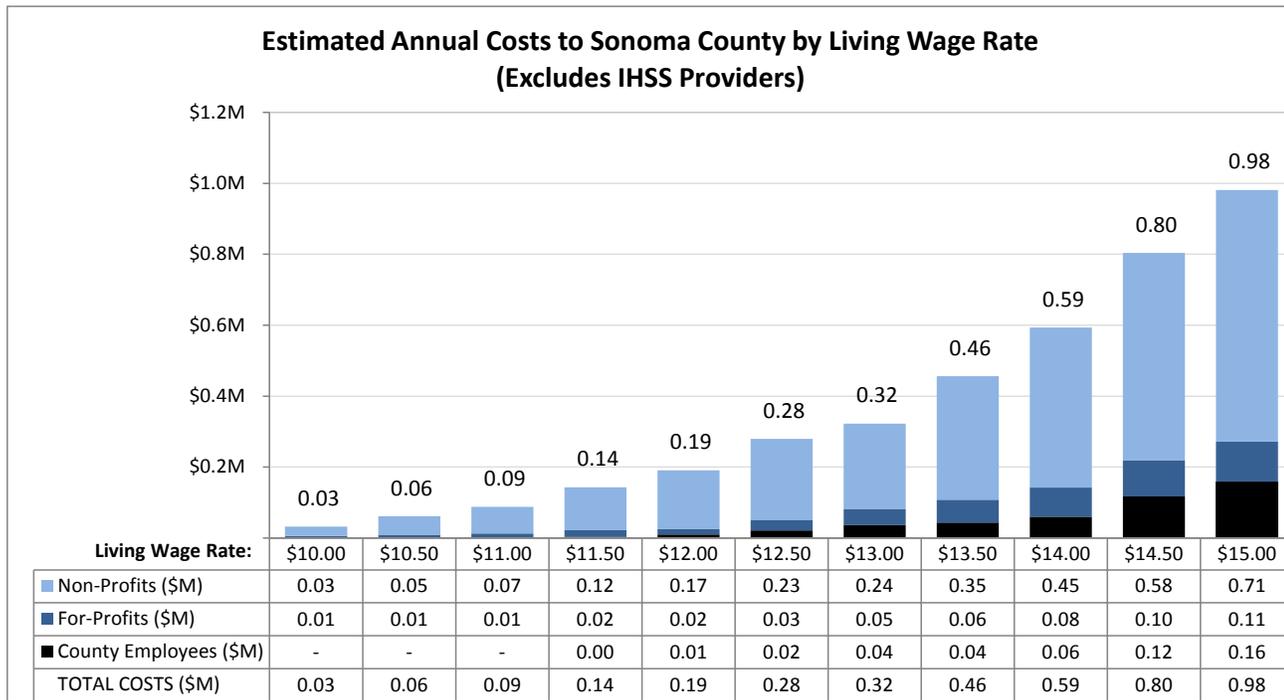


Note: Non-IHSS cost includes costs for county employees and contractors.

²⁸ Very little research exists on the extent to which government contractors pass along the costs associated with living wage increases, though most studies reviewed, including those for the Cities of Petaluma, Sebastopol and Sonoma, typically assume 100 percent pass-through for non-profit contractors and 50 to 70 percent pass through for for-profit contractors.

As can be seen in Figure 4, the majority of the cost impact for living wages above about \$11.65 is attributable to IHSS providers. Figure 5 provides more detail on the costs when IHSS providers are excluded, showing that non-profits account for the majority of the non-IHSS costs, though these costs are much smaller relative to the cost of covering IHSS providers.

FIGURE 5: COST OF LIVING WAGE ORDINANCE EXCLUDING IHSS PROVIDERS



The number of service contractors affected is also likely to be quite small. Our analysis shows that approximately 11 percent of the current 359 contractors with County contracts totaling over \$25,000 pay their employees less than \$15 per hour. If the living-wage rate were instead \$13 per hour (the average rate for a single worker among the three wage calculators we examined) the impact would be even less, with just 8 percent of the contractors directly affected.²⁹

When viewed from the broader perspective of the County as a whole, the impact a \$15 per hour living wage policy is likely to be modest. According to our analysis, a living wage rate of \$15 per hour that includes IHSS

²⁹ Note that these estimates include exemptions for those for-profit contractors with 5 or fewer employees and for non-profit contractors with 24 or fewer employees.

providers would directly affect approximately 7,100 workers, or approximately 3.8 percent of the County's total of 188,800 employees.³⁰ A more modest living wage policy that excludes IHSS providers, would affect about 934 workers, or 0.5 percent of all workers in the County. Further lowering the living wage rate \$13.00 per hour and exempting non-profit firms from the policy would result in just 114 employees, or 0.06 percent of all workers in the County being affected.

A Living Wage Policy for Sonoma County

Ultimately, any decision about whether to adopt a living wage ordinance will involve an inherent tradeoff. Adopting such a policy will increase the incomes of low-wage- workers but may also result in a modest loss of jobs and could potentially harm financially fragile service contractors. Any policy would also carry with it a fiscal impact on the County, as higher labor costs are passed on in the form of higher prices for County service contracts.

These tradeoffs notwithstanding, the impact of a living wage policy (at least one that excludes IHSS providers) is likely to be relatively modest, both in terms of its ability to raise families out of poverty as well as its fiscal impact on the County.

Wage Rate

Although research can help to determine the appropriate level for a living wage rate, ultimately, the question of what rate to select relies on a judgment about the extent of assistance that ought to be provided balanced against the potential cost impact for the County and the potential for any dislocations that may occur among affected firms.

Because it is not feasible to pay different workers different amounts based on family size or other characteristics, any wage rate selected will inevitably represent a compromise. If a wage rate adequate for an individual is selected, financial difficulties could nevertheless persist for workers supporting a family. If a higher rate is selected in order to maximize benefits for workers supporting a family, costs for the County would increase and at least some of the benefits provided would exceed the standard of need established by the living wage rate methodology (e.g., for single workers or those living in households with other higher paid workers).

³⁰ According to the Bureau of Labor Statistics, total employment in Sonoma County as of March 2014 was 188,800 (see <http://www.bls.gov/news.release/pdf/cewqtr.pdf>).

Given the inherent tradeoff associated with choosing a wage rate and the importance of utilizing County resources in the most efficient manner possible, establishing a living wage rate sufficient to meet the needs of single workers makes the most sense. Such an approach provides the most targeted assistance while maximizing the ability of the County to implement other high-priority poverty reduction strategies. Furthermore, many families who would benefit from a living wage are also eligible for other forms of assistance, such as the Earned Income Tax Credit, MediCal or subsidized health insurance from Covered California (the state's health insurance exchange), and CalFresh. These benefits tend to be more generous for families than for individuals, and can help to partially offset the remaining financial strain families may experience.³¹

WHAT THE CALCULATORS SHOW

As shown in Figure 3 on page 19, the wage rates for single workers calculated using the three wage calculators identified vary from a low of \$10.69 to a high of \$15.94. Taking the average of these three wage rates – \$13 per hour – helps to adjust for any extremes present in the methodologies or data sources selected by the individual calculator authors, and represents a consensus of sorts as to the most appropriate rate to choose. Therefore, if the County adopts a living wage ordinance, our recommendation would be to set the rate at \$13 per hour. We note that this rate is well above the average for the five other counties that have established a living wage: \$11.65 per hour. (Choosing the average of the other counties would also represent a reasonable choice, and would still be about \$1 per hour higher than the MIT wage rate for a single worker.)

Exemptions

Beyond the wage rates, determining whether any types of employees or employers should be exempt from the living wage ordinance represents another important policy consideration. All of the cities in Sonoma County with living wage ordinances as well as all of the counties with these ordinances provide at least some exemptions.

INTERNS AND TEMPORARY WORKERS

Perhaps the least controversial type of exemption relates to certain types of employees that should not be included. Such employees include interns, volunteers, students or those earning school credit for their work,

³¹ We also note that a living wage could have the unintended effect of reducing the extent of the benefits that workers would receive from the Earned Income Tax Credit (EITC). As a worker's income rises above a specified threshold, the amount of the benefit derived from the EITC decreases.

temporary or summer employees such as lifeguards, and young employees less than 21 years of age. While an argument can be made that every employee ought to be paid a living wage, common sense suggests that these types of employees are either gaining valuable experience or other benefits from their employment (beyond their wage compensation) or are not seeking to support themselves entirely with their earnings from the (potentially) covered job. In addition, because higher wages can mean higher costs for employers, higher wages can create a disincentive for employers to hire new workers, which would serve to limit the opportunities for things like internships and summer jobs were these categories to be included. Therefore, we would recommend that, if the County pursues a living wage ordinance, exemptions for these classes of workers be included.

SMALL BUSINESSES

Another important type of exemption commonly provided relates to small businesses. These businesses are generally considered to be more financially fragile relative to larger businesses, and therefore potentially less able to absorb any cost increases associated with a living wage. Furthermore, because these businesses are small, the impact of exempting them in terms of reduced efficacy or reach of the living wage policy is also relatively small.

There is no universally accepted definition of what constitutes a small business, but most other jurisdictions have exempted for profit businesses with 20-25 employees. Based on our review of these other policies, we believe that a living wage ordinance – if adopted – should include an exemption for for-profit business with fewer than 25 employees.

NON-PROFITS

In addition to small businesses, non-profit entities represent another category of potentially financially fragile firms. These firms must rely on often uncertain or sporadic grants and contracts, which can diminish their ability to absorb cost increases such as a substantial wage increase. Furthermore, while some for-profit firms may choose to accommodate higher wage rates with lower profits, reducing profits is not an option for non-profit firms. And, many employees of non-profits have chosen to work for a specific organization due to a desire to help others or out of a belief in the mission of the organization. These benefits can be a form of payment not measured in dollars per hour.

Perhaps most importantly, non-profits provide a service to the community as a condition for their tax exempt status. Most of these non-profit County contractors provide health and social services to vulnerable populations within the County. Requiring these entities to pay more as a condition of receiving a County contract could reduce the ability of these entities to serve vulnerable populations on behalf of the County. In other words, adopting a living wage for these non-profits could end up reducing the ability of the County to

assist some of its most vulnerable residents. Therefore, to the extent that the County chooses to adopt a living wage ordinance, we would recommend that non-profits be exempt.

GOVERNMENTAL ENTITIES

Governmental entities represent a similar case in many respects to that of non-profits. Governmental entities also serve the public in Sonoma County. Therefore, requiring that a living wage be paid in exchange for the benefits of doing business with Sonoma County could result in unanticipated costs in the form of a reduction in other governmental entities' ability to serve their respective communities (inside Sonoma County).

In addition, most governmental entities already pay wages in excess of the living wage level. Therefore, the added administrative complexity in terms of negotiating contracts and monitoring compliance with these entities likely exceeds any benefits that may be realized from including governments in the living wage ordinance.

LEASEHOLDERS

The living wage policies adopted by other counties in California apply just to service contractors and not to lease holders or other firms with a similar business relationship with the county. When a county or other governmental entity is purchasing services from a private sector firm, it has relatively more ability to influence the terms of the contract relative to when it is "selling" something, as in the case of a lease to a private sector entity. The result of including leases in a living wage ordinance would be felt primarily at the Sonoma County Airport, which has some 400 leases with private sector firms. In contrast, there are just a handful of leases held by other County departments or agencies that would be affected.

The County airport director has expressed a concern that including leases in a living wage ordinance would diminish the ability of the County Airport to attract additional airlines. Unlike larger and more established airports like San Francisco International, the County's airport competes with other regional airports to attract airlines to offer service to the airport. Currently there is just one airline (Alaska) that serves the airport, highlighting the difficulty in attracting airlines.

Attracting additional airlines would represent a significant economic benefit for the County, a benefit that would likely outweigh any benefits experienced by the relatively small number of workers that would benefit

from a living wage policy were it to be applied to leases. Therefore, we would recommend that – if the County adopts a living wage policy – it should cover service contractors but not lease holders.³²

IHSS PROVIDERS

Perhaps the most important consideration, at least from a County fiscal impact standpoint, relates to the decision about whether to include IHSS providers (or to set a rate above the current pay rate for these workers: \$11.65 per hour). As Figure 4 on page 22 shows, IHSS costs comprise the overwhelming majority of the cost and number of workers affected (for wage rates above \$11.65). For example, at a wage rate of \$15 per hour, the total cost to the County for a living wage ordinance would be an estimated \$13.3 million annually; most of this cost, \$12.5 million, or 93 percent, would be attributable to IHSS providers.³³ Likely for this reason, most counties in California with living wage policies exclude IHSS providers.

One benefit of including IHSS providers is that approximately half of their wage increase would be paid by the federal government (note that the amount of federal reimbursement has already been accounted for in the cost figures presented above and in Figure 4 on page 22). This would provide additional economic benefits to the local economy as IHSS providers purchase additional goods and services from local firms.

Another important consideration with respect to IHSS providers relates to the unique circumstances of their employment relationship with the County. Unlike the majority of the other workers that would be affected by a living wage policy (primarily employees of private sector firms contracting with the County), the County already directly sets the level of IHSS provider wages through labor negotiations. It is anticipated that the state of California will take over collective bargaining with IHSS providers beginning in 2018, however, until this occurs, the County will be responsible for determining (and paying for) the amount of any pay increase for these workers.

COMPARISON TO COUNTIES WITH HIGHEST WAGES FOR IHSS PROVIDERS

The result of the most recent negotiations with the County resulted in a pay rate of \$11.65 per hour. As Figure 6 below shows, this pay rate places Sonoma County's IHSS providers in the top ten in terms of hourly pay when

³² Note that, in contrast to leases, we would recommend that a living wage policy include those entities receiving economic assistance from the County.

³³ Note that the cost reported is the net cost to the County, after accounting for additional federal reimbursement for higher IHSS provider wages.

compared with other counties in California. In fact, currently only five counties pay a higher wage rate to their IHSS workers than Sonoma County's current rate of \$11.65.

FIGURE 6: COUNTIES WITH HIGHEST IHSS WAGE RATES AS OF NOVEMBER 2014

Rank	County	IHSS Wage Rate
1	Santa Clara	\$12.44
2	Marin	\$12.10
3	Alameda	\$12.00
4	San Francisco	\$12.00
5	Santa Cruz	\$11.90
6	Sonoma	\$11.65
7	Contra Costa	\$11.50
7	Monterey	\$11.50
7	Napa	\$11.50
7	Riverside	\$11.50
7	San Mateo	\$11.50
7	Solano	\$11.50

Given that the current hourly rate for IHSS providers already reflects an explicit decision on the part of the County with respect to the appropriate and affordable wage rate for these workers, adopting a living wage policy that covers other categories of workers (but excludes IHSS workers) represents the most affordable option.

OTHER EXEMPTIONS

Finally, most other entities that have adopted a living wage have included a provision by which contracting entities can seek an exemption. The reasons for the exemptions vary, but may include claims of financial hardship, lack of sufficient firms willing to provide a needed service without an exemption, and other factors. Therefore, we would recommend that, if the County adopts a living wage ordinance, it include a provision by which the living wage requirement can be waived if the Board of Supervisors makes a finding that it is in the interests of the County to provide such an exemption.

Summary: Elements of a Living Wage Policy for Sonoma County

If the County chooses to adopt a living wage policy, we recommend a policy with the following elements:

- Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
- Exemptions: Interns, students, and temporary employees; small businesses; non-profits and governmental entities; leases; ad hoc exemptions.

- IHSS providers: Continue to set wage rates through existing collective bargaining process.

Fiscal Impact

We estimate that the cost to the County of a living wage policy with the specific provisions listed above would be approximately \$100,000 annually.³⁴

The Coalition's Living Wage Proposal for Sonoma County

In September 2014, a coalition of Sonoma County labor, faith, environmental and community organization (the Coalition) introduced a proposed living wage ordinance for Sonoma County.

Elements of the Coalition's Proposal

The Coalition's proposed ordinance included the following provisions:

- Covered employees to be paid \$15/hour and receive 12 paid sick/vacation days per year.
- All county employees, IHSS providers, and employees of contractors working more than 2 hours per week on County-related work would be covered.
- Covered contractors include those with county contracts in excess of \$20,000 per year and at least 5 employees (for non-profits, \$50,000 per year and at least 24 employees).
- Those with leases or franchises with the County would also be covered.
- Several additional provisions, including "labor harmony" and a requirement for new contractors to retain the employees of the prior contractor.

Fiscal Impact of the Coalition's Proposal

Using the results of our survey of County contractors and analysis of County wage and contract data, we estimate that the Coalition's proposed living wage ordinance would cost Sonoma County \$13.3 million each year. The substantial majority of this cost (\$12.6 million or 93 percent) would be paid to IHSS providers.

³⁴ This figure represents just the cost for increased service contract prices to the County general fund, and does not include any additional costs that may be incurred by County enterprises or administrative costs for operating the program.

A recent report sponsored by the Coalition produced similar results.³⁵ According to this analysis, the estimated cost for the proposal was \$12.1 million annually. Similar to our analysis, this research found that the largest cost component (approximately 96 percent) is for IHSS providers. The report also found that relatively few County employees would be affected. Similar to our report, the Coalition's report found that majority of the non-IHSS costs would come from service contractors who would experience increased costs, a portion of which would be passed on to the County in the form of higher prices.

State Not Likely to Reimburse County for any Savings in Long Term Care Costs

In addition to the base case fiscal impact results, the Coalition's report also estimated the potential impact of a higher wage on increased productivity and quality of IHSS providers. The report indicated that this increase in productivity and lower turnover were likely to reduce nursing home admissions on the part of IHSS recipients, saving the state of California an estimated \$7.4 million annually. The author suggests that the County could re-negotiate its cost sharing agreement with the state, stating that "the fact that the State has a financial incentive to support the County's living wage should assist such a re-negotiation."³⁶ However, while these savings may in fact occur, the history of the state negotiating cost sharing arrangements with counties for IHSS providers strongly suggests that the state is very unlikely to pass on any savings from reduced nursing home admissions to the County.

RECOMMENDED STRATEGIES TO REDUCE POVERTY IN SONOMA COUNTY

Increasing wages for low-wage workers is just one strategy for increasing incomes and reducing poverty. Across the country hundreds (if not thousands) of programs have been adopted to address poverty. Within Sonoma County alone, dozens of programs have been implemented or identified as effective through the County's Upstream Investments initiative.

Identifying the "best" or "most effective" programs from within this broad universe is no easy task (indeed, it may not be possible). The breadth of poverty reduction programs reflects the breadth and diversity of the nation's poor. Some programs are aimed at alleviating the conditions of poverty, while others seek to prevent it in the first place. Some seek to help the elderly while others focus on providing aid to children. Some programs

³⁵ See Wicks-Lim, Jeannette, "An Assessment of the Fiscal Impact of the Proposed Sonoma County Living Wage Ordinance," Political Economy Research Institute, University of Massachusetts, Amherst (September 2014).

³⁶ Wicks-Lim (2014), p. 24.

are available to citizens and legal residents only, while others are available to all regardless of immigration status.

Comparing one program to another within this diverse landscape can be challenging. Of course, some programs have similar goals and can be measured with similar outcomes. In most cases, however, making such a comparison requires making a value judgment as well. Is it better, for example, to help a low-income working family earn extra income from a living wage or would the same resources be better spent helping the child of a low-income family save for college? Is it “more effective” to get additional families enrolled in the CalFresh program, or should the County concentrate on helping more kids enroll in high quality preschool?

Reviewing this diversity of programs and outcome measures makes plain the idea that identifying the “best” or “most effective” poverty reduction program depends on the goals and values of the evaluator. Nevertheless, there are some tools that can be applied to identify the most promising strategies. First, through the course of the many previous efforts to address poverty, a substantial body of research has emerged. Building on this foundation, we sought to identify a subset of the most promising practices based on evidence from this research.

Next, we sought to identify policies that would be feasible for the County to implement. Many promising policies aimed at reducing poverty would require implementation on a statewide basis (e.g., an expanded state-only earned income tax credit), involve legal actions the County’s Board of Supervisors is not authorized to take (e.g., adoption of a county-wide minimum wage), or would be infeasible for some other reason. The County may wish to incorporate some of these alternatives into its state and federal advocacy efforts, but we have concentrated in this report on policies that involve “policy levers” that the County can pull directly.

Finally, we sought to include policies that span the breadth of the County’s populations of low-income and very low-income residents. Some of the policies we identified are aimed at adults while others focus on children. Some seek to alleviate the circumstances of poverty while others seek to prevent it. We also looked for policies that met certain additional criteria, such as programs that directly target those in need, those that maximize the extent of state and federal funding sources available, or those that may also provide benefits to the undocumented. Not all of the policies identified met each of these criteria or assisted all of the varied populations in need of assistance in the County. Taken as a group, however, the policies identified comprise a comprehensive set of research supported strategies for addressing poverty.

We note that there are many promising programs that are not on our list. Some of these programs lacked research support or failed to meet the other criteria we applied. However, even using these filters, there are many additional promising programs not fully explored here that others may consider worthy of consideration.

Recommended Strategies

The strategies discussed in this report were identified through multiple means. We conducted interviews with experts and practitioners, both from within Sonoma County and across the country. We also thoroughly examined the published academic and program evaluation literature. And, we drew on our collective experience with state and county government in California.

Following our review, we identified six specific strategies that the County could employ, further explained in the next section of this report.

Make Investments to Increase Enrollment in Existing Programs

Although poverty has been a persistent problem, both in Sonoma County and across the country, this does not necessarily mean that existing programs to address poverty are failures. In fact, research suggests that many of the programs currently in place in Sonoma County are highly effective at reducing poverty. However, many of these programs are underutilized, underfunded, or both. Two such programs in particular, the Earned Income Tax Credit and CalFresh (formerly the food stamp program), have been shown to be highly effective at reducing poverty, but efforts to increase enrollment in other programs such as Women Infants and Children (WIC), CalWorks, MediCal, and health insurance purchased through California's health insurance exchange (Covered California) may also be beneficial.

EARNED INCOME TAX CREDIT

The Earned Income Tax Credit (EITC) is a refundable income tax credit administered through the federal income tax system. Eligible households can apply for the EITC when they file their annual federal tax returns. The amount of the credit varies based on income and family size, but is targeted primarily to low-income households with children. Because the amount of the credit is based on the tax filer's earned income, it has the effect of rewarding work by effectively increasing the wages of low income workers. For example, a low-income single parent with two children would receive an additional \$4.00 for each \$10.00 earned.³⁷ Efforts to boost participation in the EITC also help households claim the federal child tax credit (CTC), another important source of assistance for low income families with children.

According to recent research from the Public Policy Institute of California (PPIC), the EITC and CTC together were responsible for a 6 percentage-point reduction in poverty among children in California, more than two

³⁷ Up to \$17,830 per year in annual income, at which point the amount of the credit begins to decline or phase out.

times the number lifted from poverty by the CalWorks and General Assistance programs.³⁸ According to this study, the EITC and CTC were responsible for reducing the number of California children in poverty by 560,000 and the number of adults in poverty by 600,000.

Beyond offering financial assistance to low income Sonoma County households, increased participation in the EITC and the CTC would help to boost the local Sonoma County economy. Because the refundable tax credits for these programs are paid by the federal government, each dollar received by eligible Sonoma County tax filers produces additional economic benefits, as these added resources are spent in the local economy to purchase goods and services from Sonoma County firms.

Because many low-wage workers do not have a tax liability and therefore are not required to file a tax return or because of the complexity of filing a tax return and applying for these refundable tax credits, many eligible households do not apply for or take advantage of the EITC and the CTC. According to the IRS, the participation rate in the EITC among eligible Californians is just 71 percent, well below the national average of nearly 80 percent.³⁹ This means that almost 3 in 10 Californians eligible for this benefit are not claiming it.

Although participation rates for Sonoma County specifically are not available, our calculations indicate that, if the County's EITC participation rate is on par with the state average, more than 10,000 eligible households or individuals in the County are not taking advantage of this benefit.

The County already supports a program designed to increase EITC and CTC participation by providing in-kind support to the United Way of the Wine Country to aid in its "Earn it! Keep it! Save it!" program. However, this new program (2014 was the first year this program operated in Sonoma County) could be expanded in order to reach more eligible Sonoma County households. According to our estimates, each additional dollar invested in EITC outreach and tax preparation assistance produces \$7 in benefits to Sonoma County households and businesses. If the funding for this program were to be increased by \$500,000 (roughly a doubling of the current program) we estimate that an additional 830 individuals and families would receive an EITC and an additional 700 individuals and families would receive a CTC. In addition, other low-income tax payers that already claim the EITC or CTC with the help of a paid tax preparer would also benefit as a result of avoiding the estimated \$400 cost of paid tax preparation.

³⁸ Bohn, Sarah, et. al., "The California Poverty Measure: A New Look at the Social Safety Net." PPIC 2013, p. 15.

³⁹ IRS Estimates available at <http://www.eitc.irs.gov/EITC-Central/Participation-Rate>.

CALFRESH

CalFresh, formerly known as the food stamp program and federally known as the Supplemental Nutrition Assistance Program (SNAP), is a federally funded program administered by the state that helps low-income households purchase food. Recipients access their benefits with an EBT (Electronic Benefit Transfer) card that can be used like a debit card. Recipients must have lawful permanent resident status and a gross income below 200 percent of the federal poverty level.⁴⁰ CalFresh benefits for a household of three ranges from \$511 per month if the household has no income to \$16 a month if the household approaches a gross monthly income of \$3,300 and an adjusted net monthly income of \$1,650.⁴¹ The average CalFresh benefit in California is \$200 a month.⁴² Recent research from the Public Policy Institute of California (PPIC) reported that CalFresh reduced poverty among children by 4.1 percentage points. According to the study, CalFresh kept 380,000 children and 420,000 adults above the poverty threshold in 2011.⁴³

In recent years, California has modernized the CalFresh enrollment process, making it easier for applicants to apply. In spite of these advances, however, many eligible Sonoma County residents do not participate in CalFresh. This reluctance to enroll may be due to a lack of information about eligibility or the application process, perceived or real burdens of applying, a low-benefit amount, or stigma.⁴⁴ In 2011, California shared the lowest participation rate in the country with one other state, Wyoming. At that time, an estimated 57 percent of eligible individuals in California were participating in CalFresh, trailing the nationwide SNAP

⁴⁰ Though the federal program requires 5 years of residence if not under age 18 or a recipient of disability benefits, the California Food Assistance Program is a state-funded program that provides benefits for legal permanent non-residents regardless of the length of residency.

⁴¹ The household net income must not exceed 100 percent of the federal poverty level, which allows deductions for earned income, utilities, medical care, and dependent care among others. <http://www.calfresh.ca.gov/PG841.htm> ; <http://www.cafoodbanks.org/sites/default/files/COLA%20increases%20for%20FFY%202015.pdf>

⁴² <http://www.calfresh.ca.gov/PG846.htm>

⁴³ Bohn, Sarah, et. al., "The California Poverty Measure: A New Look at the Social Safety Net." PPIC 2013, pages 15-16, http://www.ppic.org/content/pubs/report/R_1013SBR.pdf Bohn, Sarah, "Testimony: Measuring Poverty in California." January 8, 2014. Remarks prepared for the Senate Budget and Fiscal Review Committee. http://www.ppic.org/main/blog_detail.asp?i=1431

⁴⁴ Kauff, Jacqueline, Lisa Dragoset, Elizabeth Clary, Elizabeth Laird, Libby Makowsky, and Emily Sama-Miller, "Reaching the Underserved Elderly and Working Poor in SNAP: Evaluation Findings from the Fiscal Year 2009 Pilots Final Report." Prepared by Mathematica Policy Research for the U.S. Department of Agriculture Food and Nutrition Service, April 2014.

participation rate of 79 percent.⁴⁵ According to the California Food Policy Network, Sonoma County's CalFresh utilization rate at that time was below the average for California counties, indicating that thousands of eligible Sonoma County individuals and households were not receiving these benefits.⁴⁶ Other recent estimates suggests that 20 -30 percent of individuals eligible for CalFresh are currently not receiving the benefits.⁴⁷

Like EITC/CTC, increased participation in CalFresh bolsters the local Sonoma County economy in addition to assisting low-income Sonoma County households. Because the cost for these programs is paid by the federal government (or the state government in some cases), each dollar received by eligible Sonoma County households produces additional economic benefits as these added resources are spent in the local economy to purchase food. These resources can also free up other household income to be spent on goods and services supplied by Sonoma County firms.

Based on information provided by Sonoma County's Human Services Department, we estimate that with an additional investment of approximately \$500,000, enrollment in CalFresh could be boosted by more than 1,500 additional cases. This increased enrollment could be accomplished through a combination of additional outreach utilizing county eligibility workers, contracts with local service providers such as food banks, and/or "in-reach" in which potentially eligible individuals are identified based on cross referencing enrollment in other programs such as MediCal and then contacted to encourage enrollment in CalFresh.

OTHER PROGRAMS WHERE ADDITIONAL OUTREACH COULD PRODUCE A BENEFIT

Here we have highlighted the benefits of increasing enrollment in two important income support programs. However, there are other programs where additional outreach and enrollment activities could also produce a

⁴⁵ The most recent estimates of SNAP participation rates are from 2011 data. This estimate is only for the federally funded portion of SNAP and does not include the state-funded California Food Assistance Program, which amounts to 1 percent of the CalFresh program. Cunnyngham, Karen, Amang Sukasih, Laura Castner, "Empirical Bayes Shrinkage Estimates of State Supplemental Nutrition Assistance Program Participation Rates in 2009-2011 for All Eligible People and the Working Poor," Prepared by Mathematica Policy Research for the U.S. Department of Agriculture Food and Nutrition Service, March 2014, Pages 17-18, <http://www.fns.usda.gov/sites/default/files/techpartrate2009-2011.pdf>

⁴⁶ Shimada, Tia, "Program Access Index 2011: Measuring CalFresh Utilization by County," California Food Policy Advocates, February 2013, <http://cfpa.net/CalFresh/CFPAPublications/PAI-FullReport-2013.pdf> Shimada, Tia, "New Analysis Ranks Sonoma County 46th in Utilization of CalFresh; Increased CalFresh Participation Would Bring an Estimated \$45.3 Million in Federal Nutrition Benefits to Local Residents," California Food Policy Advocates Press Release, <http://cfpa.net/CalFresh/Media/PAI-LDEP-PressRelease-Sonoma-2013.pdf>

⁴⁷ Sonoma County document titled "CountyDashboardApr-June14.xls" received on November 5, 2013 via email correspondence with Kim Seamans, Division Director, Economic Assistance Division, Sonoma County Human Services Department.

benefit. Such programs include WIC, MediCal, health insurance purchased through California's health insurance exchange (Covered California), and CalWorks.

Expand Home Visiting Programs

Home visiting programs in which a nurse or other service provider visits the home of low-income or at-risk pregnant women have been shown to impact not only the health of the mother and child, but also to reduce poverty among participating families. The most well-known and research tested such program is the Nurse Family Partnership (NFP). The NFP is a Tier I Upstream program that provides home visits by registered nurses for low-income women who are having their first baby, most of whom are young and unmarried. The home visits begin while the mother is pregnant and continue until the child is 2 years old, for up to 64 visits. The program aims to break the cycle of poverty with three goals: a healthy pregnancy and delivery, improved child health and development, and an improved life-course for the parents. The nurse provides emotional support, teaches parenting skills, and helps the mother develop a vision and plan for her education and career goals. NFP helps parents understand how their behavior and choices influence their child's health and development, providing support that enables parents to change their lives to better protect and nurture their children.

The Pew Center on the States funded a meta-analysis of existing studies on the effectiveness of the NFP program, which showed that the NFP program significantly improves outcomes for the risk factors associated with poverty. These outcomes include a 9-percent reduction in the use of public assistance, 31 percent fewer second teen births, a 24-percent reduction in smoking during pregnancy, a 31-percent reduction in cases of child abuse, a 38-percent reduction in child injuries treated in emergency departments, a 38-percent reduction in child language delay, a 53-percent reduction in youth substance abuse, and a 46-percent reduction in youth crimes and arrests.⁴⁸ Two additional studies found that mothers in a home visitation program such as NFP are 5 times more likely to be enrolled in school or a job training program than similar mothers not receiving home visits.⁴⁹ In addition, children in a home visiting program are half as likely to repeat a grade and twice as likely to be able to follow directions, complete work on time, and work cooperatively with others relative to similar children not in the program.⁵⁰

⁴⁸ Miller, Ted R. "Nurse-Family Partnership Home Visitation: Costs, Outcomes, and Return on Investment," funded by Pew Center on the States, Revised April 30, 2013.

⁴⁹ Kirkland, Kristen and Susan Mitchell-Herzfeld, "Evaluating the Effectiveness of Home Visiting Services in Promoting Children's Adjustment in School: Final Report to the Pew Center on the States" (Rensselaer, NY: New York State Office of Children and Family Services, 2012).

⁵⁰ LeCroy, Craig and Judy Krysik, "Randomized Trial of the Healthy Families Arizona Home Visiting Program," *Children and Youth Services Review* 33 (2011): 1761–66.

Studies that attempt to evaluate the long term impact of the NFP have found that the benefits of the program substantially outweigh the costs. A recent study funded by the Pew Center of the States estimated the costs of NFP at \$8,580 per family and the net present value of benefits at \$53,090 by the time the child is 18 years old. In other words, for every \$1 spent, the program generates a benefit of almost \$6.20. The estimate of benefits includes \$10,936 in resource cost savings, mainly from savings on medical care, special education, and child welfare services and \$42,154 from gain in wage work, household work, and quality of life.⁵¹ This benefit-cost ratio is similar to a frequently cited study from 2005 by the RAND Corporation that estimated a \$5.70 return for every \$1 spent on NFP for disadvantaged populations by the time the child is 15 years old.⁵²

Sonoma County currently operates three home visiting programs, including the NFP. The Teen Parent Connections (TPC) is a program for pregnant/parenting teenagers age 18 years or younger with the goal of providing "...long-term comprehensive case management services helping clients to maximize their educational potential and advance self-sufficiency." The TPC program has been successful at decreasing preterm births and repeat births, as well as increasing immunization rates and graduation rates.⁵³ Another program is the Maternal Child Health Field Nursing (MCH-FN) program, in which "...home visits are provided by a Public Health nurse to low-income pregnant women, and women parenting a child under 5 years of age who have medical and/or social risk factors. MCH-FN has been effective at helping clients access services, including prenatal care and alcohol and other drugs treatment programs."⁵⁴

Though these programs (particularly the NFP) have been shown to be highly effective, available funding resources limits the number of families served. Sonoma County's NFP program currently serves approximately 200 clients (parents or primary caregivers) annually with a staff of 8 full time nurses. Since the program serves clients for roughly 2.5 years, the program's capacity allows for an average new enrollment of 80 clients per year.⁵⁵ According to Sonoma County Department of Health Services staff, current resources allow the department to serve approximately 10 percent of the eligible population for the NFP. With additional resources, Sonoma County could fund more nurses to expand the number of clients served. For example, with

⁵¹ Miller, Ted R. "Nurse-Family Partnership Home Visitation: Costs, Outcomes, and Return on Investment," funded by Pew Center on the States, Revised April 30, 2013.

⁵² Karoly, Lynn A., M. Rebecca Kilburn, and Jill S. Cannon, "Early Childhood Interventions" Prepared for The PNC Financial Services Group, Inc., by the RAND Corporation, 2005. http://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND_MG341.pdf

⁵³ See <http://www.sonoma-county.org/health/services/homevisiting.asp>.

⁵⁴ See <http://www.sonoma-county.org/health/services/homevisiting.asp>.

⁵⁵ "First 5 Sonoma County Program Evaluation Brief 7/1/2010-6/30/2012: Nurse Family Partnership, Prepared by LFA Group: Learning for Action, October 2012. (See http://www.first5sonomacounty.org/documents/ProgramEvaluationBrief_NFP_20121005.pdf)

an additional investment of \$1 million, approximately 120 additional families could be served by the program each year.

Help Low-Income Families Save for College

Research has consistently shown that education is one of the most reliable ways for children born into poverty to join the middle class. The recent Portrait of Sonoma County report highlighted the importance of education, finding that “[the] level of education is the single biggest predictor of earnings for racial and ethnic groups and for census tracts in Sonoma County.”⁵⁶ A recent policy memo from the Hamilton Project at the Brookings Institution made that point even more clear in a section entitled “A college degree can be a ticket out of poverty.” Using national survey data these researchers found that a child born into the lowest 20 percent (quintile) of the income distribution has a 45 percent chance of staying there as an adult without a college degree. With a college degree, however, the same child has only a 16 percent chance of remaining in the lowest quintile.⁵⁷

Not only do college graduates earn more, but they also have greater job security and lower levels of unemployment. According to the Bureau of Labor Statistics, in 2013 the median weekly earnings nationwide for adults 25 years and older with just a high school diploma was \$651 and the unemployment rate was 7.5%, versus weekly earnings of \$1,108 and an unemployment rate of only 4.0% for those with a Bachelor’s degree.⁵⁸

While the benefits of a college education are quite clear, public sources of funding to help children of low-income families attend college have not kept pace with the rising costs of a college degree. According to a recent report by the College Board, the maximum Pell Grant award (the award granted to low-income students whose parents are expected to make no contribution to their college expenses) was enough to cover 87 percent of the nationwide average public four-year tuition and fees in 2003-04, but in 2013-14, it covered only 63 percent of these costs.⁵⁹

To help families save for college, the federal government has promoted the use of college savings accounts known as 529 plans. While some states offer additional matching funds for low income families to save in 529

⁵⁶ Burd-Sharps, Sarah and Kristen Lewis. 2014. “A Portrait of Sonoma County: Sonoma County Human Development Report.” Commissioned by the County of Sonoma Department of Health Services. p. 11.

⁵⁷ Greenstone, Michael, et al. “Thirteen economic facts about social mobility and the role of education.” The Hamilton Project, Brookings Institution, Washington DC. (2013).

⁵⁸ Current Population Survey, U.S. Department of Labor, U.S. Bureau of Labor Statistics (http://www.bls.gov/emp/ep_table_001.htm).

⁵⁹ “Trends in student aid: 2013.” College Board, New York. (<http://trends.collegeboard.org/sites/default/files/student-aid-2013-full-report-140108.pdf>)

plans, California does not currently offer any such incentives; thus, the program mostly benefits middle- and high-income families with a higher income tax burden and therefore a larger benefit from tax advantaged savings.

Encouraging students and families to save for college, however, is an important tool for encouraging college attendance. Recent studies have shown that children with savings accounts specifically designated for college are much more likely to actually attend college, even if the dollar value of those accounts is relatively low. For example, a 2011 study found that among students who state that they expect to graduate from a four-year college, those with their own college savings account were about six times more likely to attend college than those without an account, regardless of the parents' income, race, or educational attainment.⁶⁰ This was even true for accounts with small balances, including those with less than \$500.

A COLLEGE SAVINGS PROGRAM FOR SONOMA COUNTY

As this research demonstrates, promoting college savings is an effective way to reduce future poverty and promote economic mobility. As an example of how this might be encouraged in Sonoma County, we estimated the costs and benefits for a college savings program in which Sonoma County would open college savings accounts with an initial deposit for all children enrolled in kindergarten in the public schools within the County.⁶¹ Children from low-income households would receive a larger initial contribution as an added incentive. To encourage additional savings by the families themselves, the County could provide matching funds for contributions made to the accounts.

The specific details of the policy could be determined based on resources available and further investigation of the effects of college savings programs that have been adopted elsewhere in the country. For purposes of illustration, we assumed that the initial deposit would be \$50 for each kindergarten student, with an additional \$100 for children of low income families.⁶² For the ongoing savings incentive, we estimated the impact of a 1-to-1 match, limited to no more than \$200 per student.⁶³ Assuming that Sonoma County would fund all of these

⁶⁰ We estimate that there are approximately 5,259 such students per year. Elliot and Beverly (2014).

⁶¹ This program structure is similar to the San Francisco "Kindergarten to College" (K2C) program.

⁶² Low income status determined based on participation in the Free and Reduced Lunch program.

⁶³ Based on surveys of a similar program in San Francisco, we estimate that approximately 50 percent of all funded accounts would take advantage of this matching incentive.

contributions directly, we estimate that the ongoing total costs for such a program would be just over \$1 million annually.⁶⁴

There are many alternative arrangements that the County could consider, including lower or higher initial deposits and lower or higher matching amounts. Another important policy consideration relates to the universal nature of the program, in which all students are eligible to participate regardless of income. This universal and automatic enrollment is important because it eliminates any stigma that may be attached to having such an account while simultaneously enabling all students to participate in associated financial education exercises that could be integrated into schools' math curriculum.

The benefits from a college savings program such as this one would not be immediately apparent, but the program would be a substantial investment in the long-term success of the County's children as they progress through school and prepare for college. Eventually, we estimate that this program will result in an additional 751 Sonoma County students attending college each year, 415 of whom from low-income households. Applying the current income differential between those who attend college and those who do not, we estimate these college attendees will earn on average an additional \$10,334 more each year than their peers with just a high school diploma. Assuming this wage differential persists, this would represent over \$400,000 in additional earnings over a 40 year career.

Increase Access to Early Childhood Education

Sonoma County has already recognized the importance of high-quality preschool as part of its anti-poverty strategy. In fact, the Portrait of Sonoma lists "Make Universal Preschool a Reality" as its first Agenda for Action item, noting that "a mountain of evidence shows that disadvantaged children who benefit from a high-quality preschool experience are less likely to repeat grades and more likely to graduate from high school and college, marry, earn more, and be healthier as adults than those who do not."⁶⁵ The Portrait report also notes that students that attend preschool "are also less likely to have children when they are teenagers, receive public assistance, and spend time behind bars."⁶⁶ While the County has made the increased availability of high quality preschool a priority, there are still many children from low-income families who are not enrolled in such programs.

⁶⁴ Note that the San Francisco program has found philanthropic foundations, businesses, and other donors to fund the costs of the matching funds for at least the first two years of the program, and hopes to continue to do so going forward. If Sonoma County were similarly successful in attracting other sources of matching funds, the cost of the program would be closer to \$500,000 per year.

⁶⁵ "Portrait of Sonoma" p. 78.

⁶⁶ *ibid.*

Much of the recently published research on the effectiveness of preschool programs focuses on the Head Start program. Head Start is a national early childhood education program for low-income families that provides preschool education, nutritious meals, medical, dental, and mental health screenings and care, and encouragement of parental involvement. The pre-school curriculum prepares children for school with cognitive, emotional, social, language, and math skills. The program helps parents understand how to encourage their child's development and gives parents the opportunity to develop job skills through volunteer opportunities and employment with the Head Start program. Local Head Start programs tailor the national framework to the specific cultural and linguistic needs of the families they serve.

A recent study published in the *American Economic Journal: Applied Economics* found that children who attended Head Start were more likely to graduate high school or complete a GED, were less likely to be diagnosed with a learning disability, and were less likely to have health problems than their siblings who did not attend preschool.⁶⁷ The study also found that Head Start had additional impacts on children with certain characteristics. Males who attended Head Start were less likely to repeat a grade and were more likely to be employed or enrolled in school during their early twenties than their male siblings who did not attend preschool. White and Hispanic children who attended Head Start were also more likely to be employed or enrolled in school during their early twenties than their siblings who did not attend preschool. African American children who attended Head Start were more likely to attend at least one year of college than their siblings who did not attend preschool.

Research has also shown that preschool is an effective use of public funds. Three well-known studies of early childhood education programs targeted toward economically disadvantaged populations followed the participants and control or comparison group into adulthood and compared benefits to the costs of the programs. The Perry Preschool Program randomly assigned 123 children to attend or not attend the 2-school-year half-day preschool program and weekly home visits. By the time the participants and control group were 27 years old, the follow-up study estimated that society reaped \$7.16 in net present value benefits for every \$1 spent on the program. By the time the 58 participants and 65 controls were 40, the follow-up study estimated \$16.14 in net present value benefits for every \$1 spent on the program.⁶⁸ The Chicago Child Parent Center program consisted of three models, one of which was similar to the 2 year preschool model of the Perry

⁶⁷ Deming, David, "Early Childhood Intervention and Life-Cycle Skill Development: Evidence from Head Start," 2009.

⁶⁸ The benefit largely comes from reduced crime among participants compared to members of the control group. See Schweinhart, Lawrence J., Jeanne Montie, Zongping Xiang, W. Steven Barnett, Clive R. Belfield, and Milagros Nores, *Lifetime Effects: The High/Scope Perry Preschool Study Through Age 40*, Monographs of the High/Scope Educational Research Foundation, 14, Ypsilanti, Mich.: High/Scope Press, 2005, page 3.

Preschool and Head Start. By comparing preschool program participants and similarly matched non-participants at age 27, the follow-up study estimated a total return to society of \$10.83 per \$1 invested in the preschool program.⁶⁹ A third, more resource-intensive program called The Abecedarian Project in North Carolina randomly enrolled babies in full-day, year round care and preschool with nutritional supplements, pediatric care, and social work services through age 5. The higher cost of this program is reflected in the benefit-cost estimate of \$2.5 in net present value benefits for every \$1 spent.⁷⁰ The 5-year full-time Abecedarian program cost a total of \$125,435 per child, whereas the Perry Preschool program cost \$20,964 per child, and the Chicago Child Parent Center program cost \$12,850 per child in 2014 dollars.⁷¹

EXPANDING QUALITY PRESCHOOL IN SONOMA COUNTY

Sonoma County has estimated the current unmet need for subsidy-eligible spaces in high quality, curricula-based preschool to be 1,101 slots. The cost to the county to provide these subsidized spaces includes annual costs of \$9,888/slot, plus an additional 30 percent to cover administrative and training costs. Creating these slots would also require a one-time capital costs of \$27.5 million to build the additional classroom space required.⁷² If the County were to allocate an additional \$1 million per year to meeting this need, we estimate that this would provide high quality preschool for an additional 69 children from low-income families.

Promote Worker Skill Development

Increasing the skills and employability of the County's workforce can form an important pillar of any poverty reduction effort. Job training programs help unemployed and underemployed youth and adults learn new skills to find employment, retain employment longer, or find higher-paying jobs. Job training can be in the form of classroom instruction or via on the job training and apprenticeship programs.

Research shows that job training is an effective way to increase employment and wages. Based on a review of academic literature and analysis of administrative data, the Brookings Institution recommends an increase in

⁶⁹ Reynolds, Arthur J., Judy A. Temple, Barry A. White, Suh-Ruu Ou, and Dylan L. Robertson, "Age-26 Cost-Benefit Analysis of the Child-Parent Center Early Education Program" *Child Development*, Special Issue: Raising Healthy Children, Volume 82, Issue 1, pages 379–404, January/February 2011.

⁷⁰ <http://nieer.org/sites/nieer/files/BenefitCostAbecedarian.pdf> (page 120)

⁷¹ For Chicago Child Parent Center, see <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3817956/> ; For Perry Preschool, see http://www.highscope.org/file/Research/PerryProject/specialsummary_rev2011_02_2.pdf ; and for Abecedarian, see <http://nieer.org/sites/nieer/files/BenefitCostAbecedarian.pdf> ; Cost estimates provided in the studies were adjusted to 2014 dollars. The benefit-cost ratios are not directly comparable because each study used a different method.

⁷² Information provided by Alfredo Perez, Executive Director for First 5 Sonoma County.

funding for one-stop shops (federally funded job search and training programs), particularly to extend job training to more people. The Brookings Institution research suggests that the net per worker benefit of job training is \$10,725.⁷³ A recently published study of three model programs demonstrated that when case managers properly screen adults and place them in appropriate training programs that can bridge their skills with the skills required by a specific occupation, participants are 5 percent more likely to be employed and make 29 percent higher wages (\$4,011) relative to those who do not receive the training.⁷⁴

Cost benefit analyses suggest that additional funding for job training is a cost effective use of resources. The Brookings Institution estimates that job training with counseling services provides \$3.20 in benefits to the worker for \$1 spent.⁷⁵ Similarly, a cost benefit analysis of Sonoma County's Job Link program estimates that the cost effectiveness of all Job Link services for youth, adults, and dislocated workers (excluding SonomaWORKS) is \$3.85 over 10 years for every \$1 dollar spent. For the adult population that consists largely of economically disadvantaged job seekers, Job Link generates an estimated \$7.49 in net present value benefits over 10 years for every \$1 spent.⁷⁶

Research also suggests that providing summer jobs to youth, in addition to the benefits of wage income, can "improve educational outcomes, strengthen social and emotional development, and decrease crime rates."⁷⁷

Sonoma County currently offers a range of job search and training services. Sonoma County's Employment and Training Division of the Human Services Department administers Sonoma's one-stop career center (Job Links), employment services for recipients of cash assistance (SonomaWORKS), and the Sonoma County Youth Ecology Corps (SCYEC). The SCYEC program employs youth ages 14-24, gives them workforce training, and educates youth about ecosystems. Another program is the Subsidized Employment Program (SEP), which currently covers 50 percent of the wages for a newly hired worker for six months (up to \$10,000), encouraging employers to hire and train SonomaWORKS jobseekers. Partnerships with agencies also provide access to additional programs for jobseekers, such as Sonoma County Office of Education's Regional Occupational Program and Career Technical Education program, a local credit union's budgeting course for youth ("Bite of

⁷³ Jacobson, Louis S. "Strengthening One-Stop Career Centers: Helping More Unemployed Workers Find Jobs and Build Skills," April 2009.

⁷⁴ Maguire, Sheila, Joshua Freely, Carol Clymer, Maureen Conway, and Deena Schwartz, "Tuning In to Local Labor Markets," 2010.

⁷⁵ http://www.brookings.edu/~media/research/files/papers/2009/4/02%20jobs%20skills%20jacobson/0402_jobs_skills_jacobson.pdf (page 29).

⁷⁶ <http://www.sonomawib.org/docs/WIAScorecard.pdf>

⁷⁷ Kearney, Melissa S. and Benjamin H. Harris, "Policies to Address Poverty in America." The Hamilton Project, p 7.

Reality”), and Worksite Held Employee English Learning (WHEEL).⁷⁸ The Workforce Investment Board (WIB), which is composed of business leaders, pursues these partnerships and guides policy and strategy for workforce development.

Although Sonoma County’s job training efforts have met with success, the County’s workforce continues to face challenges, as described by the WIB’s Strategic Workforce Development Plan. The Plan identifies a skills mismatch between jobseekers and employers in Sonoma County. The County’s unemployment rate is 7.7 percent, yet employers report that they find it difficult to find employees who communicate articulately, think critically, solve problems and make decisions, and possess basic ‘soft skills’.⁷⁹

Many in the County also face challenges when seeking work, whether due to limited English language ability, disability, lack of education, or other factors.⁸⁰ These characteristics can make it difficult to find a job or a well-paying job.

ADDITIONAL JOB TRAINING FOR SONOMA COUNTY

Sonoma County could leverage its existing job training efforts to provide opportunities for additional workers. Additional services could help more economically disadvantaged workers improve their employment situation and help youth gain valuable work experience and training that can help to secure long term employment.

To illustrate the impact of these additional efforts, we have assumed that the County could spend an additional \$1 million per year to expand the Sonoma County Youth Ecology Corps and provide additional funding for the Subsidized Employment Program. If \$750,000 were allocated to the Youth Ecology Corps, this would almost double their current annual budget of 776,000 and allow them to enroll an additional 238 participants. The remaining \$250,000 could provide subsidized job placements for an additional 25 SonomaWORKS jobseekers, providing them with an opportunity to develop the specific skills needed to meet the needs of local employers and transition into permanent, unsubsidized jobs with local firms.

Develop Affordable Housing

The lack of affordable housing is one of the most pressing needs facing Sonoma County. The potential benefits of affordable housing are very broad and apply both to alleviating the current circumstances of poverty and to

⁷⁸ See http://www.sonomawib.org/docs/Strategic_Workforce_Development_Plan_2013-17.pdf

⁷⁹ http://www.sonomawib.org/docs/Strategic_Workforce_Development_Plan_2013-17.pdf (page 19)

⁸⁰ http://www.sonomawib.org/docs/Strategic_Workforce_Development_Plan_2013-17.pdf (pages 8-17)

preventing future poverty. In addition, supporting affordable housing enables the County to target the extremely poor (such as the chronic homeless), the working poor, and undocumented immigrants living in poverty, making it an important strategy for addressing the disparate needs of these populations.

AFFORDABLE HOUSING AS A MEANS OF ALLEVIATING CURRENT CONDITIONS OF POVERTY

Increasing the availability of affordable housing within Sonoma County would directly alleviate many of the adverse conditions associated with poverty, providing safe and secure shelter for the County's homeless and those facing housing insecurity. Research has also shown that access to this type of housing can improve the health of its occupants, and that well-planned affordable housing may also provide access to the public transportation low-income workers need to get to and from their jobs, which is often an important barrier to finding and keeping stable employment. Finally, the availability of affordable housing enables low-income working families to spend less of their limited income on shelter, freeing up resources for other important basic needs.

In terms of helping Sonoma County's most vulnerable populations currently living in poverty, research has shown that affordable housing development, when combined with targeted health and social services (known as supportive housing), is not only key to reducing chronic homelessness but is also a cost-effective use of public funds.⁸¹ A 2002 study that examined administrative data from New York City compared the use of numerous publicly funded services, including shelters, psychiatric, medical, and veteran hospitals, Medicaid, jails, and prisons by persons with severe mental illness who were housed in affordable housing against the service use of those that were not.⁸² With the exception of Medicaid use, the researchers found that use of all other categories of service decreased, with a net reduction of \$12,146 of total annual service use per person in affordable housing, an amount which covered 95 percent of the housing program cost. Similar reductions in the use of public services have also been found in studies conducted in California. Project 50, a pilot project to house the chronically homeless in Los Angeles, released its cost effectiveness assessment in June 2012. Project 50 targets the high-risk, chronically homeless and places them into affordable housing paired with social services. One year into the program, the county reported that residents in Project 50 had significantly lower costs for incarceration and medical services, with a \$1.2 million decline in total service use and a projected

⁸¹ Culhane, Dennis, "Ending Chronic Homelessness: Cost-Effective Opportunities for Interagency Collaboration," Selected Works of Dennis Culhane, 2010.

⁸² Culhane *et al.* "Public Service Reductions Associated with Placement of Homeless Persons with Severe Mental Illness in Supportive Housing." University of Pennsylvania ScholarlyCommons (2002).

\$2.08 million decline in service use for the second year of the program. With these cost savings the county calculates that Project 50 generated a surplus of \$4,774 per program participant.

For low-income working families, research also suggests that access to affordable housing can have an impact on the health outcomes of occupants by reducing exposure to environmental toxins and other hazards and/or by freeing up financial resources to pay for health care services or purchase more nutritious food.⁸³ A comprehensive review of the impact of affordable housing on health by the Center for Housing Policy reports that “well-constructed and managed affordable housing developments can reduce health problems associated with poor quality housing by limiting exposure to allergens, neurotoxins, and other dangers.”⁸⁴ Another review of recent literature by Acevedo-Garcia *et al.* also found that affordable housing policies “may potentially contribute to improving the health of both adults and children.”⁸⁵

AFFORDABLE HOUSING AS A MEANS OF PREVENTING FUTURE POVERTY

Increasing the availability of affordable housing is also an effective strategy for preventing future poverty in Sonoma County by improving the health and educational performance of children. For example, research has shown that access to affordable housing is a crucial factor for ensuring the health of pregnant low income mothers and very young children.⁸⁶ Even after controlling for demographic characteristics and participation in other transfer payment programs, researchers have found that children of pregnant women receiving housing assistance had higher birth weights compared to similar children in households without rent help. This suggests that by easing the strain on family budgets imposed by high housing costs, affordable housing enhances poor households’ ability to meet the basic nutritional needs of pregnant mothers and their children.

Additional research suggests that access to affordable housing may improve educational outcomes by reducing the involuntary mobility of low-income households. Involuntary mobility can result from a desire to avoid unhealthy or unpleasant living conditions (e.g., from living in substandard housing), eviction, or inability to make unaffordable rent payments. Research suggests that frequent mobility may disrupt the social connections among children, parents, and teachers that have been linked to educational success.⁸⁷ Changing schools also subjects children to discontinuity in academic and social expectations, requiring an adjustment

⁸³ Sharfstein, Joshua, et. al., “Is Child Health at Risk While Families Wait for Housing Vouchers?” *Am J Public Health*. 2001 August; 91(8): 1191–1192.

⁸⁴ Cohen, Rebecca, “The Impacts of Affordable Housing on Health: A Research Summary” Center for Housing Policy 2011.

⁸⁵ Acevedo-Garcia, Dolores, et. al., “Does Housing Mobility Improve Health?” *Housing Policy Debate*, Volume 15 Issue 1 (2004).

⁸⁶ Meyers *et al.* Food security status defined as regular access to an adequate amount of food.

⁸⁷ Swanson 56-57, Burkam (2009), Reynolds, Gruman.

period during which academic outcomes may deteriorate.⁸⁸ Because family mobility is strongly associated with socio-economic risk factors, including poverty, recent studies have attempted to establish the causality between family mobility and educational outcomes by looking at longitudinal data and assessing educational outcomes both before and after moving.⁸⁹ These studies suggest that the lack of stable housing is associated with poorer educational performance among students as measured by overall achievement, likelihood of repeating a grade, and/or likelihood of dropping out.⁹⁰

Finally, research also suggests that homeless children face numerous obstacles to performing well in school. As one might expect, homeless children are more likely to be absent from school, repeat a grade, drop out and perform poorly on standardized achievement tests.⁹¹ To the extent that access to affordable housing decreases involuntary mobility and reduces homelessness among children in Sonoma County, it has the potential to improve school performance for the affected children, increasing their chances of obtaining the education and skills they will need to successfully transition out of poverty as adults.

ADDITIONAL BENEFITS FROM DEVELOPING AFFORDABLE HOUSING

In addition to the benefits discussed above, the development of affordable housing also generates economic activity directly from construction expenditures as well as from follow-on expenditures by construction workers and firms in the local economy. A number of studies have been conducted that measure the local economic impact stemming from development of affordable housing. These studies suggest that development of affordable housing can generate both temporary construction related employment and ongoing consumer purchase driven jobs in the local economy. One such study by the National Association of Home Builders estimated that construction of a 100 unit affordable housing development built using federal Low Income Housing Tax Credits (LIHTC) leads to the creation of 122 jobs related to the construction activity and 30

⁸⁸ Burkam (2009), Reynolds.

⁸⁹ See, for example, Burkam and Reynolds, *op. cit.*

⁹⁰ Reynolds, Arthur J. et. al., "School Mobility and Educational Success: A Research Synthesis and Evidence on Prevention." Paper presented at the Workshop on the Impact of Mobility and Change on the Lives of Young Children, Schools, and Neighborhoods, Board on Children, Youth, and Families, National Research Council, June 29-30, 2009, Washington, DC.

⁹¹ Ernst, Greg and Foscarinis, Maria, "Education of Homeless Children: Barriers, Remedies, and Litigation Strategies." *Clearinghouse Review*: pp 754-759 November-December 1995.

ongoing jobs related to the purchases made by residents in the local economy.⁹² This local economic activity can, in turn, create local fiscal benefits as a result of sales taxes collected on both construction materials and consumer purchases.

Because much of the direct cost of developing affordable housing is paid for in the form of federal tax credits, a substantial fraction of this economic activity would represent additional or new economic activity in Sonoma County that would not occur in the absence of the affordable housing development.

In addition, research also suggests that affordable housing can lead to improvements in a local economy to the extent that lower housing costs are viewed as a comparative advantage by employers and workers. According to a report by the Center for Housing Policy, a lack of “affordable housing can affect an employer’s ability to attract and retain employees and can thus have implications for regional economic competitiveness.”⁹³ This report goes on to note that access to “affordable housing programs may contribute to employee retention.” Therefore, while subsidized affordable housing comprises just one element of an overall housing market, to the extent that it lowers housing costs for local workers it may contribute to improved regional competitiveness.

DEVELOPING ADDITIONAL AFFORDABLE HOUSING IN SONOMA COUNTY

One way the County could increase the supply of affordable housing is by investing additional local resources in development of affordable housing projects. Most such developments are financed with a combination of federal tax credits through the LIHTC program and local resources. According to data from the California Tax Credit Allocation Commission (the entity that administers the federal LIHTC program in California), the average new construction project developed over the past two years required about \$92,000 in local resources to supplement the tax credits and other financing sources. Based on these data, we estimate that an annual investment of \$1 million would support the construction of more than 320 additional units of affordable housing in Sonoma County.⁹⁴

⁹² These estimates reflect the overall extent of economic activity in a local region and do not necessarily reflect new economic activity, since some portion of the resources devoted to development of affordable housing are shifted from other regions where economic activity would decrease. In addition, the increased local expenditures from residents of affordable housing reflect, at least in part, a transfer from taxpayers who subsidize affordable housing development through higher taxes. See National Association of Home Builders, “The Local Impact of Typical Housing Tax Credit Developments,” 2010.

⁹³ Center for Housing Policy, “The Role of Affordable Housing in Creating Jobs and Stimulating Local Economic Development,” 2011.

⁹⁴ Note that these results assume an annual \$1 million investment for 30 years.

Recommendations

Choosing a strategy for addressing poverty requires identifying the population or populations that are in need of assistance, choosing whether to adopt policies that address current poverty or prevent future poverty, and making decisions about the amount of resources available and appropriately devoted to poverty reduction efforts.

Criteria for Recommending Poverty Reduction Strategies

Although research and analysis can help to make decisions about which policies are most effective, inevitably, making such a determination requires value judgments. Which populations have the highest priority for receiving help? How much is appropriate to spend and where will that money come from (i.e., what other programs will need to be cut or which taxes increased if expenditures for poverty reduction are increased)? Is it better to help alleviate the suffering of those currently living in poverty, or are resources used more effectively in preventing future poverty?

Each individual will likely answer these questions differently. In order to assist the County in choosing a direction, we have sought to measure each program according to several criteria. Figure 7 presents these criteria and shows how each of our recommended programs as well as the living wage compares.

FIGURE 7: CRITERIA FOR ASSESSING POVERTY REDUCTION STRATEGIES

Program	Directly targets low income or very low income Sonoma County households	Maximizes economic benefits by drawing down additional state or federal funds	Relatively easy to implement (e.g., builds on existing county programs)	Can be structured to provide benefits to the undocumented	Primary focus is alleviating current conditions of poverty	Primary focus is reducing future poverty
Enact a Living Wage		potentially*	X		X	
Increase enrollment in EITC and CalFresh	X	X	X		X	
Expand home visiting programs	X		X	X		X
Help low-income families save for college	X			X		X
Expand access to early childhood education	X	X		X		x
Promote worker skill development			X	X	X	
Develop additional affordable housing	X	X		X	X	

* A living wage will only draw federal funds if IHSS providers are included with a living wage rate above \$11.65 per hour.

In the next sections we present three options for the County's consideration. In our view, each of these options represents a viable means of proceeding.

\$1 Million Annual Investment

With a budget of \$1 million to spend each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership.

\$5 Million Annual Investment

With a budget of \$5 million to spend each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership.
3. Implement an asset building program designed to help low-income families save for college or build other assets.
4. Expand access to high quality preschool for low-income families.

\$13.3 Million Annual Investment

With a budget of \$13.3 million to spend each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. Increase investment in home visiting programs such as the Nurse Family Partnership
3. Implement an asset building program designed to help low-income families save for college or build other assets.
4. Expand access to high quality preschool for low-income families.
5. Expand existing worker skill development, mentoring, or youth employment programs.
6. Develop additional affordable housing.

CONCLUSION

Addressing poverty is one of the most important and most challenging issues counties confront. Sonoma County has demonstrated its commitment to improving quality of life and reducing poverty through many policies and actions the County has taken, including the Upstream Investments and Health Action initiatives, the publication of the recent report “A Portrait of Sonoma County,” and the operation of many programs that address poverty in the County.

This report has identified several promising strategies the County could pursue that would build on this foundation.

Living Wage

Adopting a living wage ordinance represents one poverty reduction strategy the County could pursue. Should the county choose this option, we would recommend a living wage with the following characteristics:

- Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
- Exemptions: Interns, students, and temporary employees; Small businesses; non-profits and governmental entities; ad hoc exemptions.
- IHSS providers: Continue to set wage rates through existing collective bargaining process.

Recommended Strategies to Addressing Poverty

Beyond a living wage, there are many poverty reduction strategies the county could pursue. We identified six promising strategies that are research-supported, would be feasible for the county to implement, would broadly serve the county’s diverse populations living in poverty, and would both address current poverty as well as prevent future poverty. The following six strategies are recommended:

- Increase enrollment in EITC, CalFresh, and other existing programs
- Expand home visiting programs including the Nurse Family Partnership
- Help low-income residents build assets and save for college through a matched savings program
- Expand access to early childhood education
- Promote worker skill development
- Develop affordable housing

APPENDIX 1: METHODOLOGY AND RESULTS FOR POLICIES EXAMINED

This appendix contains additional details about the methodology used to estimate the impact of each of the policies discussed in the report.

Living Wage

Methodology for living wage calculations and analysis here.

Increase Enrollment in Existing County Programs

Many programs currently in place in Sonoma County are highly effective at reducing poverty. However, many of these programs are underutilized, underfunded, or both. Two such programs in particular, the Earned Income Tax Credit and CalFresh (formerly the food stamp program), have been shown to be highly effective at reducing poverty.

Earned Income Tax Credit

The Earned Income Tax Credit is one of the most effect tools for moving Americans out of poverty. In California, it is estimated that the EITC is responsible for moving nearly 1.2 million people out of poverty each year.⁹⁵ However, almost 3 out of 10 eligible Californians fails to take advantage of this important anti-poverty benefit.⁹⁶

In order to assist the County in evaluating alternative poverty reduction strategies, we estimated the impact of additional outreach efforts on EITC participation. Currently, the County partners with the United Way of the Wine Country in support of its “Earn it! Keep it! Save it!” program. This program provides free tax preparation assistance to Sonoma County households earning less than \$52,000 per year.⁹⁷

For tax year 2013 (the first year of the program’s operation in Sonoma County), the program was able to assist in the preparation of 3,688 tax returns. The total cost for the program, including the estimated value of in-kind support, was \$432,345, or about \$117 per return. Of the returns filed, 35.8 percent claimed the EITC and 30.4 percent claimed the Child Tax Credit (CTC). Evaluation data collected from this first year of the program’s operation indicated that about 20 percent of these filers had previously used paid tax preparation assistance. The remaining 80 percent had either used an alternative site for free tax preparation, prepared their own taxes, or simply had not filed.

Based on these results from the “Earn it! Keep it! Save it!” program, we estimate that a doubling of the program’s budget, to \$865,000 would allow the program to serve nearly 3,700 additional Sonoma County tax filers. Of these, we estimate that 35.8 percent, or about 1,320 would be EITC filers and 30.4 percent or 1,120 would claim the CTC. Because some fraction of these filers would likely have sought professional tax preparation assistance in the absence of program expansion, not all of these returns can be counted as

⁹⁵ Bohn, Sarah, et. al., “The California Poverty Measure: A New Look at the Social Safety Net.” PPIC 2013, p. 15.

⁹⁶ Internal Revenue Service: <http://www.eitc.irs.gov/EITC-Central/Participation-Rate>

⁹⁷ See <http://www.unitedwaywinecountry.org/eitc/>.

benefits of the program. However, using data from the 2013 tax year's program, we estimate that roughly 55 percent of these returns (representing 831 returns claiming the EITC and 706 returns claiming the CTC) would be new returns that either would not have filed or would not have claimed the EITC properly on their self-prepared return.⁹⁸

Based on data for the 2013 tax year's "Earn it! Keep it! Save it!" program, we estimate that the average EITC benefit would equal \$1,702 per return and the average CTC benefit would equal \$1,280 per return. Total benefits for Sonoma County tax filers would total more than \$2.3 million.

These additional resources would not only help low-income families who receive the benefits, but would also boost the local Sonoma County economy as the money they receive will be spent on locally produced goods and services. We estimate that the \$2.3 million in additional federal tax return money received by Sonoma County tax filers would result in nearly \$3.5 million in additional economic activity in the county.⁹⁹

Overall, we estimate that for each \$1 spent to increase participation in the EITC and CTC, the County would receive total direct and indirect benefits of \$7.

In addition to the value of the tax credits themselves and the follow-on economic benefits, the "Earn it! Keep it! Save it!" program offers a number of important additional benefits. First, even for those who would have used a paid tax preparer, "Earn it! Keep it! Save it!" allows low income tax filers to keep not only the value of any tax credits received, but also to save the cost of professional tax preparation (typically a cost of about \$400, according to the United Way). In addition, the financial education and assistance in establishing a bank account offered in conjunction with the "Earn it! Keep it! Save it!" program's tax preparation assistance can also help low-income households build assets and establish a relationship with the mainstream financial services sector.

CalFresh

Methodology for CalFresh calculations and analysis here.

⁹⁸ We note that this figure may somewhat overstate the true number of marginal additional returns, as some of those who did not get paid tax help might nevertheless have successfully filed for and claimed the EITC and CTC. However, we also note that the cost per prepared return for the program is somewhat higher than comparable figures reported for other jurisdictions with similar programs. We would expect therefore that the cost per return will fall over time, allowing the program to serve more people with the same level of resources. These two "errors" therefore cut in opposite directions and, to some extent, should cancel each other out.

⁹⁹ County level economic multipliers are generally in the range of 1.5 – 2. We conservatively use a multiplier of 1.5 for purposes of this estimate.

Expand Home Visiting Programs

Methodology for NFP calculations and analysis here.

Help Low-Income Families Save for College

Methodology for college savings calculations and analysis [here](#).

Increase Access to Early Childhood Education

Methodology for preschool calculations and analysis here.

Promote Worker Skill Development

Methodology for job training calculations and analysis here.

Develop Affordable Housing

Methodology for affordable housing calculations and analysis here.

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Blue
Sky

CONSULTING GROUP

Strategies to Reduce Poverty in Sonoma County

An Analysis of the Impact of a Living Wage and Other
Poverty Reduction Strategies on Sonoma County

November 19, 2014

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EXECUTIVE SUMMARY

Sonoma County has demonstrated its commitment to reducing poverty through its Upstream Investments and Health Action initiatives, the publication of the recent report “A Portrait of Sonoma County,” and the support for many programs that address poverty in the County. Building on this legacy, the Board of Supervisors set a 2014 work priority to “develop a systemic approach to addressing income inequality and poverty in Sonoma County, including evaluation of a Living Wage Ordinance.” In June 2014, the Board of Supervisors acted to engage a consultant to aid in investigating “specific actions the County can take, including the adoption of a Living Wage Ordinance, to address poverty in Sonoma County.”¹ This report presents information about the impact of a living wage ordinance on the County as well as other research-supported poverty reduction strategies the County could employ.

Poverty in Sonoma County

According to the U.S. Census Bureau, more than 1 in ten Sonoma County residents live in poverty.² Poverty can be found among the County’s children and among the elderly, among the unemployed as well as among low-wage workers, and among citizens and legal immigrants as well as the undocumented. Ultimately, designing and implementing a poverty reduction strategy requires a conscious decision about how to prioritize resources and address needs within the community.

No Magic Bullets

Because our society recognizes the value of innovation to produce economic benefits and improve quality of life, we rightly turn to a search for new ideas and innovative programs when seeking to address persistent public policy problems. The pitfall for those seeking to develop strategies for addressing poverty, however, can be a constant search for new and innovative approaches that draws limited resources away from more evidence-based programs that have a proven and demonstrated impact on poverty.

This, then, is the subject of this report: relying on research, best practices and the history of success from other jurisdictions, what can Sonoma County do to address poverty?

¹ Sonoma County Request for Proposals, June 10, 2014.

² Census Bureau: <http://quickfacts.census.gov/qfd/states/06/06097.html>

A Living Wage

Living wage ordinances have been proposed as a way for localities to address concerns about the lingering impact of the “great recession,” lack of economic opportunity, and increasing income inequality.

The primary benefits of a living wage policy are straightforward: increased earnings for low-wage workers. Living wage policies can also help to reduce income inequality and help employers by reducing absenteeism and turnover among affected employees. Living wage policies may also produce less tangible benefits, such as increasing awareness of income inequality and the plight of low-wage workers.

In Sonoma County, virtually all County employees already earn a living wage. Therefore, the beneficiaries of such a policy would primarily be the employees of County contractors and service providers.

The cost of a living wage policy depends directly on the wage rate established and the categories of workers that are covered. According to our analysis, a living wage policy with few exemptions and a wage rate of \$15 per hour would increase County costs by \$12.3 million annually (after accounting for federal and state reimbursement).³ Most of this cost (approximately 91 percent) would be paid to In-Home Supportive Services (IHSS) providers. A more modest policy with exemptions for non-profits and IHSS providers and a wage rate sufficient to meet the needs of single workers (\$13 per hour) would cost about \$100,000.⁴

In addition to the direct fiscal costs of a living wage, such policies may also act to reduce the number of low-wage jobs at affected firms, as employers seek ways to lower labor costs by utilizing fewer low-wage workers. And, while most of the benefits of living wage policies go to low income households, some benefits inevitably go to higher income households (i.e., those with at least two workers, including one low-wage worker and one or more higher-wage workers).

Recommended Strategies to Reduce Poverty in Sonoma County

In addition to increasing the wages of low-wage workers, there are literally hundreds of other poverty reduction strategies that have been developed and implemented across the country. Identifying the “best” or “most effective” programs from within the broad universe of anti-poverty strategies is no simple task (indeed, it may not be possible). In most cases, making a comparison among programs requires making a value

³ A proposal for such a living wage has been made by a coalition of Sonoma County labor, faith, environmental and community organizations.

⁴ This figure represents just the cost for increased service contract prices to the County general fund, and does not include any additional costs that may be incurred by County enterprises or administrative costs for operating the program.

judgment. Nevertheless, there are some tools that can be applied to identify the most promising strategies. First, through the course of the many previous efforts to address poverty, a substantial body of research has been developed. Building on this foundation, we sought to identify a subset of the most promising practices based on evidence from this research. Next, we sought to identify policies that would be relatively easy (or at least feasible) for the County to implement. Finally, we sought to include policies that span the breadth of the County's various populations of low-income and very low-income residents. We also sought to identify policies that both alleviate the circumstances of poverty as well as help to prevent it in the future. We also looked for policies that directly target those in need and that maximize use of state and federal funding sources available.

Following our review, we identified six specific strategies that the County could employ. Recognizing that resource constraints may prevent the County from initially adopting all of these approaches, we developed recommendations for three alternative investment amounts.

\$1 Million Annual Investment

With a budget of \$1 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. - Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. - Increase investment in home visiting programs such as the Nurse Family Partnership.

\$5 Million Annual Investment

With a budget of \$5 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. - Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. - Increase investment in home visiting programs such as the Nurse Family Partnership.
3. - Implement an asset building program designed to help low-income families save for college or build other assets.
4. - Expand access to high quality preschool for low-income families.

\$12.3 Million Annual Investment

With a budget of \$12.3 million each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. - Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. - Increase investment in home visiting programs such as the Nurse Family Partnership
3. - Implement an asset building program designed to help low-income families save for college or build other assets.
4. - Expand access to high quality preschool for low-income families.
5. - Expand existing worker skill development, mentoring, or youth employment programs.
6. - Develop additional affordable housing.

Living Wage

Should the County choose to adopt a living wage, we recommend a policy with the following elements:

- Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
- Exemptions: Interns, students, and temporary employees; small businesses, non-profits and governmental entities; lease holders; ad hoc exemptions for demonstrated hardship.
- IHSS providers: Continue to set wage rates through existing collective bargaining process.

CONCLUSION

Addressing poverty is one of the most important and most challenging issues counties confront. Sonoma County has demonstrated its commitment to improving quality of life and reducing poverty through many policies and actions the County has undertaken, including the Upstream Investments and Health Action initiatives, publication of the recent report “A Portrait of Sonoma County,” and operation of many programs that address poverty in the County.

This report identifies several promising strategies the County could pursue that would build on this foundation.

INTRODUCTION

Background and context

Sonoma County has demonstrated its commitment to reducing poverty through many actions the County has taken, including the Upstream Investments and Health Action initiatives, publication of the recent report “A Portrait of Sonoma County,” and support for many programs that address poverty in the County. Building on this legacy, the Board of Supervisors set a 2014 work priority to “develop a systemic approach to addressing income inequality and poverty in Sonoma County, including evaluation of a Living Wage Ordinance.” In June 2014, the Board of Supervisors acted to engage a consultant to aid in investigating “specific actions the County can take, including the adoption of a Living Wage Ordinance, to address poverty in Sonoma County.”⁵ This report presents information about the impact of a living wage ordinance on the County as well as other research-supported poverty reduction strategies the County could employ.

Poverty in Sonoma County

According to the U.S. Census Bureau, more than 1 in ten Sonoma County residents live in poverty.⁶ The recently published report, “A Portrait of Sonoma County” presented a detailed view of the current state of well-being among residents of the County. This report detailed the extent of disparities (across many measures) that exist within the County. For example, the report found that “significant disparities in earnings separate census tracts within Sonoma County.”⁷ This report also found that significant disparities exist across racial and ethnic lines, with Whites earning significantly more than Latinos. Among the other important findings in the report relevant to addressing poverty, undocumented immigrants were found to make up a significant portion of the County’s population and are disproportionately likely to be poor.

What does it mean to be poor?

As the “Portrait of Sonoma” report demonstrated, “the poor” in Sonoma County are not a homogenous group. Poverty can be found among the County’s children and among the elderly, among the unemployed as well as among low-wage workers, and among citizens and legal immigrants as well as the undocumented.

⁵ Sonoma County Request for Proposals, June 10, 2014.

⁶ Census Bureau: <http://quickfacts.census.gov/qfd/states/06/06097.html>

⁷ Portrait of Sonoma County, p. 11.

Perhaps because of the diversity of the population of low-income or very low-income residents of the County, there is no universally accepted definition of “poor” or “poverty.” The federal government establishes one measure, the “federal poverty line” (also known as the federal poverty threshold or guideline).⁸ Though commonly used, the federal measure is often criticized for failing to take account of variations in the cost of living across the country and the impact of non-cash transfer programs. Other measures have attempted to account for variations in the cost of living as well as the impact of economic support programs, such as the Earned Income Tax Credit and the Supplemental Nutritional Assistance Program (or SNAP, formerly Food Stamps and now called CalFresh in California). Even these measures, however, may fail to account for what it takes to provide food, shelter, transportation, childcare, health care, and other basic necessities in many communities across California and in Sonoma County.

What these varying measures make clear is that poverty’s reach is broad, encompassing both the “working poor” (e.g., those living paycheck to paycheck, one medical bill or auto repair away from bankruptcy or eviction or those forced to choose between food, medicine, shelter or other necessities) and the “very low income” (e.g., those with little or no income, such as chronically unemployed, disabled, or homeless). Ultimately, designing and implementing a poverty reduction strategy requires a conscious decision about how to prioritize resources and address needs within the community. A broad-based effort encompassing all of the varying definitions of poverty has the greatest reach and can help the largest number of people. But, of course, such an effort comes at a greater cost relative to a more narrowly focused approach.

Sonoma County’s Current Efforts to Address Poverty

Developing strategies to address the diverse population of low-income and very low-income residents of Sonoma County presents a complex challenge, yet it is one the County has embraced. Through the efforts of many County departments, agencies and programs, Sonoma County delivers a host of services that can both alleviate and prevent poverty. The County’s Upstream Investments initiative explicitly seeks to eliminate poverty in Sonoma County by identifying evidence-based mechanisms by which the County can invest in proven poverty prevention policies and programs.

In addition to Upstream, the County has convened, under the banner of its Health Action initiative, an Economic Wellness Operations Team. This group of agency, business and community leaders has been working since August 2014 to identify and implement promising strategies, funding models, and partnerships that the

⁸ According to the federal Department of Health and Human Assistance, the federal poverty guideline for a three person household is \$19,790 per year for 2014. See: <http://aspe.hhs.gov/poverty/14poverty.cfm>

County and its business and community based partners can adopt to help achieve the goal of ensuring that “Sonoma County Families have the economic resources to make ends meet and lead a long and healthy life.” The Economic Wellness Operations Team includes three Work Groups which address jobs, housing, and asset building. These Work Groups are presently evaluating best practices and local implementation opportunities that address many of the recommended strategies outlined in this report.

Together with the day-to-day operation of County-run programs such as CalWorks, CalFresh, MediCal, home visiting programs, youth employment and job training programs, and many others, Sonoma County is already well engaged in the fight against poverty. The information and analysis presented in this report seek to build on this solid foundation.

Strategies for Reducing Poverty

No Magic Bullets

Because our society recognizes the value of innovation to produce economic benefits and improve quality of life, we rightly turn to a search for new ideas and innovative programs when seeking to address persistent public policy problems. Indeed, such an approach may make particular sense when a problem has proven as stubborn to address as has poverty, a consistent focus of public policies since at least the “War on Poverty” of the 1960s.

The value and importance of innovation notwithstanding, a search for the “new new thing” can at times divert attention from tried and true approaches. The pitfall for those seeking to develop strategies for addressing poverty can be a constant search for new and innovative approaches that draws limited resources away from more evidence-based programs. There is always room for new good ideas; however, in seeking to develop an approach to addressing poverty in Sonoma County, looking to what has been proven to work may be the most effective strategy.

This point was persuasively made recently by Stanford Professor David Grusky in a presentation at the Los Cien State of the Latino Community event in Santa Rosa on October 2, 2014. According to Professor Grusky’s presentation, we are too often led to believe that “we need to innovate and find the magic-bullet poverty cure.” Instead, Professor Grusky urged participants at the conference to pursue strategies and policies already in place, admonishing that “we already know what causes poverty and it’s counterproductive to search for that magic-bullet cure.”

Using Research to Guide the Way

This, then, is the subject of this report: relying on research, best practices and the history of success from other jurisdictions, what can Sonoma County do to address poverty? The potential strategies the County can pursue can be divided into three categories:

POLICIES THE COUNTY CAN ADOPT AFFECTING ITS OWN OPERATIONS

First, there are steps the County can take to ensure that its own actions with respect to employees and working conditions do not contribute to poverty. Adopting a living wage ordinance is one such policy.

EXPANDING AND ENHANCING EXISTING PROGRAMS

Second, the County already operates many programs that have been shown to be effective. Such programs include, for example, the CalFresh (food stamps) program, home visitation programs such as the Nurse Family Partnership, and many others. In fact, most of the research-proven poverty reduction strategies fall into this category. Expanding access to these effective, existing programs may be the easiest to implement and most effective thing the County can do to address poverty.

NEW PROGRAMS

Finally, there are some new, research-supported programs the County might consider adopting to address poverty. For example, research has shown that children are more likely to go to college simply by virtue of having an account set up to save for college. Establishing a program that can help low income families save for college could be an effective way to help prevent the next generation from falling into (or remaining in) poverty.

Overview of the Report

The remainder of this report is divided into two sections. In the first section, we discuss the impact of a living wage ordinance on Sonoma County, including an assessment of the likely effects on businesses and workers as well as an estimate of the fiscal effects of such a policy on the County. The next section of the report identifies six poverty reduction strategies that have been shown through research to be effective in addressing poverty. Recommendations are presented at the end of the report, followed by technical appendices that identify the methodologies and data sources used to estimate the effects of the policies analyzed in the report.

A LIVING WAGE FOR SONOMA

What is a Living Wage?

Concerns about the lingering impact of the “great recession,” lack of economic opportunity, and increasing income inequality have fueled efforts to increase the earnings of low-wage workers. Living wage ordinances have been proposed as a way for localities to address these concerns.

Similar to a minimum wage, a living wage policy seeks to raise the wages of the lowest-paid workers. Two important distinctions, however, separate living wage and minimum wage policies. First, living wage policies typically call for a higher wage rate, above the rate established by state or federal minimum wage laws. The living wage rate is generally set based on an assessment of what is required for a worker or household to meet basic needs, such as food, shelter, and health care. Second, a living wage ordinance typically applies just to the employees of the local jurisdiction adopting the living wage as well as to firms doing business with the local jurisdiction or receiving some other form of benefit such as economic development incentives.

Benefits and Costs of Living Wage Policies

The primary benefit of a living wage policy is straightforward: increased earnings for low-wage workers. By raising the pay for low-wage workers, living wage policies can substantially increase the standard of living and quality of life for those who receive a wage increase or get hired by a local government agency or firm covered by the living wage policy.

Beyond this basic argument, many have suggested that living wage policies have other benefits, such as reducing income inequality and stimulating short-term economic growth. This economic growth occurs because low-wage workers tend to spend much of their increased earnings in the local economy, thereby benefitting workers and employers at firms that supply goods and services to these workers. Research also suggests that increases in wages brought about by living wage policies can lead to other benefits for employers, such as reductions in absenteeism and turnover among affected employees. Living wage policies may also produce less tangible benefits, such as increasing awareness of income inequality and the plight of low-wage workers.

Although the number of jurisdictions with living wage policies has been increasing, these policies are not without their detractors. Opponents of living wage policies generally argue that they can act to increase costs for the governments adopting them, as the cost of increased wages is passed on in the form of higher prices for service contracts or increased employee expenses for a jurisdiction’s own workers. Living wage policies may also discourage firms from bidding on government contracts, which could act to increase prices as a result of the decrease in competition. And, living wage policies may modestly reduce the number of low-wage jobs at affected firms, as employers seek ways to lower labor costs by utilizing fewer workers. Finally, while most of

the benefits of living wage policies go to low-income households, some benefits inevitably go to higher-income households (i.e., those with at least two workers, including one low-wage worker and one or more higher-wage workers). Ultimately, the most compelling criticism of living wage policies may simply be their limited reach as a poverty reduction strategy. Because these policies primarily affect workers at firms contracting with the local government, the overwhelming majority of low-wage workers and poor households do not receive any direct benefit.

RESEARCH ON ABOVE MARKET WAGE POLICIES GENERALLY

Although the circumstances in which they apply, rates required, and other specific terms may differ, minimum wage and living wage policies have many similarities in terms of their economic effects. Both living wage and minimum wage policies are intended to raise the wages of the lowest paid workers, and are frequently justified on the grounds that those working full time should not live in poverty.

These benefits notwithstanding, economists and business owners alike have suggested that increases in the minimum wage (or adoption of a living wage) may act to reduce employment among the low-wage workers these policies are intended to help.

Whether and to what extent minimum and living wage policies in fact lead to job losses has long been a subject of debate among economists. Economic theory suggests that if wages are raised, employers will look for ways to cut labor costs by shifting more of the production process to capital equipment (e.g., by automating a process previously performed manually). Increases in wage rates may also act to increase worker productivity, which has the additional effect of reducing the number of workers needed by employers. In addition to reducing employment, higher wages resulting from a minimum wage or living wage policy may result in higher prices generally (or higher taxes or lower service levels), leaving low-wage workers no better off in real terms. Finally, increases in the minimum wage or living wage rate may also reduce profits in affected firms, reducing the ability of and incentive for these firms to invest in expanding their businesses. Such increases could also encourage firms to relocate to other areas where wages are lower.

The minimum wage has been the subject of research by economists for many decades (the living wage has been less well studied, but many of the same economic principles apply). In fact, it has been claimed that “the minimum wage-employment debate... is as old as the Department of Labor.”⁹

⁹ Neumark, et.al. (2013), p.1.

Economic theory suggests that, in a competitive labor market, increases in the minimum wage should lead to reductions in employment, either in the number of jobs or the number of hours worked. Many studies have supported this conclusion.¹⁰ For example, in their 2000 book *Minimum Wages*, economists David Neumark and William Wascher summarize the state of research existing at the time, concluding that "...the preponderance of evidence supports the view that minimum wages reduce the employment of low wage workers."¹¹

Although many studies have found a negative relationship between increases in the minimum wage and the number of jobs for low-wage workers, the findings of some recent empirical studies have been less clear. For example, a 2013 study analyzed payroll data from a large, national retailer and found that the 1996 increase in the federal minimum wage resulted in no statistically significant change in overall employment at the firm.¹² Similarly, a 2007 study analyzed the effects of San Francisco's local minimum wage and found no statistically significant change in employment.¹³ Finally, in their recently published book, Dale Belman and Paul Wolfson provide a qualitative assessment of some 70 published articles on the impact of minimum wages on employment, as well as a meta-analysis using 439 distinct estimates of the effect of minimum wages from 23 of the studies reviewed. Based on this research, they conclude that "...if negative effects on employment are present, they are too small to be statistically detectable. Such effects would be too modest to have meaningful consequences in the dynamically changing labor markets of the United States."¹⁴

Perhaps the most relevant analysis of how a proposed minimum wage increase might impact employment was recently published by the nonpartisan Congressional Budget Office (CBO) in February 2014.¹⁵ This report assessed the potential impact of a proposal to increase the federal minimum wage from its current rate of \$7.25 per hour to either \$9.00 or \$10.10 per hour. The CBO conducted an extensive review of the published literature on the minimum wage, including both studies that found employment effects and studies that did not. Based on this review, the CBO study concluded that (a) increases in the minimum wage can be expected to reduce (at least to some degree) the number of jobs for low-wage workers and (b) a larger increase in the

¹⁰ See, for example, Brown (1999).

¹¹ Quoted in Schmitt (2013), p. 4.

¹² See Giuliano (2013).

¹³ See Dube et al (2007). Note that this study relied on survey data collected from San Francisco restaurants, and included the number of part-time and full-time employees (headcount) as well as the average weekly hours worked for each. They constructed their full-time equivalent employment measure as the total number of hours worked divided by 40.

¹⁴ See Belman, Dale, and Paul J. Wolfson. 2014. "The New Minimum Wage Research." *Employment Research*. 21(2): 4-5.

(http://research.upjohn.org/empl_research/vol21/iss2/2). The full book is available at

<http://www.upjohninstitute.org/Publications/Titles/WhatDoesTheMinimumWageDo>.

¹⁵ Congressional Budget Office (2014).

minimum wage will result in a greater reduction in employment. In addition, the CBO research concluded that, while an increase in the minimum wage would likely boost economic activity in the short term as a result of increased earnings on the part of low-wage workers, it would ultimately lead to reductions in economic activity in the long term, as the overall productivity of the economy declines due to reductions in the workforce.¹⁶

The CBO also concluded, however, that, job losses among low-wage workers notwithstanding, a large number of Americans (approximately 900,000) would be lifted from poverty by a minimum wage increase. According to the CBO report, about one-fourth of the benefits of an increase in the federal minimum wage would go to households earning less than the federal poverty threshold and roughly 90 percent of the benefits would go to families earning less than three times the federal poverty threshold (the remaining 10 percent of benefits would go to families earning more than three times the poverty threshold).

Although these studies looked at the minimum wage rather than the living wage, the economic effects of a living wage policy are likely to be comparable (though they would apply to a much smaller subset of workers and firms): affected low-wage workers would receive a pay raise; most of these benefits would accrue to low-income households; some households would be lifted out of poverty; and, some low-wage workers may lose their jobs as employers who cannot pass on the cost increases to their customers seek other means to reduce labor costs.

Previous Research on the Impact of Living Wage Policies

Research on living wages specifically is much more limited than research on minimum wage policies. Most of the studies that have been done have sought to prospectively examine the likely fiscal impact on jurisdictions considering such policies rather than examine the impact on poverty or employment in a community more broadly. Several recent studies, however, have sought to quantify the impacts on local employment, poverty rates, and economic growth. It is important to remember, however, that not all living wage ordinances are structured in the same way. Differences in wage rates and exemptions may make an important difference when comparing studies because the empirical findings associated with such different policies often vary widely.

A recent review of the economic literature found that there is fairly consistent evidence that such laws do raise the wages of the targeted workers, though this group of targeted workers tends to be a very small group,

¹⁶ *ibid.*, p. 8.

usually between 1 and 3 percent of the local workforce. The results also indicate that there may be a modest indirect spillover effect, with some low-wage workers not directly covered by the policy also experiencing wage increases, though these effects are estimated to be quite small.¹⁷

In terms of employment effects, a 2005 study used data from the Census Bureau's Current Population Survey to compare metropolitan areas with and without living wage policies, and to track changes in employment. This analysis found a statistically significant effect on employment 12 months after a living wage policy was enacted or increased, with a 50 percent increase in the living wage rate resulting in a 6 percent decrease in employment among those in the lowest income decile (i.e., those whose earnings are in the bottom 10 percent of all wage earners).¹⁸ For those between the 10th and 50th percentiles, however, the researchers found a positive effect on employment from the living wage policy, though these increases were not statistically significant. The authors concluded that these findings were consistent with their theory that the living wage increases were leading employers to substitute away from the lowest-skilled workers and seek out more highly skilled workers.

A more recent study (published in 2014) of the effects of a living wage policy at San Francisco International Airport found that covered workers did experience wage increases while "airport activity levels [were] not affected by the living wage policies."¹⁹ More precise estimates of the impact of the living wage policy on employment were not possible as a result of the confounding impact of the opening of a new international terminal which occurred during the study period.

Finally, a number of studies have sought to investigate the impact of living wage laws on reducing poverty. While most studies on minimum wage laws have shown that they have, at most, a very small impact at reducing poverty rates, the literature on living wage policies has shown more measurable effects. A number of studies using data from the Current Population Survey from 1996 through 2009 found that poverty rates were indeed lower in jurisdictions that had enacted living wage policies. For living wage policies that included only contractors, the research showed a reduction in poverty, but the results were not statistically significant.²⁰ A 2005 study found similar results, estimating that a 50 percent increase in the living wage reduces the local

¹⁷ Maloney, Tim with Gilbertson, Amanda (2013). A literature review on the effects of living wage policies. Prepared by Tim Maloney, Auckland University of Technology for Auckland Council. Auckland Council technical report, TR2013/034, p. 6.

¹⁸ Adams, S., Neumark, D., & Public Policy Institute of California. (2005). A decade of living wages: What have we learned?. San Francisco, Calif: Public Policy Institute of California.

¹⁹ Hall, Peter, et.al., "Liftoff: Raising Wages at San Francisco Airport." Published in Reich, Michael, et. al., "When Mandates Work." University of California Press, 2014.

²⁰ Maloney (2013), p. 10.

poverty rate by 1.7 percentage points on average, though the effect did not persist for contractor-only living wage policies. The authors also found that the wage increases from the living wage policies were mostly experienced by those closer to the poverty line, and suggested that such policies may “nudge families over the poverty line” while leaving the lowest-income wage earners no better off.²¹

History and Context – Other Jurisdictions with Living Wage Policies

Since Baltimore became the first major U.S. city to adopt a living wage ordinance in 1996, living wage policies have been growing in popularity. Many cities across the country and within California now have living wage ordinances in effect.²²

In Sonoma County, three cities have living wage ordinances: Petaluma, Sebastopol, and Sonoma. Across the state, five counties have adopted living wage ordinances: Los Angeles, Marin, San Francisco, Santa Cruz, and Ventura. The policies adopted by these other jurisdictions vary widely in terms of the wage rate required and the types of firms and employees covered.

Figure 1 compares the living wage policies of the three Sonoma County cities. As that table shows, Petaluma’s policy exempts non-profit contractors, while those of Sonoma and Sebastopol include non-profits but apply only those whose contracts total \$75,000 and \$25,000 per year, respectively. In addition, all three cities provide exemptions for various types of workers, including temporary workers, those receiving job training, and others.

²¹ Adams and Neumark (2005), p. 9.

²² Holzer, Harry, “LIVING WAGE LAWS: HOW MUCH DO (CAN) THEY MATTER?” Brookings Metropolitan Policy Program, 2008, p. 4.

FIGURE 1: COMPARISON OF EXISTING LIVING WAGE POLICIES ENACTED BY SONOMA COUNTY CITIES

	City of Petaluma (2006)	City of Sonoma (2004)	City of Sebastopol (2003)
Living Wage Rate ²³	\$13.82	\$14.26	\$14.63
City Employees	Yes	Yes	Yes
For-profit City Contractors	For contracts >= \$10K/yr	For contracts >= \$10K/yr	For contracts >= \$10K/yr
Non-profit City Contractors	No	For contracts >= \$75K/yr	For contracts >= \$20K/yr
City Leaseholders	If > 25 employees and annual gross receipts above \$350K	If > 25 employees and annual gross receipts above \$350K	If > 25 employees and annual gross receipts above \$350K
Businesses Receiving Aid from the City	If aid >= \$100K in a 12 month period and for 5 years after	If aid >= \$100K in a 12 month period and for 5 years after	If aid >= \$100K in a 12 month period and for 5 years after
Employees of Contractors, Leaseholders, and Firms Receiving Aid from City	Employees who spend 20% or more of time on city work	Employees who spend 20% or more of time on city work	Employees who spend 25% or more of time on city work
Employees in temporary job-training program	No	No	Yes
Employee in temp project < 6 months	No	No	No
Volunteers	No	No	No
City public works contractors	No	No	No
Workers when standing by or on-call	No	No	No
Disabled worker w/ sub-minimum wage certificate	No	No	No
Employee subject to collective bargaining with waiver	No	No	Yes
City employees in first 6 months of employment (training period)	No	No	No
Employee < 21 yrs employed by non profit for after-school programs, summer job, or trainee if less than 120 days	Yes	No	No

²³ Note that all three cities require employers to pay an additional \$1.50 per hour if they do not contribute at least \$1.50 per hour towards medical benefits for their employees. The wage rates shown here assume such benefits are provided.

A comparison of the living wage ordinances currently in effect in other California counties is presented in Figure 2 below. Across these five counties, the current living wage rates vary from \$9.64 per hour in Los Angeles to \$14.97 per hour in Santa Cruz (for employers that provide health benefits). There are also notable differences among the five counties' policies in terms of which employees are covered and which are not. Interestingly, only Marin County's policy covers county employees directly. San Francisco and Marin Counties provide exemptions for non-profit contractors with contracts below \$25,000 and \$50,000 per year, respectively, and also include IHSS providers under their policies, while the other three counties exempt non-profit contractors entirely and also exclude IHSS providers. In addition, none of these counties' policies extend the living wage requirements to county leaseholders. Clearly, each of these differences affects the number of workers covered and the corresponding fiscal impact to the county's budget.

FIGURE 2: COMPARISON OF LIVING WAGE POLICIES ENACTED BY OTHER CALIFORNIA COUNTIES

	Los Angeles	Marin	San Francisco	Santa Cruz	Ventura
Living Wage Rate	\$9.64	\$10.50	\$12.66	\$14.97	\$10.50
County Employees	No	Yes	No	No	No
For profit county contractors	For contracts >\$25K/year	For contracts > \$25K/year	For contracts >\$25K/year	For contracts >\$15K/year	For contracts >\$25K/year
Non profit county contractors	No	For contracts > \$25K/year	For contracts > \$50K/year; lower wage rate	No	No
County leaseholders	No	No	No	No	No
Small businesses covered	Firms with 20+ employees, \$1m+ in revenue	All businesses covered	Firms with 20+ employees	Firms with 6+ employees	Firms with 6+ employees
IHSS Providers covered	No	Yes	Yes; lower wage rate	No	No

Note: Rate for employees receiving benefits shown. Most jurisdictions have a higher rate for employees without benefits.

Living Wage Rate Estimates Differ

As the comparison of other California jurisdictions with living wage policies makes clear, there is no clear consensus as to what an appropriate living-wage rate should be. Numerous analysts have sought to determine

the wage rate needed to support a minimum standard of living. We identified three such estimates that appear to have credible methodologies, rely on recognized and reliable data sources, and provide an estimate of the appropriate rate for Sonoma County workers.²⁴

Most analysts that calculate a living wage rate include similar types of expenses: food, shelter, healthcare, childcare (for parents), transportation, taxes, and other basic necessities. In spite of this basic agreement as to what categories to include, there is no consensus as to what the appropriate hourly wage rate should be. Differences in estimates for the cost of the varying components as well as methodologies for adjusting to regional cost-of-living measures and even judgments as to what a minimum standard should be can result in significant differences in the estimated wage rates.

Furthermore, the appropriate wage rate depends on the family structure. Single workers of course need the lowest wages while households with a single wage earner and multiple children tend to need the highest wages.

Figure 3 shows the wages calculated by three different entities for Sonoma County for families of varying sizes. The range of rates is quite large, from a low of \$10.69 per hour calculated by researchers at the Massachusetts Institute of Technology (MIT) for a single person to a high of \$34.02 per hour calculated by the Insight Center for Community Development for a single adult with two children.

FIGURE 3: LIVING WAGE RATES DIFFER

Living Wage Calculator	1 Adult	1 Adult, 1 Child	1 Adult, 2 Children	2 Adults, 1 Child
[1] MIT Living Wage Calculator	\$10.69	\$22.69	\$26.31	\$20.78
[2] CA Budget Project	\$15.94	NA	\$37.94	NA
[3] Insight Center for Community Economic Development	\$12.34	\$24.90	\$34.02	\$28.86
<i>Sources:</i>				
[1] http://livingwage.mit.edu/counties/06097 (accessed 10/16/2014)				
[2] http://www.cbp.org/MakingEndsMeet/family-budget-results.php (accessed 10/16/2014)				
[3] http://www.insightccd.org/communities/besa/besa-ca/calculator.html (accessed 10/16/2014; assumes all children are 3-5 years old)				

As this presentation of the variation in rates makes clear, choosing the appropriate rate for a living wage ordinance is not a straightforward matter. Choosing a lower rate, for example a rate sufficient to provide for

²⁴ One calculator we reviewed, prepared by the Economic Policy Institute, provided estimates only for families with children and not for single workers and so has been omitted from this comparison.

the needs of a single person, is less costly and has the potential for the fewest economic dislocations for affected firms and workers. However, choosing a low rate can also leave workers supporting larger families wanting.

Methodology for Analyzing Living Wage Impact on Sonoma

The impact of a living wage policy will, of course, depend on the specifics of the policy adopted. In order to analyze the likely effects of a living wage on Sonoma County, we sought to evaluate the effects of a range of policies with respect to wage rates and types of covered firms and employees.

Data Sources

We relied on two principal sources of information:²⁵

1. - **Sonoma County wage data.** The starting point for our analysis was an examination of wage rate data for Sonoma County employees.
2. - **Survey of service contractors.** We also developed a list of all service contracts in effect during the 2013-14 fiscal year, along with the vendor's name and the amount of the contract.²⁶ For those contractors with \$25,000 or more in County service contracts, we collected contact information for the vendor from the appropriate County department, and contacted the vendors via email to complete an on-line survey to collect information on the type of business (for-profit vs. non-profit), the number of employees, and the wage rates and benefits of those employees performing work for the County under the service contract, following up by phone as necessary.

Results

Most County Employees Already Earn a Living Wage

Our analysis suggests that virtually all Sonoma County employees already earn in excess of \$15 per hour. Therefore, with the exception of IHSS providers, a living wage ordinance would primarily affect a relatively

²⁵ In addition to these principal sources of information, we also examined data on County leases. Based on our review of these leases, we determined that the impact in terms of reduced lease revenue was likely quite small; therefore, we focused our analysis on the most significant areas: County employees, IHSS workers and County contractors.

²⁶ This included contracts that may have begun prior to July 1, 2013. We pro-rated the amount of those contracts that began before July 1, 2013 and/or extended past June 30, 2014 to calculate the amount of the contract for the 2013-14 fiscal year.

small number of workers and firms in Sonoma County. As a result, while some affected businesses (and County departments or agencies, including the Sonoma County Airport) could experience a significant impact, the overall effect of a living wage is likely to be relatively modest.²⁷ Of course, the extent of this impact will depend on the wage rate established and the extent of any exemptions. Nevertheless, our analysis indicates that most potentially affected workers are already paid a living wage.

Likely Impact on Sonoma County Employers

Because the County already pays most of its workers at a rate above the likely range for a living wage (i.e., above \$15 per hour), the primary impact of a living-wage policy would be on entities that do business with the County.²⁸ These entities provide a range of services, from landscaping and janitorial services to health care and social services. For-profit firms represent 71 percent of the contractors with \$25,000 or more in service contracts with Sonoma County, and 66 percent of the dollar value of those contracts. Non-profit firms, however, are much more likely to pay their employees at a wage rate below the \$15 per hour threshold. Based on our analysis, 36 percent of the non-profit contractors would be affected by a \$15 per hour living wage, compared to only 5 percent of the for-profit contractors.

Cost Varies Depending on Rate and Exemptions

The fiscal impact of a living wage ordinance on Sonoma County will depend on several factors, including the wage rate, the extent of any exemptions offered and the extent to which employers pass on any increased costs to the County.

WILL EMPLOYERS PASS ON INCREASED COSTS?

Relatively little research has been conducted on the extent to which employers pass on any increase in labor costs stemming from a living wage. Based on a review of other living wage studies, we have assumed that for-

²⁷ Specifically, representatives from the County Airport and the County Fair have expressed concerns about the impact of a living wage on their operations. Because these two entities operate as enterprises, any increase in wage costs would not be passed on to the county general fund, but would instead need to be made up in the form of lower costs or higher revenues from another source, potentially with adverse effects on the operation of these two entities.

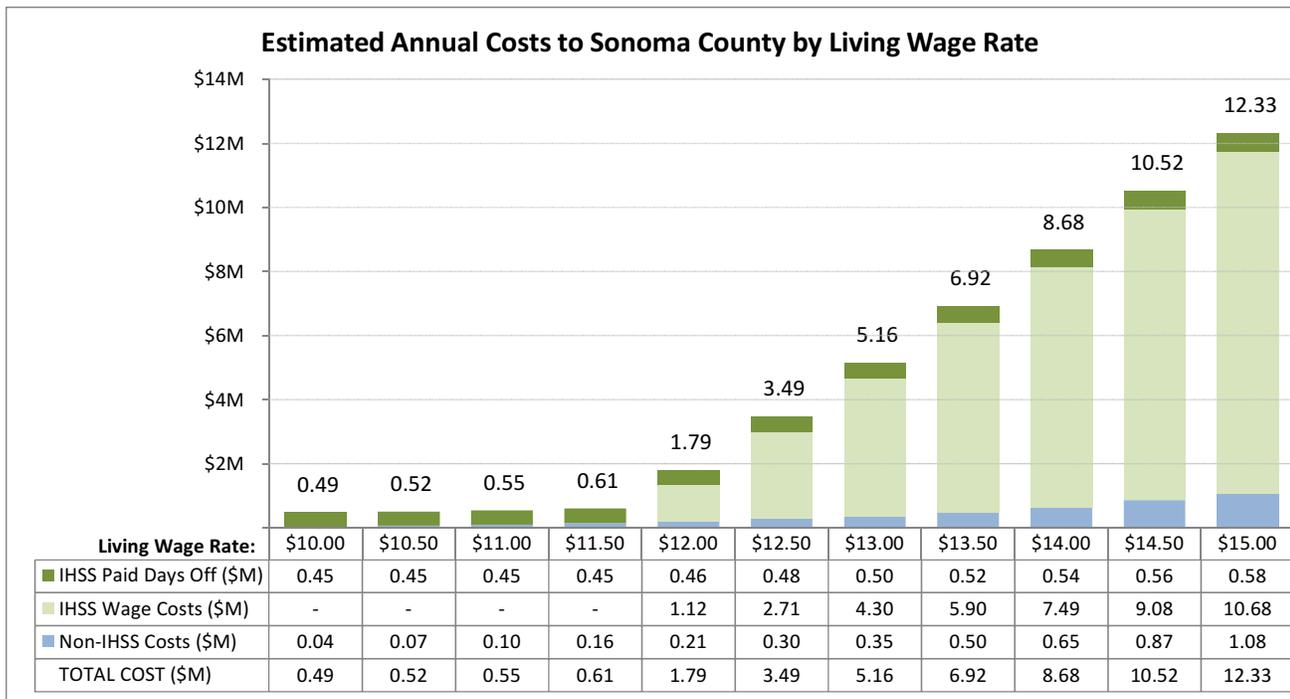
²⁸ Some tenants in County-owned property would be affected, but the impact on rents would be quite small. According to our analysis of lease data provided by Sonoma County, total rental income from tenants likely to be affected by the living wage ordinance totals approximately \$100,000 per year. Therefore even a 10 or 20 percent reduction in lease revenue would have only a minor impact on the County's budget.

profit contractors will pass on 50 percent of their cost increases to the County, and non-profit contractors will pass on 100 percent of their increased costs.²⁹

IMPACT OF VARYING WAGE RATES AND EXEMPTIONS

As shown in Figure 4 on the next page, the cost of a living wage varies significantly depending on the wage rate and the employees who are covered. At the low end, a policy that established a rate of \$10.69 (the rate identified by MIT as the living wage amount for a single worker in Sonoma County), the policy would cost approximately \$80,000 per year for non-IHSS costs and around \$450,000 per year in IHSS costs related to paid days off. At the high end, a policy that called for a wage rate of \$15 per hour and did not include an exemption for IHSS providers or non-profits would cost approximately \$12.3 million per year.

FIGURE 4: COST TO SONOMA COUNTY OF LIVING WAGE ORDINANCE BY WAGE RATE

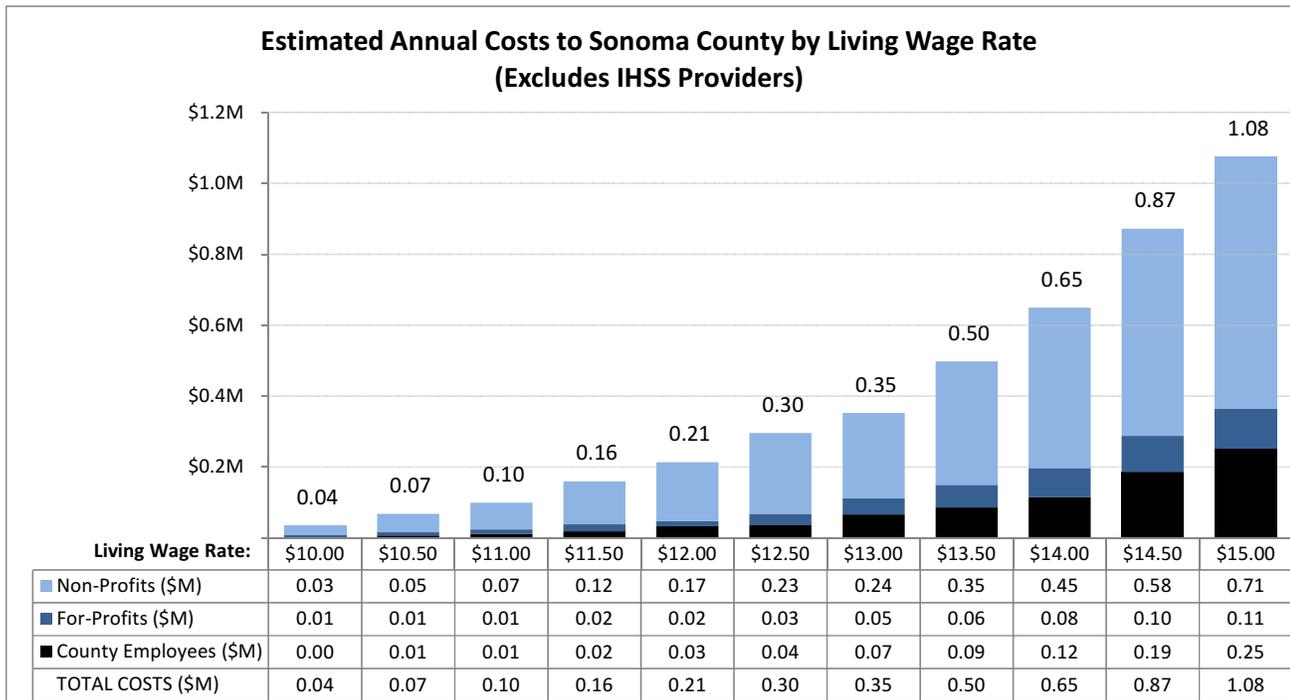


Note: Non-IHSS cost includes costs for county employees and contractors.

²⁹ Very little research exists on the extent to which government contractors pass along the costs associated with living wage increases, though most studies reviewed, including those for the Cities of Petaluma, Sebastopol and Sonoma, typically assume 100 percent pass-through for non-profit contractors and 50 to 70 percent pass through for for-profit contractors.

As can be seen in Figure 4, the majority of the cost impact for living wages above about \$11.65 is attributable to IHSS providers. Figure 5 provides more detail on the costs when IHSS providers are excluded, showing that non-profits account for the majority of the non-IHSS costs, though these costs are much smaller relative to the cost of covering IHSS providers.

FIGURE 5: COST OF LIVING WAGE ORDINANCE EXCLUDING IHSS PROVIDERS



The number of service contractors affected is also likely to be quite small. Our analysis shows that approximately 11 percent of the current 359 non-government contractors with County contracts totaling over \$25,000 pay one or more of their employees less than \$15 per hour. If the living-wage rate were instead \$13 per hour (the average rate for a single worker among the three wage calculators we examined) the impact would be even less, with just 8 percent of the contractors directly affected.³⁰

When viewed from the broader perspective of the County as a whole, the impact a \$15 per hour living wage policy is likely to be modest. According to our analysis, a living wage rate of \$15 per hour that includes IHSS

³⁰ Note that these estimates include exemptions for those for-profit contractors with 5 or fewer employees and for non-profit contractors with 24 or fewer employees.

providers would directly affect approximately 7,137 workers, or approximately 3.8 percent of the County's total of 188,800 employees.³¹ A more modest living wage policy that excludes IHSS providers, would affect about 969 workers, or 0.5 percent of all workers in the County. Further lowering the living wage rate to \$13.00 per hour and exempting non-profit firms from the policy would result in just 147 employees, or 0.08 percent of all workers in the County being affected.

A Living Wage Policy for Sonoma County

Ultimately, any decision about whether to adopt a living wage ordinance will involve an inherent tradeoff. Adopting such a policy will increase the incomes of low-wage workers but may also result in a modest loss of jobs and could potentially harm financially fragile service contractors. Any policy would also carry with it a fiscal impact on the County, as higher labor costs are passed on in the form of higher prices for County service contracts.

These tradeoffs notwithstanding, the impact of a living wage policy (at least one that excludes IHSS providers) is likely to be relatively modest, both in terms of its ability to raise families out of poverty as well as its fiscal impact on the County.

Wage Rate

Although research can help to determine the appropriate level for a living wage rate, ultimately, the question of what rate to select relies on a judgment about the extent of assistance that ought to be provided balanced against the potential cost impact for the County and the potential for any dislocations that may occur among affected firms.

Because it is not feasible to pay different workers different amounts based on family size or other characteristics, any wage rate selected will inevitably represent a compromise. If a wage rate adequate for an individual is selected, financial difficulties could nevertheless persist for workers supporting a family. If a higher rate is selected in order to maximize benefits for workers supporting a family, costs for the County would increase and at least some of the benefits provided would exceed the standard of need established by the living wage rate methodology (e.g., for single workers or those living in households with other higher paid workers).

³¹ According to the Bureau of Labor Statistics, total employment in Sonoma County as of March 2014 was 188,800 (see <http://www.bls.gov/news.release/pdf/cewqtr.pdf>).

Given the inherent tradeoff associated with choosing a wage rate and the importance of utilizing County resources in the most efficient manner possible, establishing a living wage rate sufficient to meet the needs of single workers makes the most sense. Such an approach provides the most targeted assistance while maximizing the ability of the County to implement other high-priority poverty reduction strategies. Furthermore, many families who would benefit from a living wage are also eligible for other forms of assistance, such as the Earned Income Tax Credit, MediCal or subsidized health insurance from Covered California (the state's health insurance exchange), and CalFresh. These benefits tend to be more generous for families than for individuals, and can help to partially offset the remaining financial strain families may experience.³²

WHAT THE CALCULATORS SHOW

As shown in Figure 3 on page 20, the wage rates for single workers calculated using the three wage calculators identified vary from a low of \$10.69 to a high of \$15.94. Taking the average of these three wage rates – \$13 per hour – helps to adjust for any extremes present in the methodologies or data sources selected by the individual calculator authors, and represents a consensus of sorts as to the most appropriate rate to choose. Therefore, if the County adopts a living wage ordinance, our recommendation would be to set the rate at \$13 per hour. We note that this rate is well above the average for the five other counties that have established a living wage: \$11.65 per hour. (Choosing the average of the other counties would also represent a reasonable choice, and would still be about \$1 per hour higher than the MIT wage rate for a single worker.)

Exemptions

Beyond the wage rates, determining whether any types of employees or employers should be exempt from the living wage ordinance represents another important policy consideration. All of the cities in Sonoma County with living wage ordinances as well as all of the counties with these ordinances provide at least some exemptions.

INTERNS AND TEMPORARY WORKERS

Perhaps the least controversial type of exemption relates to certain types of employees that should not be included. Such employees include interns, volunteers, students or those earning school credit for their work,

³² We also note that a living wage could have the unintended effect of reducing the extent of the benefits that workers would receive from the Earned Income Tax Credit (EITC). As a worker's income rises above a specified threshold, the amount of the benefit derived from the EITC decreases.

temporary or summer employees such as lifeguards, and young employees less than 21 years of age. While an argument can be made that every employee ought to be paid a living wage, common sense suggests that these types of employees are either gaining valuable experience or other benefits from their employment (beyond their wage compensation) or are not seeking to support themselves entirely with their earnings from the (potentially) covered job. In addition, because higher wages can mean higher costs for employers, higher wages can create a disincentive for employers to hire new workers, which would serve to limit the opportunities for things like internships and summer jobs were these categories to be included. Therefore, we would recommend that, if the County pursues a living wage ordinance, exemptions for these classes of workers be included.

SMALL BUSINESSES

Another important type of exemption commonly provided relates to small businesses. These businesses are generally considered to be more financially fragile relative to larger businesses, and therefore potentially less able to absorb any cost increases associated with a living wage. Furthermore, because these businesses are small, the impact of exempting them in terms of reduced efficacy or reach of the living wage policy is also relatively small.

There is no universally accepted definition of what constitutes a small business, but most other jurisdictions have exempted for profit businesses with 20-25 employees. Based on our review of these other policies, we believe that a living wage ordinance – if adopted – should include an exemption for for-profit business with fewer than 25 employees.

NON-PROFITS

In addition to small businesses, non-profit entities represent another category of potentially financially fragile firms. These firms must rely on often uncertain or sporadic grants and contracts, which can diminish their ability to absorb cost increases such as a substantial wage increase. Furthermore, while some for-profit firms may choose to accommodate higher wage rates with lower profits, reducing profits is not an option for non-profit firms. And, many employees of non-profits have chosen to work for a specific organization due to a desire to help others or out of a belief in the mission of the organization. These benefits can be a form of payment not measured in dollars per hour.

Perhaps most importantly, non-profits provide a service to the community as a condition for their tax exempt status. Most of these non-profit County contractors provide health and social services to vulnerable populations within the County. Requiring these entities to pay more as a condition of receiving a County contract could reduce the ability of these entities to serve vulnerable populations on behalf of the County. In other words, adopting a living wage for these non-profits could end up reducing the ability of the County to

assist some of its most vulnerable residents. Therefore, to the extent that the County chooses to adopt a living wage ordinance, we would recommend that non-profits be exempt.

GOVERNMENTAL ENTITIES

Governmental entities represent a similar case in many respects to that of non-profits. Governmental entities also serve the public in Sonoma County. Therefore, requiring that a living wage be paid in exchange for the benefits of doing business with Sonoma County could result in unanticipated costs in the form of a reduction in other governmental entities' ability to serve their respective communities (inside Sonoma County).

In addition, most governmental entities already pay wages in excess of the living wage level. Therefore, the added administrative complexity in terms of negotiating contracts and monitoring compliance with these entities likely exceeds any benefits that may be realized from including governments in the living wage ordinance.

LEASEHOLDERS

Most of the living wage policies adopted by other counties in California apply just to service contractors and not to lease holders or other firms with a similar business relationship with the county.³³ When a county or other governmental entity is purchasing services from a private sector firm, it has relatively more ability to influence the terms of the contract relative to when it is "selling" something, as in the case of a lease to a private sector entity. The result of including leases in a living wage ordinance would be felt primarily at the Sonoma County Airport, which has some 400 leases with private sector firms. In contrast, there are just a handful of leases held by other County departments or agencies that would be affected.

The County airport director has expressed a concern that including leases in a living wage ordinance would diminish the ability of the County Airport to attract additional airlines. Unlike larger and more established airports like San Francisco International, the County's airport competes with other regional airports to attract airlines to offer service to the airport. Currently there is just one airline (Alaska) that serves the airport, highlighting the difficulty in attracting airlines.

Attracting additional airlines would represent a significant economic benefit for the County, a benefit that would likely outweigh any benefits experienced by the relatively small number of workers that would benefit

³³ Note that San Francisco has a separate living wage policy that covers San Francisco International Airport. This policy covers entities that lease facilities from the airport.

from a living wage policy were it to be applied to leases. Therefore, we would recommend that – if the County adopts a living wage policy – it should cover service contractors but not lease holders.³⁴

IHSS PROVIDERS

Perhaps the most important consideration, at least from a County fiscal impact standpoint, relates to the decision about whether to include IHSS providers (or to set a rate above the current pay rate for these workers: \$11.65 per hour). As Figure 4 on page 23 shows, IHSS costs comprise the overwhelming majority of the cost and number of workers affected (for wage rates above \$11.65). For example, at a wage rate of \$15 per hour, the total cost to the County for a living wage ordinance would be an estimated \$12.3 million annually; most of this cost, \$11.2 million, or 91 percent, would be attributable to IHSS providers.³⁵ Likely for this reason, most counties in California with living wage policies exclude IHSS providers.

One benefit of including IHSS providers is that approximately half of their wage increase would be paid by the federal government (note that the amount of federal reimbursement has already been accounted for in the cost figures presented above and in Figure 4 on page 23). This would provide additional economic benefits to the local economy as IHSS providers purchase additional goods and services from local firms.

Another important consideration with respect to IHSS providers relates to the unique circumstances of their employment relationship with the County. Unlike the majority of the other workers that would be affected by a living wage policy (primarily employees of private sector firms contracting with the County), the County already directly sets the level of IHSS provider wages through labor negotiations. It is anticipated that the state of California will take over collective bargaining with IHSS providers beginning in 2018; however, until this occurs, the County will be responsible for determining (and paying for) the amount of any pay increase for these workers.

COMPARISON TO COUNTIES WITH HIGHEST WAGES FOR IHSS PROVIDERS

The result of the most recent negotiations with the County resulted in a pay rate of \$11.65 per hour. As Figure 6 below shows, this pay rate places Sonoma County's IHSS providers in the top ten in terms of hourly pay when

³⁴ Note that, in contrast to leases, we would recommend that a living wage policy include those entities receiving economic assistance from the County.

³⁵ Note that the cost reported is the net cost to the County, after accounting for additional federal reimbursement for higher IHSS provider wages.

compared with other counties in California. In fact, currently only five counties pay a higher wage rate to their IHSS workers than Sonoma County's current rate of \$11.65.

FIGURE 6: COUNTIES WITH HIGHEST IHSS WAGE RATES AS OF NOVEMBER 2014

County	IHSS Wage Rate
Santa Clara	\$12.44
Marin	\$12.10
Alameda	\$12.00
San Francisco	\$12.00
Santa Cruz	\$11.90
Sonoma	\$11.65
Contra Costa	\$11.50
Monterey	\$11.50
Napa	\$11.50
Riverside	\$11.50
San Mateo	\$11.50
Solano	\$11.50

Given that the current hourly rate for IHSS providers already reflects an explicit decision on the part of the County with respect to the appropriate and affordable wage rate for these workers, adopting a living wage policy that covers other categories of workers (but excludes IHSS workers) represents the most affordable option.

OTHER EXEMPTIONS

Finally, most other entities that have adopted a living wage have included a provision by which contracting entities can seek an exemption. The reasons for the exemptions vary, but may include claims of financial hardship, lack of sufficient firms willing to provide a needed service without an exemption, and other factors. Therefore, we would recommend that, if the County adopts a living wage ordinance, it include a provision by which the living wage requirement can be waived if the Board of Supervisors makes a finding that it is in the interests of the County to provide such an exemption.

Summary: Elements of a Living Wage Policy for Sonoma County

If the County chooses to adopt a living wage policy, we recommend a policy with the following elements:

- Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
- Exemptions: Interns, students, and temporary employees; small businesses; non-profits and governmental entities; leases; ad hoc exemptions.

- IHSS providers: Continue to set wage rates through existing collective bargaining process.

Fiscal Impact

We estimate that the cost to the County of a living wage policy with the specific provisions listed above would be approximately \$100,000 annually.³⁶

The Coalition's Living Wage Proposal for Sonoma County

In September 2014, a coalition of Sonoma County labor, faith, environmental and community organization (the Coalition) introduced a proposed living wage ordinance for Sonoma County.

Elements of the Coalition's Proposal

The Coalition's proposed ordinance included the following provisions:

- Covered employees to be paid \$15/hour and receive 12 paid sick/vacation days per year.
- All county employees, IHSS providers, and employees of contractors working more than 2 hours per week on County-related work would be covered.
- Covered contractors include those with county contracts in excess of \$20,000 per year and at least 5 employees (for non-profits, \$50,000 per year and at least 24 employees).
- Those with leases or franchises with the County would also be covered.
- Several additional provisions, including "labor harmony" and a requirement for new contractors to retain the employees of the prior contractor.

Fiscal Impact of the Coalition's Proposal

Using the results of our survey of County contractors and analysis of County wage and contract data, we estimate that the Coalition's proposed living wage ordinance would cost Sonoma County \$12.3 million each year. The substantial majority of this cost (\$11.2 million or 91 percent) would be paid to IHSS providers.

³⁶ This figure represents just the cost for increased service contract prices to the County general fund, and does not include any additional costs that may be incurred by County enterprises or administrative costs for operating the program.

A recent report sponsored by the Coalition produced similar results.³⁷ According to that analysis, the estimated cost for the proposal was \$12.1 million annually. Similar to our analysis, this research found that the largest cost component (approximately 96 percent) is for IHSS providers. The report also found that relatively few County employees would be affected. Similar to our report, the Coalition's report found that majority of the non-IHSS costs would come from service contractors who would experience increased costs, a portion of which would be passed on to the County in the form of higher prices.

State Not Likely to Reimburse County for any Savings in Long Term Care Costs

In addition to the base case fiscal impact results, the Coalition's report also estimated the potential impact of a higher wage on increased productivity and quality of IHSS providers. The report indicated that this increase in productivity and lower turnover were likely to reduce nursing home admissions on the part of IHSS recipients, saving the state of California an estimated \$7.4 million annually. The author suggests that the County could re-negotiate its cost sharing agreement with the state, stating that "the fact that the State has a financial incentive to support the County's living wage should assist such a re-negotiation."³⁸ However, while these savings may in fact occur, the history of the state negotiating cost sharing arrangements with counties for IHSS providers strongly suggests that the state is very unlikely to pass on any savings from reduced nursing home admissions to the County.

RECOMMENDED STRATEGIES TO REDUCE POVERTY IN SONOMA COUNTY

Increasing wages for low-wage workers is just one strategy for increasing incomes and reducing poverty. Across the country hundreds (if not thousands) of programs have been adopted to address poverty. Within Sonoma County alone, dozens of programs have been implemented or identified as effective through the County's Upstream Investments initiative.

Identifying the "best" or "most effective" programs from within this broad universe is no easy task (indeed, it may not be possible). The breadth of poverty reduction programs reflects the breadth and diversity of the nation's poor. Some programs are aimed at alleviating the conditions of poverty, while others seek to prevent it in the first place. Some seek to help the elderly while others focus on providing aid to children. Some programs

³⁷ See Wicks-Lim, Jeannette, "An Assessment of the Fiscal Impact of the Proposed Sonoma County Living Wage Ordinance," Political Economy Research Institute, University of Massachusetts, Amherst (September 2014).

³⁸ Wicks-Lim (2014), p. 24.

are available to citizens and legal residents only, while others are available to all regardless of immigration status.

Comparing one program to another within this diverse landscape can be challenging. Of course, some programs have similar goals and can be measured with similar outcomes. In most cases, however, making such a comparison requires making a value judgment as well. Is it better, for example, to help a low-income working family earn extra income from a living wage or would the same resources be better spent helping the child of a low-income family save for college? Is it “more effective” to get additional families enrolled in the CalFresh program, or should the County concentrate on helping more kids enroll in high quality preschool?

Reviewing this diversity of programs and outcome measures makes plain the idea that identifying the “best” or “most effective” poverty reduction program depends on the goals and values of the evaluator. Nevertheless, there are some tools that can be applied to identify the most promising strategies. First, through the course of the many previous efforts to address poverty, a substantial body of research has emerged. Building on this foundation, we sought to identify a subset of the most promising practices based on evidence from this research.

Next, we sought to identify policies that would be feasible for the County to implement. Many promising policies aimed at reducing poverty would require implementation on a statewide basis (e.g., an expanded state-only earned income tax credit), involve legal actions the County’s Board of Supervisors is not authorized to take (e.g., adoption of a county-wide minimum wage), or would be infeasible for some other reason. The County may wish to incorporate some of these alternatives into its state and federal advocacy efforts, but we have concentrated in this report on policies that involve “policy levers” that the County can pull directly.

Finally, we sought to include policies that span the breadth of the County’s populations of low-income and very low-income residents. Some of the policies we identified are aimed at adults while others focus on children. Some seek to alleviate the circumstances of poverty while others seek to prevent it. We also looked for policies that met certain additional criteria, such as programs that directly target those in need, those that maximize the extent of state and federal funding sources available, or those that may also provide benefits to the undocumented. Not all of the policies identified met each of these criteria or assisted all of the varied populations in need of assistance in the County. Taken as a group, however, the policies identified comprise a comprehensive set of research supported strategies for addressing poverty.

We note that there are many promising programs that are not on our list. Some of these programs lacked research support or failed to meet the other criteria we applied. However, even using these filters, there are many additional promising programs not fully explored here that others may consider worthy of consideration. Through the actions of Health Action’s Economic Wellness Operations Team and the continued operation of many County programs, however, the County’s efforts to reduce poverty are ongoing, and will not conclude once the recommendations of this report are implemented.

Recommended Strategies

The strategies discussed in this report were identified through multiple means. We conducted interviews with experts and practitioners, both from within Sonoma County and across the country. We also thoroughly examined the published academic and program evaluation literature. And, we drew on our collective experience with state and county government in California.

Following our review, we identified six specific strategies that the County could employ, further explained in the next section of this report.

Make Investments to Increase Enrollment in Existing Programs

Although poverty has been a persistent problem, both in Sonoma County and across the country, this does not necessarily mean that existing programs to address poverty are failures. In fact, research suggests that many of the programs currently in place in Sonoma County are highly effective at reducing poverty. However, many of these programs are underutilized, underfunded, or both. Two such programs in particular, the Earned Income Tax Credit and CalFresh (formerly the food stamp program), have been shown to be highly effective at reducing poverty, but efforts to increase enrollment in other programs such as Women Infants and Children (WIC), CalWorks, MediCal, and health insurance purchased through California's health insurance exchange (Covered California) may also be beneficial.

EARNED INCOME TAX CREDIT

The Earned Income Tax Credit (EITC) is a refundable income tax credit administered through the federal income tax system. Eligible households can apply for the EITC when they file their annual federal tax returns. The amount of the credit varies based on income and family size, but is targeted primarily to low-income households with children. Because the amount of the credit is based on the tax filer's earned income, it has the effect of rewarding work by effectively increasing the wages of low income workers. For example, a low-income single parent with two children would receive an additional \$4.00 for each \$10.00 earned.³⁹ Efforts to boost participation in the EITC also help households claim the federal child tax credit (CTC), another important source of assistance for low income families with children.

According to recent research from the Public Policy Institute of California (PPIC), the EITC and CTC together were responsible for a 6 percentage-point reduction in poverty among children in California, more than two

³⁹ Up to \$17,830 per year in annual income, at which point the amount of the credit begins to decline or phase out.

times the number lifted from poverty by the CalWorks and General Assistance programs.⁴⁰ According to this study, the EITC and CTC were responsible for reducing the number of California children in poverty by 560,000 and the number of adults in poverty by 600,000.

Beyond offering financial assistance to low income Sonoma County households, increased participation in the EITC and the CTC would help to boost the local Sonoma County economy. Because the refundable tax credits for these programs are paid by the federal government, each dollar received by eligible Sonoma County tax filers produces additional economic benefits, as these added resources are spent in the local economy to purchase goods and services from Sonoma County firms.

Because many low-wage workers do not have a tax liability and therefore are not required to file a tax return or because of the complexity of filing a tax return and applying for these refundable tax credits, many eligible households do not apply for or take advantage of the EITC and the CTC. According to the IRS, the participation rate in the EITC among eligible Californians is just 71 percent, well below the national average of nearly 80 percent.⁴¹ This means that almost 3 in 10 Californians eligible for this benefit are not claiming it.

Although participation rates for Sonoma County specifically are not available, our calculations indicate that, if the County's EITC participation rate is on par with the state average, more than 10,000 eligible households or individuals in the County are not taking advantage of this benefit.

In 2013, the County (through the Health Action's Economic Wellness efforts) supported a program designed to increase EITC and CTC participation by providing in-kind support to the United Way of the Wine Country to aid in its "Earn it! Keep it! Save it!" (EKS) program. Health Action built upon this successful evidence-based program by piloting a "bundled service model," which integrated consumer friendly financial services, nutrition assistance, and assistance with enrollment in CalFresh and health insurance (through the Affordable Care Act and MediCal). While the EKS program was expanded last year with the assistance of the County, the program could be expanded further in order to reach more eligible Sonoma County households. According to our estimates, each additional dollar invested in EITC outreach and tax preparation assistance produces \$7 in benefits to Sonoma County households and businesses. If the funding for this program were to be increased by \$500,000 (roughly a doubling of the current program) we estimate that an additional 830 individuals and families would receive an EITC and an additional 700 individuals and families would receive a CTC. In addition,

⁴⁰ Bohn, Sarah, et. al., "The California Poverty Measure: A New Look at the Social Safety Net." PPIC 2013, p. 15.

⁴¹ IRS Estimates available at <http://www.eitc.irs.gov/EITC-Central/Participation-Rate>.

other low-income tax payers that already claim the EITC or CTC with the help of a paid tax preparer would also benefit as a result of avoiding the estimated \$400 cost of paid tax preparation.

CALFRESH

CalFresh, formerly known as the food stamp program and federally known as the Supplemental Nutrition Assistance Program (SNAP), is a federally funded program administered by the state that helps low-income households purchase food. Recipients access their benefits with an EBT (Electronic Benefit Transfer) card that can be used like a debit card. Recipients must have lawful permanent resident status and a gross income below 200 percent of the federal poverty level.⁴² CalFresh benefits for a household of three ranges from \$511 per month if the household has no income to \$16 a month if the household approaches a gross monthly income of \$3,300 and an adjusted net monthly income of \$1,650.⁴³ The average CalFresh benefit in California is \$200 a month.⁴⁴ Recent research from the Public Policy Institute of California (PPIC) reported that CalFresh reduced poverty among children by 4.1 percentage points. According to the study, CalFresh kept 380,000 children and 420,000 adults above the poverty threshold in 2011.⁴⁵

In recent years, California has modernized the CalFresh enrollment process, making it easier for applicants to apply. In spite of these advances, however, many eligible Sonoma County residents do not participate in CalFresh. This reluctance to enroll may be due to a lack of information about eligibility or the application process, perceived or real burdens of applying, a low-benefit amount, or stigma.⁴⁶ In 2011, California shared the lowest participation rate in the country with one other state, Wyoming. At that time, an estimated 57 percent of eligible individuals in California were participating in CalFresh, trailing the nationwide SNAP

⁴² Though the federal program requires 5 years of residence if not under age 18 or a recipient of disability benefits, the California Food Assistance Program is a state-funded program that provides benefits for legal permanent non-residents regardless of the length of residency.

⁴³ The household net income must not exceed 100 percent of the federal poverty level, which allows deductions for earned income, utilities, medical care, and dependent care among others. <http://www.calfresh.ca.gov/PG841.htm> ; <http://www.cafoodbanks.org/sites/default/files/COLA%20increases%20for%20FFY%202015.pdf>

⁴⁴ <http://www.calfresh.ca.gov/PG846.htm>

⁴⁵ Bohn, Sarah, et. al., "The California Poverty Measure: A New Look at the Social Safety Net." PPIC 2013, pages 15-16, http://www.ppic.org/content/pubs/report/R_1013SBR.pdf Bohn, Sarah, "Testimony: Measuring Poverty in California." January 8, 2014. Remarks prepared for the Senate Budget and Fiscal Review Committee. http://www.ppic.org/main/blog_detail.asp?i=1431

⁴⁶ Kauff, Jacqueline, Lisa Dragoset, Elizabeth Clary, Elizabeth Laird, Libby Makowsky, and Emily Sama-Miller, "Reaching the Underserved Elderly and Working Poor in SNAP: Evaluation Findings from the Fiscal Year 2009 Pilots Final Report." Prepared by Mathematica Policy Research for the U.S. Department of Agriculture Food and Nutrition Service, April 2014.

participation rate of 79 percent.⁴⁷ According to the California Food Policy Network, Sonoma County's CalFresh utilization rate at that time was below the average for California counties, indicating that thousands of eligible Sonoma County individuals and households were not receiving these benefits.⁴⁸ Other recent estimates suggests that 20 -30 percent of individuals eligible for CalFresh are currently not receiving the benefits.⁴⁹

Like EITC/CTC, increased participation in CalFresh bolsters the local Sonoma County economy in addition to assisting low-income Sonoma County households. Because the cost for these programs is paid by the federal government (or the state government in some cases), each dollar received by eligible Sonoma County households produces additional economic benefits as these added resources are spent in the local economy to purchase food. These resources can also free up other household income to be spent on goods and services supplied by Sonoma County firms.

Based on information provided by Sonoma County's Human Services Department, we estimate that with an additional investment of approximately \$500,000, enrollment in CalFresh could be boosted by more than 1,500 additional cases. This increased enrollment could be accomplished through a combination of additional outreach utilizing county eligibility workers, contracts with local service providers such as food banks, and/or "in-reach" in which potentially eligible individuals are identified based on cross referencing enrollment in other programs such as MediCal and then contacted to encourage enrollment in CalFresh.

OTHER PROGRAMS WHERE ADDITIONAL OUTREACH COULD PRODUCE A BENEFIT

Here we have highlighted the benefits of increasing enrollment in two important income support programs. However, there are other programs where additional outreach and enrollment activities could also produce a

⁴⁷ The most recent estimates of SNAP participation rates are from 2011 data. This estimate is only for the federally funded portion of SNAP and does not include the state-funded California Food Assistance Program, which amounts to 1 percent of the CalFresh program. Cunnyngham, Karen, Amang Sukasih, Laura Castner, "Empirical Bayes Shrinkage Estimates of State Supplemental Nutrition Assistance Program Participation Rates in 2009-2011 for All Eligible People and the Working Poor," Prepared by Mathematica Policy Research for the U.S. Department of Agriculture Food and Nutrition Service, March 2014, Pages 17-18, <http://www.fns.usda.gov/sites/default/files/techpartrate2009-2011.pdf>

⁴⁸ Shimada, Tia, "Program Access Index 2011: Measuring CalFresh Utilization by County," California Food Policy Advocates, February 2013, <http://cfpa.net/CalFresh/CFPAPublications/PAI-FullReport-2013.pdf> Shimada, Tia, "New Analysis Ranks Sonoma County 46th in Utilization of CalFresh; Increased CalFresh Participation Would Bring an Estimated \$45.3 Million in Federal Nutrition Benefits to Local Residents," California Food Policy Advocates Press Release, <http://cfpa.net/CalFresh/Media/PAI-LDEP-PressRelease-Sonoma-2013.pdf>

⁴⁹ Sonoma County document titled "CountyDashboardApr-June14.xls" received on November 5, 2013 via email correspondence with Kim Seamans, Division Director, Economic Assistance Division, Sonoma County Human Services Department.

benefit. Such programs include WIC, MediCal, health insurance purchased through California's health insurance exchange (Covered California), and CalWorks.

Expand Home Visiting Programs

Home visiting programs in which a nurse or other service provider visits the home of low-income or at-risk pregnant women have been shown to impact not only the health of the mother and child, but also to reduce poverty among participating families. The most well-known and research tested such program is the Nurse Family Partnership (NFP). The NFP is a Tier I Upstream program that provides home visits by registered nurses for low-income women who are having their first baby, most of whom are young and unmarried. The home visits begin while the mother is pregnant and continue until the child is 2 years old, for up to 64 visits. The program aims to break the cycle of poverty with three goals: a healthy pregnancy and delivery, improved child health and development, and an improved life-course for the parents. The nurse provides emotional support, teaches parenting skills, and helps the mother develop a vision and plan for her education and career goals. NFP helps parents understand how their behavior and choices influence their child's health and development, providing support that enables parents to change their lives to better protect and nurture their children.

The Pew Center on the States funded a meta-analysis of existing studies on the effectiveness of the NFP program, which showed that the NFP program significantly improves outcomes for the risk factors associated with poverty. These outcomes include a 9-percent reduction in the use of public assistance, 31 percent fewer second teen births, a 24-percent reduction in smoking during pregnancy, a 31-percent reduction in cases of child abuse, a 38-percent reduction in child injuries treated in emergency departments, a 38-percent reduction in child language delay, a 53-percent reduction in youth substance abuse, and a 46-percent reduction in youth crimes and arrests.⁵⁰ Two additional studies found that mothers in a home visitation program such as NFP are 5 times more likely to be enrolled in school or a job training program than similar mothers not receiving home visits.⁵¹ In addition, children in a home visiting program are half as likely to repeat a grade and twice as likely to be able to follow directions, complete work on time, and work cooperatively with others relative to similar children not in the program.⁵²

⁵⁰ Miller, Ted R. "Nurse-Family Partnership Home Visitation: Costs, Outcomes, and Return on Investment," funded by Pew Center on the States, Revised April 30, 2013.

⁵¹ Kirkland, Kristen and Susan Mitchell-Herzfeld, "Evaluating the Effectiveness of Home Visiting Services in Promoting Children's Adjustment in School: Final Report to the Pew Center on the States" (Rensselaer, NY: New York State Office of Children and Family Services, 2012).

⁵² LeCroy, Craig and Judy Krysik, "Randomized Trial of the Healthy Families Arizona Home Visiting Program," *Children and Youth Services Review* 33 (2011): 1761–66.

Studies that attempt to evaluate the long term impact of the NFP have found that the benefits of the program substantially outweigh the costs. A recent study funded by the Pew Center of the States estimated the costs of NFP at \$8,580 per family and the net present value of benefits at \$53,090 by the time the child is 18 years old. In other words, for every \$1 spent, the program generates a benefit of almost \$6.20. The estimate of benefits includes \$10,936 in resource cost savings, mainly from savings on medical care, special education, and child welfare services and \$42,154 from gain in wage work, household work, and quality of life.⁵³ This benefit-cost ratio is similar to a frequently cited study from 2005 by the RAND Corporation that estimated a \$5.70 return for every \$1 spent on NFP for disadvantaged populations by the time the child is 15 years old.⁵⁴

Sonoma County currently operates three home visiting programs, including the NFP. The Teen Parent Connections (TPC) is a program for pregnant/parenting teenagers age 18 years or younger with the goal of providing "...long-term comprehensive case management services helping clients to maximize their educational potential and advance self-sufficiency." The TPC program has been successful at decreasing preterm births and repeat births, as well as increasing immunization rates and graduation rates.⁵⁵ Another program is the Maternal Child Health Field Nursing (MCH-FN) program, in which "...home visits are provided by a Public Health nurse to low-income pregnant women, and women parenting a child under 5 years of age who have medical and/or social risk factors. MCH-FN has been effective at helping clients access services, including prenatal care and alcohol and other drugs treatment programs."⁵⁶ In an effort to build the self-sufficiency of its low-income clients, the NFP and other visiting nurses programs are partnering with Health Action's Economic Wellness Team and piloting the integration of financial empowerment strategies into its service model in the 2014-2015 year.

Though these programs (particularly the NFP) have been shown to be highly effective, available funding resources limits the number of families served.⁵⁷ Sonoma County's NFP program currently serves approximately 200 clients (parents or primary caregivers) annually with a staff of 8 full time nurses. Since the program serves clients for roughly 2.5 years, the program's capacity allows for an average new enrollment of

⁵³ Miller, Ted R. "Nurse-Family Partnership Home Visitation: Costs, Outcomes, and Return on Investment," funded by Pew Center on the States, Revised April 30, 2013.

⁵⁴ Karoly, Lynn A., M. Rebecca Kilburn, and Jill S. Cannon, "Early Childhood Interventions" Prepared for The PNC Financial Services Group, Inc., by the RAND Corporation, 2005. http://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND_MG341.pdf

⁵⁵ See <http://www.sonoma-county.org/health/services/homevisiting.asp>.

⁵⁶ See <http://www.sonoma-county.org/health/services/homevisiting.asp>.

⁵⁷ The County's NFP program is currently funded through tobacco tax revenues. As this revenue source declines due to reductions in smoking, the funding for the NFP is expected to decline as well.

about 80 clients per year.⁵⁸ According to Sonoma County Department of Health Services staff, current resources allow the department to serve approximately 10 percent of the eligible population for the NFP. With additional resources, Sonoma County could fund more nurses to expand the number of clients served. For example, with an additional investment of \$1 million, approximately 150 additional families could be served by the program each year.⁵⁹

Help Low-Income Families Save for College

Research has consistently shown that education is one of the most reliable ways for children born into poverty to join the middle class. The recent Portrait of Sonoma County report highlighted the importance of education, finding that “[the] level of education is the single biggest predictor of earnings for racial and ethnic groups and for census tracts in Sonoma County.”⁶⁰ A recent policy memo from the Hamilton Project at the Brookings Institution made that point even more clear in a section entitled “A college degree can be a ticket out of poverty.” Using national survey data these researchers found that a child born into the lowest 20 percent (quintile) of the income distribution has a 45 percent chance of staying there as an adult without a college degree. With a college degree, however, the same child has only a 16 percent chance of remaining in the lowest quintile.⁶¹

Not only do college graduates earn more, but they also have greater job security and lower levels of unemployment. According to the Bureau of Labor Statistics, in 2013 the median weekly earnings nationwide for adults 25 years and older with just a high school diploma was \$651 and the unemployment rate was 7.5%, versus weekly earnings of \$1,108 and an unemployment rate of only 4.0% for those with a Bachelor’s degree.⁶²

While the benefits of a college education are quite clear, public sources of funding to help children of low-income families attend college have not kept pace with the rising costs of a college degree. According to a recent report by the College Board, the maximum Pell Grant award (the award granted to low-income students whose parents are expected to make no contribution to their college expenses) was enough to cover 87

⁵⁸ “First 5 Sonoma County Program Evaluation Brief 7/1/2010-6/30/2012: Nurse Family Partnership, Prepared by LFA Group: Learning for Action, October 2012. (See http://www.first5sonomacounty.org/documents/ProgramEvaluationBrief_NFP_20121005.pdf)

⁵⁹ The County could draw down additional federal funds to cover approximately 25% of the additional cost of expanding the NFP program.

⁶⁰ Burd-Sharps, Sarah and Kristen Lewis. 2014. “A Portrait of Sonoma County: Sonoma County Human Development Report.” Commissioned by the County of Sonoma Department of Health Services. p. 11.

⁶¹ Greenstone, Michael, et al. “Thirteen economic facts about social mobility and the role of education.” The Hamilton Project, Brookings Institution, Washington DC. (2013).

⁶² Current Population Survey, U.S. Department of Labor, U.S. Bureau of Labor Statistics (http://www.bls.gov/emp/ep_table_001.htm).

percent of the nationwide average public four-year tuition and fees in 2003-04, but in 2013-14, it covered only 63 percent of these costs.⁶³

To help families save for college, the federal government has promoted the use of college savings accounts known as 529 plans. While some states offer additional matching funds for low income families to save in 529 plans, California does not currently offer any such incentives; thus, the program mostly benefits middle- and high-income families with a higher income tax burden and therefore a larger benefit from tax advantaged savings.

Encouraging students and families to save for college, however, is an important tool for encouraging college attendance. Recent studies have shown that children with savings accounts specifically designated for college are much more likely to actually attend college, even if the dollar value of those accounts is relatively low. For example, a 2011 study found that among students who state that they expect to graduate from a four-year college, those with their own college savings account were about six times more likely to attend college than those without an account, regardless of the parents' income, race, or educational attainment.⁶⁴ This was even true for accounts with small balances, including those with less than \$500.

A COLLEGE SAVINGS PROGRAM FOR SONOMA COUNTY

As this research demonstrates, promoting college savings is an effective way to reduce future poverty and promote economic mobility. As an example of how this might be encouraged in Sonoma County, we estimated the costs and benefits for a college savings program in which Sonoma County would open college savings accounts with an initial deposit for all children enrolled in kindergarten in the public schools within the County.⁶⁵ Children from low-income households would receive a larger initial contribution as an added incentive. To encourage additional savings by the families themselves, the County could provide matching funds for contributions made to the accounts.

The specific details of the policy could be determined based on resources available and further investigation of the effects of college savings programs that have been adopted elsewhere in the country. For purposes of illustration, we assumed that the initial deposit would be \$50 for each kindergarten student, with an additional

⁶³ "Trends in student aid: 2013." College Board, New York. (<http://trends.collegeboard.org/sites/default/files/student-aid-2013-full-report-140108.pdf>)

⁶⁴ We estimate that there are approximately 5,259 such students per year. Elliot and Beverly (2014).

⁶⁵ This program structure is similar to the San Francisco "Kindergarten to College" (K2C) program.

\$100 for children of low income families.⁶⁶ For the ongoing savings incentive, we estimated the impact of a 1-to-1 match, limited to no more than \$200 per student.⁶⁷ Assuming that Sonoma County would fund all of these contributions directly, we estimate that the ongoing total costs for such a program would be just over \$1 million annually.⁶⁸

There are many alternative arrangements that the County could consider, including lower or higher initial deposits and lower or higher matching amounts. Another important policy consideration relates to the universal nature of the program, in which all students are eligible to participate regardless of income. This universal and automatic enrollment is important because it eliminates any stigma that may be attached to having such an account while simultaneously enabling all students to participate in associated financial education exercises that could be integrated into schools' math curriculum.

The benefits from a college savings program such as this one would not be immediately apparent, but the program would be a substantial investment in the long-term success of the County's children as they progress through school and prepare for college. Eventually, we estimate that this program will result in an additional 751 Sonoma County students attending college each year, 415 of whom from low-income households. Applying the current income differential between those who attend college and those who do not, we estimate these college attendees will earn on average an additional \$10,334 more each year than their peers with just a high school diploma. Assuming this wage differential persists, this would represent over \$400,000 in additional earnings over a 40 year career.

Increase Access to Early Childhood Education

Through the efforts of the cross-sector leadership network, Cradle to Career, Sonoma County has already recognized the importance of high-quality preschool as part of its anti-poverty strategy. In fact, the Portrait of Sonoma lists "Make Universal Preschool a Reality" as its first Agenda for Action item, noting that "a mountain of evidence shows that disadvantaged children who benefit from a high-quality preschool experience are less likely to repeat grades and more likely to graduate from high school and college, marry, earn more, and be

⁶⁶ Low income status determined based on participation in the Free and Reduced Lunch program.

⁶⁷ Based on surveys of a similar program in San Francisco, we estimate that approximately 50 percent of all funded accounts would take advantage of this matching incentive.

⁶⁸ Note that the San Francisco program has found philanthropic foundations, businesses, and other donors to fund the costs of the matching funds for at least the first two years of the program, and hopes to continue to do so going forward. If Sonoma County were similarly successful in attracting other sources of matching funds, the cost of the program would be closer to \$500,000 per year.

healthier as adults than those who do not.”⁶⁹ The Portrait report also notes that students that attend preschool “are also less likely to have children when they are teenagers, receive public assistance, and spend time behind bars.”⁷⁰ While the County has made the increased availability of high quality preschool a priority, there are still many children from low-income families who are not enrolled in such programs.

Much of the recently published research on the effectiveness of preschool programs focuses on the Head Start program. Head Start is a national early childhood education program for low-income families that provides preschool education, nutritious meals, medical, dental, and mental health screenings and care, and encouragement of parental involvement. The pre-school curriculum prepares children for school with cognitive, emotional, social, language, and math skills. The program helps parents understand how to encourage their child’s development and gives parents the opportunity to develop job skills through volunteer opportunities and employment with the Head Start program. Local Head Start programs tailor the national framework to the specific cultural and linguistic needs of the families they serve.

A recent study published in the *American Economic Journal: Applied Economics* found that children who attended Head Start were more likely to graduate high school or complete a GED, were less likely to be diagnosed with a learning disability, and were less likely to have health problems than their siblings who did not attend preschool.⁷¹ The study also found that Head Start had additional impacts on children with certain characteristics. Males who attended Head Start were less likely to repeat a grade and were more likely to be employed or enrolled in school during their early twenties than their male siblings who did not attend preschool. White and Hispanic children who attended Head Start were also more likely to be employed or enrolled in school during their early twenties than their siblings who did not attend preschool. African American children who attended Head Start were more likely to attend at least one year of college than their siblings who did not attend preschool.

Research has also shown that preschool is an effective use of public funds. Three well-known studies of early childhood education programs targeted toward economically disadvantaged populations followed the participants and control or comparison group into adulthood and compared benefits to the costs of the programs. The Perry Preschool Program randomly assigned 123 children to attend or not attend the 2-school-year half-day preschool program and weekly home visits. By the time the participants and control group were 27 years old, the follow-up study estimated that society reaped \$7.16 in net present value benefits for every \$1

⁶⁹ “Portrait of Sonoma” p. 78.

⁷⁰ *ibid.*

⁷¹ Deming, David, “Early Childhood Intervention and Life-Cycle Skill Development: Evidence from Head Start,” 2009.

spent on the program. By the time the 58 participants and 65 controls were 40, the follow-up study estimated \$16.14 in net present value benefits for every \$1 spent on the program.⁷² The Chicago Child Parent Center program consisted of three models, one of which was similar to the 2 year preschool model of the Perry Preschool and Head Start. By comparing preschool program participants and similarly matched non-participants at age 27, the follow-up study estimated a total return to society of \$10.83 per \$1 invested in the preschool program.⁷³ A third, more resource-intensive program called The Abecedarian Project in North Carolina randomly enrolled babies in full-day, year round care and preschool with nutritional supplements, pediatric care, and social work services through age 5. The higher cost of this program is reflected in the benefit-cost estimate of \$2.5 in net present value benefits for every \$1 spent.⁷⁴ The 5-year full-time Abecedarian program cost a total of \$125,435 per child, whereas the Perry Preschool program cost \$20,964 per child, and the Chicago Child Parent Center program cost \$12,850 per child in 2014 dollars.⁷⁵

EXPANDING QUALITY PRESCHOOL IN SONOMA COUNTY

Sonoma County has estimated the current unmet need for subsidy-eligible spaces in high quality, curricula-based preschool to be 1,101 slots. The cost to the county to provide these subsidized spaces includes annual costs of \$9,888/slot, plus an additional 30 percent to cover administrative and training costs. Creating these slots would also require a one-time capital costs of \$27.5 million to build the additional classroom space required.⁷⁶ If the County were to allocate an additional \$1 million per year to meeting this need, we estimate that this would provide high quality preschool for an additional 69 children from low-income families.

⁷² The benefit largely comes from reduced crime among participants compared to members of the control group. See Schweinhart, Lawrence J., Jeanne Montie, Zongping Xiang, W. Steven Barnett, Clive R. Belfield, and Milagros Nores, *Lifetime Effects: The High/Scope Perry Preschool Study Through Age 40*, Monographs of the High/Scope Educational Research Foundation, 14, Ypsilanti, Mich.: High/Scope Press, 2005, page 3.

⁷³ Reynolds, Arthur J., Judy A. Temple, Barry A. White, Suh-Ruu Ou, and Dylan L. Robertson, "Age-26 Cost-Benefit Analysis of the Child-Parent Center Early Education Program" *Child Development*, Special Issue: Raising Healthy Children, Volume 82, Issue 1, pages 379–404, January/February 2011.

⁷⁴ <http://nieer.org/sites/nieer/files/BenefitCostAbecedarian.pdf> (page 120)

⁷⁵ For Chicago Child Parent Center, see <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3817956/> ; For Perry Preschool, see http://www.highscope.org/file/Research/PerryProject/specialsummary_rev2011_02_2.pdf ; and for Abecedarian, see <http://nieer.org/sites/nieer/files/BenefitCostAbecedarian.pdf> ; Cost estimates provided in the studies were adjusted to 2014 dollars. The benefit-cost ratios are not directly comparable because each study used a different method.

⁷⁶ Information provided by Alfredo Perez, Executive Director for First 5 Sonoma County.

Promote Worker Skill Development

Increasing the skills and employability of the County’s workforce can form an important pillar of any poverty reduction effort, as is noted in the County’s overarching Cradle to Career goals and Economic Wellness strategies. Job training programs help unemployed and underemployed youth and adults learn new skills to find employment, retain employment longer, or find higher-paying jobs. Job training can be in the form of classroom instruction or via on the job training and apprenticeship programs.

Research shows that job training is an effective way to increase employment and wages. Based on a review of academic literature and analysis of administrative data, the Brookings Institution recommends an increase in funding for one-stop shops (federally funded job search and training programs), particularly to extend job training to more people. The Brookings Institution research suggests that the net per worker benefit of job training is \$10,725.⁷⁷ A recently published study of three model programs demonstrated that when case managers properly screen adults and place them in appropriate training programs that can bridge their skills with the skills required by a specific occupation, participants are 5 percent more likely to be employed and make 29 percent higher wages (\$4,011) relative to those who do not receive the training.⁷⁸

Cost benefit analyses suggest that additional funding for job training is a cost effective use of resources. The Brookings Institution estimates that job training with counseling services provides \$3.20 in benefits to the worker for \$1 spent.⁷⁹ Similarly, a cost benefit analysis of Sonoma County’s Job Link program estimates that the cost effectiveness of all Job Link services for youth, adults, and dislocated workers (excluding SonomaWORKS) is \$3.85 over 10 years for every \$1 dollar spent. For the adult population that consists largely of economically disadvantaged job seekers, Job Link generates an estimated \$7.49 in net present value benefits over 10 years for every \$1 spent.⁸⁰

Research also suggests that providing summer jobs to youth, in addition to the benefits of wage income, can “improve educational outcomes, strengthen social and emotional development, and decrease crime rates.”⁸¹

⁷⁷ Jacobson, Louis S. “Strengthening One-Stop Career Centers: Helping More Unemployed Workers Find Jobs and Build Skills,” April 2009.

⁷⁸ Maguire, Sheila, Joshua Freely, Carol Clymer, Maureen Conway, and Deena Schwartz, “Tuning In to Local Labor Markets,” 2010.

⁷⁹ http://www.brookings.edu/~media/research/files/papers/2009/4/02%20jobs%20skills%20jacobson/0402_jobs_skills_jacobson.pdf (page 29).

⁸⁰ <http://www.sonomawib.org/docs/WIAScorecard.pdf>

⁸¹ Kearney, Melissa S. and Benjamin H. Harris, “Policies to Address Poverty in America.” The Hamilton Project, p 7.

Sonoma County currently offers a range of job search and training services. And, the recent Board of Supervisors' investment in Career Technical Education and grant acquisition by the Board of Education further reinforce the County's efforts to prepare its future workforce. Sonoma County's Employment and Training Division of the Human Services Department administers Sonoma's one-stop career center (Job Links), employment services for recipients of cash assistance (SonomaWORKS), and the Sonoma County Youth Ecology Corps (SCYEC). The SCYEC program employs youth ages 14-24, gives them workforce training, and educates youth about ecosystems. Another program is the Subsidized Employment Program (SEP), which currently covers 50 percent of the wages for a newly hired worker for six months (up to \$10,000), encouraging employers to hire and train SonomaWORKS jobseekers. Partnerships with agencies also provide access to additional programs for jobseekers, such as Sonoma County Office of Education's Regional Occupational Program and Career Technical Education program, a local credit union's budgeting course for youth ("Bite of Reality"), and Worksite Held Employee English Learning (WHEEL).⁸² The Workforce Investment Board (WIB), which is composed of business leaders, pursues these partnerships and guides policy and strategy for workforce development.

Although Sonoma County's job training efforts have met with success, the County's workforce continues to face challenges, as described by the WIB's Strategic Workforce Development Plan. The Plan identifies a skills mismatch between jobseekers and employers in Sonoma County. The County's unemployment rate is 7.7 percent, yet employers report that they find it difficult to find employees who communicate articulately, think critically, solve problems and make decisions, and possess basic 'soft skills'.⁸³

Many in the County also face challenges when seeking work, whether due to limited English language ability, disability, lack of education, or other factors.⁸⁴ These characteristics can make it difficult to find a job or a well-paying job.

ADDITIONAL JOB TRAINING FOR SONOMA COUNTY

Sonoma County could leverage its existing job training efforts to provide opportunities for additional workers. Additional services could help more economically disadvantaged workers improve their employment situation and help youth gain valuable work experience and training that can help to secure long term employment.

⁸² See http://www.sonomawib.org/docs/Strategic_Workforce_Development_Plan_2013-17.pdf

⁸³ http://www.sonomawib.org/docs/Strategic_Workforce_Development_Plan_2013-17.pdf (page 19)

⁸⁴ http://www.sonomawib.org/docs/Strategic_Workforce_Development_Plan_2013-17.pdf (pages 8-17)

To illustrate the impact of these additional efforts, we have assumed that the County could spend an additional \$1 million per year to expand the Sonoma County Youth Ecology Corps and provide additional funding for the Subsidized Employment Program. If \$750,000 were allocated to the Youth Ecology Corps, this would almost double their current annual budget of 776,000 and allow them to enroll an additional 238 participants. The remaining \$250,000 could provide subsidized job placements for an additional 25 SonomaWORKS jobseekers, providing them with an opportunity to develop the specific skills needed to meet the needs of local employers and transition into permanent, unsubsidized jobs with local firms.

Develop Affordable Housing

The lack of affordable housing is one of the most pressing needs facing Sonoma County, as evidenced by the recently completed Sonoma County Homelessness Action Plan Update, which highlights housing, health and income as three pillars needed to effectively address local homelessness. The potential benefits of affordable housing are very broad and apply both to alleviating the current circumstances of poverty and to preventing future poverty. In addition, supporting affordable housing enables the County to target the extremely poor (such as the chronic homeless), the working poor, and undocumented immigrants living in poverty, making it an important strategy for addressing the disparate needs of these populations.

AFFORDABLE HOUSING AS A MEANS OF ALLEVIATING CURRENT CONDITIONS OF POVERTY

Increasing the availability of affordable housing within Sonoma County would directly alleviate many of the adverse conditions associated with poverty, providing safe and secure shelter for the County's homeless and those facing housing insecurity. Research has also shown that access to this type of housing can improve the health of its occupants, and that well-planned affordable housing may also provide access to the public transportation low-income workers need to get to and from their jobs, which is often an important barrier to finding and keeping stable employment. Finally, the availability of affordable housing enables low-income working families to spend less of their limited income on shelter, freeing up resources for other important basic needs.

In terms of helping Sonoma County's most vulnerable populations currently living in poverty, research has shown that affordable housing development, when combined with targeted health and social services (known as supportive housing), is not only key to reducing chronic homelessness but is also a cost-effective use of

public funds.⁸⁵ A 2002 study that examined administrative data from New York City compared the use of numerous publicly funded services, including shelters, psychiatric, medical, and veteran hospitals, Medicaid, jails, and prisons by persons with severe mental illness who were housed in affordable housing against the service use of those that were not.⁸⁶ With the exception of Medicaid use, the researchers found that use of all other categories of service decreased, with a net reduction of \$12,146 of total annual service use per person in affordable housing, an amount which covered 95 percent of the housing program cost. Similar reductions in the use of public services have also been found in studies conducted in California. Project 50, a pilot project to house the chronically homeless in Los Angeles, released its cost effectiveness assessment in June 2012. Project 50 targets the high-risk, chronically homeless and places them into affordable housing paired with social services. One year into the program, the county reported that residents in Project 50 had significantly lower costs for incarceration and medical services, with a \$1.2 million decline in total service use and a projected \$2.08 million decline in service use for the second year of the program. With these cost savings the county calculates that Project 50 generated a surplus of \$4,774 per program participant.

For low-income working families, research also suggests that access to affordable housing can have an impact on the health outcomes of occupants by reducing exposure to environmental toxins and other hazards and/or by freeing up financial resources to pay for health care services or purchase more nutritious food.⁸⁷ A comprehensive review of the impact of affordable housing on health by the Center for Housing Policy reports that “well-constructed and managed affordable housing developments can reduce health problems associated with poor quality housing by limiting exposure to allergens, neurotoxins, and other dangers.”⁸⁸ Another review of recent literature by Acevedo-Garcia *et al.* also found that affordable housing policies “may potentially contribute to improving the health of both adults and children.”⁸⁹

AFFORDABLE HOUSING AS A MEANS OF PREVENTING FUTURE POVERTY

Increasing the availability of affordable housing is also an effective strategy for preventing future poverty in Sonoma County by improving the health and educational performance of children. For example, research has

⁸⁵ Culhane, Dennis, “Ending Chronic Homelessness: Cost-Effective Opportunities for Interagency Collaboration,” Selected Works of Dennis Culhane, 2010.

⁸⁶ Culhane *et al.* “Public Service Reductions Associated with Placement of Homeless Persons with Severe Mental Illness in Supportive Housing.” University of Pennsylvania ScholarlyCommons (2002).

⁸⁷ Sharfstein, Joshua, et. al., “Is Child Health at Risk While Families Wait for Housing Vouchers?” *Am J Public Health*. 2001 August; 91(8): 1191–1192.

⁸⁸ Cohen, Rebecca, “The Impacts of Affordable Housing on Health: A Research Summary” Center for Housing Policy 2011.

⁸⁹ Acevedo-Garcia, Dolores, et. al., “Does Housing Mobility Improve Health?” *Housing Policy Debate*, Volume 15 Issue 1 (2004).

shown that access to affordable housing is a crucial factor for ensuring the health of pregnant low income mothers and very young children.⁹⁰ Even after controlling for demographic characteristics and participation in other transfer payment programs, researchers have found that children of pregnant women receiving housing assistance had higher birth weights compared to similar children in households without rent help. This suggests that by easing the strain on family budgets imposed by high housing costs, affordable housing enhances poor households' ability to meet the basic nutritional needs of pregnant mothers and their children.

Additional research suggests that access to affordable housing may improve educational outcomes by reducing the involuntary mobility of low-income households. Involuntary mobility can result from a desire to avoid unhealthy or unpleasant living conditions (e.g., from living in substandard housing), eviction, or inability to make unaffordable rent payments. Research suggests that frequent mobility may disrupt the social connections among children, parents, and teachers that have been linked to educational success.⁹¹ Changing schools also subjects children to discontinuity in academic and social expectations, requiring an adjustment period during which academic outcomes may deteriorate.⁹² Because family mobility is strongly associated with socio-economic risk factors, including poverty, recent studies have attempted to establish the causality between family mobility and educational outcomes by looking at longitudinal data and assessing educational outcomes both before and after moving.⁹³ These studies suggest that the lack of stable housing is associated with poorer educational performance among students as measured by overall achievement, likelihood of repeating a grade, and/or likelihood of dropping out.⁹⁴

Finally, research also suggests that homeless children face numerous obstacles to performing well in school. As one might expect, homeless children are more likely to be absent from school, repeat a grade, drop out and perform poorly on standardized achievement tests.⁹⁵ To the extent that access to affordable housing decreases involuntary mobility and reduces homelessness among children in Sonoma County, it has the potential to improve school performance for the affected children, increasing their chances of obtaining the education and skills they will need to successfully transition out of poverty as adults.

⁹⁰ Meyers *et al.* Food security status defined as regular access to an adequate amount of food.

⁹¹ Swanson 56-57, Burkam (2009), Reynolds, Gruman.

⁹² Burkam (2009), Reynolds.

⁹³ See, for example, Burkam and Reynolds, *op. cit.*

⁹⁴ Reynolds, Arthur J. et. al., "School Mobility and Educational Success: A Research Synthesis and Evidence on Prevention." Paper presented at the Workshop on the Impact of Mobility and Change on the Lives of Young Children, Schools, and Neighborhoods, Board on Children, Youth, and Families, National Research Council, June 29-30, 2009, Washington, DC.

⁹⁵ Ernst, Greg and Foscarinis, Maria, "Education of Homeless Children: Barriers, Remedies, and Litigation Strategies." *Clearinghouse Review*: pp 754-759 November-December 1995.

ADDITIONAL BENEFITS FROM DEVELOPING AFFORDABLE HOUSING

In addition to the benefits discussed above, the development of affordable housing also generates economic activity directly from construction expenditures as well as from follow-on expenditures by construction workers and firms in the local economy. A number of studies have been conducted that measure the local economic impact stemming from development of affordable housing. These studies suggest that development of affordable housing can generate both temporary construction related employment and ongoing consumer purchase driven jobs in the local economy. One such study by the National Association of Home Builders estimated that construction of a 100 unit affordable housing development built using federal Low Income Housing Tax Credits (LIHTC) leads to the creation of 122 jobs related to the construction activity and 30 ongoing jobs related to the purchases made by residents in the local economy.⁹⁶ This local economic activity can, in turn, create local fiscal benefits as a result of sales taxes collected on both construction materials and consumer purchases.

Because much of the direct cost of developing affordable housing is paid for in the form of federal tax credits, a substantial fraction of this economic activity would represent additional or new economic activity in Sonoma County that would not occur in the absence of the affordable housing development.

In addition, research also suggests that affordable housing can lead to improvements in a local economy to the extent that lower housing costs are viewed as a comparative advantage by employers and workers. According to a report by the Center for Housing Policy, a lack of “affordable housing can affect an employer’s ability to attract and retain employees and can thus have implications for regional economic competitiveness.”⁹⁷ This report goes on to note that access to “affordable housing programs may contribute to employee retention.” Therefore, while subsidized affordable housing comprises just one element of an overall housing market, to the extent that it lowers housing costs for local workers it may contribute to improved regional competitiveness.

⁹⁶ These estimates reflect the overall extent of economic activity in a local region and do not necessarily reflect new economic activity, since some portion of the resources devoted to development of affordable housing are shifted from other regions where economic activity would decrease. In addition, the increased local expenditures from residents of affordable housing reflect, at least in part, a transfer from taxpayers who subsidize affordable housing development through higher taxes. See National Association of Home Builders, “The Local Impact of Typical Housing Tax Credit Developments,” 2010.

⁹⁷ Center for Housing Policy, “The Role of Affordable Housing in Creating Jobs and Stimulating Local Economic Development,” 2011.

DEVELOPING ADDITIONAL AFFORDABLE HOUSING IN SONOMA COUNTY

One way the County could increase the supply of affordable housing is by investing additional local resources in development of affordable housing projects. Most such developments are financed with a combination of federal tax credits through the LIHTC program and local resources. According to data from the California Tax Credit Allocation Commission (the entity that administers the federal LIHTC program in California), the average new construction project developed over the past two years required about \$92,000 in local resources to supplement the tax credits and other financing sources. Based on these data, we estimate that an annual investment of \$1 million would support the construction of more than 320 additional units of affordable housing in Sonoma County.⁹⁸

⁹⁸ Note that these results assume an annual \$1 million investment for 30 years.

Summary of Alternatives

Figure 7 presents a summary of the poverty reduction alternatives discussed in this section. The far right column presents the anticipated impact of an additional annual investment of \$1 million.

FIGURE 7: SUMMARY OF POVERTY REDUCTION ALTERNATIVES

Potential Strategy	Population Assisted	Sample Implementation of Strategy	Results of \$1 Million Annual Additional Funding
Increase enrollment in EITC and CalFresh	Low-income workers and families	Expand outreach and “in-reach” efforts	830 additional EITC claims 700 additional CTC claims 1,500 more families w/ CalFresh
Expand home visiting programs	Low-income mothers & young children	Fund Additional Nurses	120 more first-time mothers served by program
Help low-income families save for college	All children (focus on low-income)	Open, fund and match savings accounts for Kindergarteners	751 more students to college (415 from low-income families)
Expand access to early childhood education	Low-income children and families	Fund more high-quality preschool	69 more preschool slots
Promote worker skill development	Low-income workers, transitional workers	Expand two programs: Sonoma County Youth Ecology Corps (SCYEC) & Subsidized Employment Program (SEP)	238 more youth in SCYEC 25 more SEP placements
Develop additional affordable housing	Low-income workers & families	Fund more housing and leverage federal tax credits	320 more housing units over 30 years

Recommendations

Choosing a strategy for addressing poverty requires identifying the population or populations that are in need of assistance, choosing whether to adopt policies that address current poverty or prevent future poverty, and making decisions about the amount of resources available and appropriately devoted to poverty reduction efforts.

Criteria for Recommending Poverty Reduction Strategies

Although research and analysis can help to make decisions about which policies are most effective, inevitably, making such a determination requires value judgments. Which populations have the highest priority for receiving help? How much is appropriate to spend and where will that money come from (i.e., what other programs will need to be cut or which taxes increased if expenditures for poverty reduction are increased)? Is

it better to help alleviate the suffering of those currently living in poverty, or are resources used more effectively in preventing future poverty?

Each individual will likely answer these questions differently. In order to assist the County in choosing a direction, we have sought to measure each program according to several criteria. Figure 8 presents these criteria and shows how each of our recommended programs as well as the living wage compares.

FIGURE 8: CRITERIA FOR ASSESSING POVERTY REDUCTION STRATEGIES

Program	Directly targets low income or very low income Sonoma County households	Maximizes economic benefits by drawing down additional state or federal funds	Relatively easy to implement (e.g., builds on existing county programs)	Can be structured to provide benefits to the undocumented	Primary focus is alleviating current conditions of poverty	Primary focus is reducing future poverty
Enact a Living Wage		potentially*	X		X	
Increase enrollment in EITC and CalFresh	X	X	X		X	
Expand home visiting programs	X		X	X		X
Help low-income families save for college	X			X		X
Expand access to early childhood education	X	X		X		x
Promote worker skill development			X	X	X	
Develop additional affordable housing	X	X		X	X	

** A living wage will only draw federal funds if IHSS providers are included with a living wage rate above \$11.65 per hour.*

In the next sections we present three options for the County's consideration. In our view, each of these options represents a viable means of proceeding.

\$1 Million Annual Investment

With a budget of \$1 million to spend each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. - Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. - Increase investment in home visiting programs such as the Nurse Family Partnership.

\$5 Million Annual Investment

With a budget of \$5 million to spend each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. - Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.

2. - Increase investment in home visiting programs such as the Nurse Family Partnership.
3. - Implement an asset building program designed to help low-income families save for college or build other assets.
4. - Expand access to high quality preschool for low-income families.

\$12.3 Million Annual Investment

With a budget of \$12.3 million to spend each year augmenting the County's existing poverty reduction efforts, we would recommend the following:

1. - Expand existing outreach efforts to increase participation in the Earned Income Tax Credit and CalFresh programs.
2. - Increase investment in home visiting programs such as the Nurse Family Partnership
3. - Implement an asset building program designed to help low-income families save for college or build other assets.
4. - Expand access to high quality preschool for low-income families.
5. - Expand existing worker skill development, mentoring, or youth employment programs.
6. - Develop additional affordable housing.

CONCLUSION

Addressing poverty is one of the most important and most challenging issues counties confront. Sonoma County has demonstrated its commitment to improving quality of life and reducing poverty through many policies and actions the County has taken, including the Upstream Investments and Health Action Economic Wellness initiatives, the publication of the recent report "A Portrait of Sonoma County," and the operation of many programs that address poverty in the County. These efforts are ongoing and long-term and can serve to assist in developing the planning, resources, and partnerships needed to successfully implement the Board of Supervisors' chosen strategies.

This report has identified several promising strategies the County could pursue that would build on this foundation.

Living Wage

Adopting a living wage ordinance represents one poverty reduction strategy the County could pursue. Should the county choose this option, we would recommend a living wage with the following characteristics:

- Wage rate: \$13 per hour, adjusted annually for increases in the cost of living.
- Exemptions: Interns, students, and temporary employees; Small businesses; non-profits and governmental entities; ad hoc exemptions.
- IHSS providers: Continue to set wage rates through existing collective bargaining process.

Recommended Strategies for Addressing Poverty

Beyond a living wage, there are many poverty reduction strategies the county could pursue. We identified six promising strategies that are research-supported, would be feasible for the county to implement, would broadly serve the county's diverse populations living in poverty, and would both address current poverty as well as prevent future poverty. The following six strategies are recommended:

- Increase enrollment in EITC, CalFresh, and other existing programs
- Expand home visiting programs including the Nurse Family Partnership
- Help low-income residents build assets and save for college through a matched savings program
- Expand access to early childhood education
- Promote worker skill development
- Develop affordable housing

APPENDIX 1: METHODOLOGY AND RESULTS FOR POLICIES EXAMINED

This appendix contains additional details about the methodology used to estimate the impact of each of the policies discussed in the report.

Living Wage

The following sections describe the data sources, assumptions and methodology used to estimate the impact of a living wage policy for Sonoma County. The cost of any specific living wage policy depends primarily on the wage rate established and the types of firms and workers that are covered. To help quantify these differences, we have disaggregated the impacts from a higher or lower wage rate and the inclusion or exemption of specific types of firms or workers.

Regular County Employees

To calculate the effects of a potential living wage on Sonoma County employees, we reviewed detailed employment data from the County that included the number of hours worked and the wage rate paid to each full-time, part-time, and “extra help” employee currently paid \$18.00 per hour or less.⁹⁹ We used these data to estimate both a direct impact for those employees currently earning less than the potential living wage rate, and an indirect impact from a “ripple effect,” where those earning just above a living wage rate could also receive small wage increases to maintain wage differentials with lower paid workers.

To estimate the fiscal impact from those directly affected, we identified the County employees currently earning less than the living wage rate and multiplied the number of annual hours worked times the difference between the current wage rate and the living wage rate. We then added 7.65 percent to account for the additional cost of the taxes paid by the employer.

We then estimated that the potential ripple effects on higher paid workers based on previous research. Specifically, we estimated that these effects would likely range from a 5 percent increase at or just above the living wage rate down to a 1 percent increase for those earning \$2.00 per hour more than the proposed living wage rate, with no impact beyond that.¹⁰⁰ To calculate the fiscal impact from these wage increases we again

⁹⁹ This data set provided the average number of hours worked by employee over three 14-day pay periods in June and July of 2014.

¹⁰⁰ See for example Pollin, Robert, et. al., “A Measure of Fairness: The Economics of Living Wages and Minimum Wages in the United States.” Ithaca, NY: Cornell University Press, 2008.

multiplied the annual number of hours worked for each employee times the estimated wage increase, and added an additional 7.65 percent to account for employer taxes that would be paid by the County.

Estimates of the fiscal impact from a \$15.00 living wage are presented in Figure 9 below. As that table shows, very few County employees would be directly affected by a \$15.00 living wage because most employees already receive higher wages. There are, however, a number of “Extra Help” employees who would be directly affected. In addition, the table separates out student intern positions, which include high school, undergraduate, and graduate students, many of whom are currently paid less than \$15.00 per hour. Each type of employee, however, would be included in the expected ripple effect from a \$15.00 per hour living wage. As the table shows, the ripple effect would account for almost all of the impact for full-time and part-time employees, but have a relatively smaller impact for the “Extra Help” employees and student interns. The table also shows the number of employees and full time equivalents (FTEs) directly and indirectly affected.

FIGURE 9: ESTIMATED FISCAL IMPACT FROM SONOMA COUNTY EMPLOYEES FOR A \$15.00 LIVING WAGE

Living Wage Fiscal Impact from County Employees	Full-Time Employees	Part-Time Employees	Extra Help Employees	Student Interns	TOTAL	
					w/Interns	w/out Interns
Direct Impact of \$15.00/hr Living Wage:						
Affected Number of Employees	2	0	122	46	170	124
Total Annual Hours for Affected Employees	4,160	0	86,551	39,858	\$130,569	90,711
Estimated FTEs @ 2080 hrs/year	2	0	42	19	63	44
Average Increase in Wages (\$/hr)	\$1.03	\$0.00	\$0.85	\$2.27	\$1.29	\$0.86
Fiscal Impact from Wage Increase (pre-taxes)	\$4,285	\$0	\$73,761	\$90,638	\$168,683	\$78,046
Employer Taxes @ 7.65%	\$328	\$0	\$5,643	\$6,934	\$12,904	\$5,970
Fiscal Impact Including Taxes	\$4,613	\$0	\$79,404	\$97,571	\$181,588	\$84,016
Estimated Ripple Effect						
Affected Number of Employees	37	3	56	6	102	96
Total Annual Hours for Affected Employees	76,960	4,654	85,042	3,399	170,055	166,656
Estimated FTEs @ 2080 hrs/year	37	2	41	2	82	80
Average Increase in Wages (\$/hr)	\$0.32	\$0.29	\$0.45	\$0.72	\$0.39	\$0.39
Total Wages Before Living Wage	\$1,262,477	\$77,243	\$1,366,008	\$51,790	\$2,757,517	\$2,705,727
Estimated Wages After Living Wage	\$1,287,302	\$78,612	\$1,404,214	\$54,228	\$2,824,357	\$2,770,129
Fiscal Impact from Wage Increase (pre-taxes)	\$24,825	\$1,370	\$38,206	\$2,438	\$66,839	\$64,401
Employer taxes @ 7.65%	\$1,899	\$105	\$2,923	\$187	\$5,113	\$4,927
Fiscal Impact Including Taxes	\$26,724	\$1,475	\$41,129	\$2,625	\$71,953	\$69,328
Total Estimated Annual Fiscal Impact	\$31,337	\$1,475	\$120,533	\$100,196	\$253,540	\$153,344

Figure 10 below presents the estimated fiscal impact for each type of County employee for a living wage rate set between \$12.00 and \$15.00 per hour. As that table shows, the estimated fiscal impact for a \$13.00 per hour living wage that provides an exemption for student interns would be just over \$35,000 per year.¹⁰¹

FIGURE 10: FISCAL IMPACT FROM COUNTY EMPLOYEES FOR VARIOUS LIVING WAGE RATES

Living Wage Rate	Full-Time Employees	Part-Time Employees	Extra Help Employees	Student Interns	TOTAL	
					w/Interns	w/out Interns
\$12.00	\$305	\$0	\$9,529	\$22,972	\$32,805	\$9,834
\$13.00	\$1,862	\$0	\$33,279	\$31,432	\$66,573	\$35,141
\$14.00	\$5,886	\$0	\$49,269	\$60,217	\$115,371	\$55,154
\$15.00	\$31,337	\$1,475	\$120,533	\$100,196	\$253,540	\$153,344

In-Home Supportive Services Providers

The In-Home Supportive Services (IHSS) program is designed to provide the low-income elderly and disabled with the services they need to live safely and independently in their own homes. In California, the cost-sharing arrangement to pay for these services includes the federal, state and county governments. The federal government pays for 56 percent of the IHSS costs. For the remaining 44 percent, the county contribution is determined by a “maintenance of effort” (MOE) level that was set in FY2012-13, initially equal to each county’s spending in FY2011-12 with annual increases of 3.5 percent to account for inflation beginning in FY2014-15. State funding covers the remaining costs of the program, up to a specified wage rate. Any cost increases related to a wage increase enacted by the County above this level must be paid for entirely by the County (the federal government continues to pay 56 percent of costs for any wage increase up to two times the state minimum wage).¹⁰² Wages for IHSS providers in Sonoma County are determined through a collective bargaining process, and all IHSS providers are paid the same hourly rate, which is currently set at \$11.65 per hour.

As of January 2015, overtime must be paid to all IHSS providers at a rate of 150 percent of base salary for all hours worked above 40 hours per week. The federal government will pay 56 percent of the associated overtime costs, and the State has agreed to pay for the remainder but has limited the number of hours each IHSS provider may work to no more than 66 hours per week (note there is also a temporary 7 percent mandatory reduction currently in place, such that the actual limit is 61 hours per week). Prior to January 2015 no overtime was paid, but there was no limit placed on the number of hours worked by any individual IHSS provider. In addition, it is unclear whether the state will pay all of the additional overtime costs if a county

¹⁰¹ We have assumed that requiring 12 paid days off for County employees would have no discernible fiscal impact

¹⁰² Howes, Candace, “Living Wages and Home Care Workers.” In Reich, et.al. 2014, op cit.

enacts a wage increase on its own. This analysis assumes that the state will cover the non-federal portion of the overtime costs.¹⁰³

According to data provided by the Sonoma County Human Services Department, there are currently 5,369 clients receiving services through the IHSS program. These services are provided by 6,168 registered service providers, 3,037 (49 percent) of whom are family members. These providers are expected to work approximately 6.2 million hours in the coming year. In addition, any increase in the wage rate paid to IHSS workers would also result in additional costs for administration, taxes and other benefits, which we estimate to represent 16 percent of the wages paid.

The estimated cost of an increase in the IHSS wage rate to \$15.00 per hour is presented in Figure 11. As that table shows, the total annual cost of the increase would be approximately \$24.3 million, with the Federal government paying \$13.6 million and the County paying \$10.7 million. The State’s costs are expected to remain unchanged under the current MOE arrangement.¹⁰⁴

FIGURE 11: ESTIMATED COST OF A WAGE INCREASE FOR IHSS PROVIDERS

	No Change to Wage Rate	Wage Rate Increase (\$15.00/Hour)	Difference
Annual Service Hours	6.24 million	6.24 million	0
Hourly Wage Rate	\$11.65	\$15.00	\$3.35
Total Compensation Cost per Hour	\$13.51	\$17.40	\$3.89
Total Annual Cost for Wage Increase	\$84.4 million	\$108.7 million	\$24.3 million
Federal Share	\$47.3 million	\$60.9 million	\$13.6 million
State Share	\$23.1 million	\$23.1 million	\$0
County Share (MOE)	\$14.1 million	\$24.8 million	\$10.7 million

In addition to the fiscal impact of a wage increase, we also estimated the cost of providing 12 paid days off per year based on three wage rates: the current rate of \$11.65 per hour, a rate of \$13.00 per hour, and a rate of

¹⁰³ It is possible that the State may only cover the overtime costs for the current rate of \$11.65 per hour, and that any additional overtime costs resulting from a wage increase will be the County’s responsibility. If that is the case, the County’s costs for an increase in the wage rate for IHSS providers would be higher than the estimates presented here.

¹⁰⁴ It should also be noted that this analysis does not assume any change in the number of IHSS hours worked. While it is possible that an increase in the wage rate could result in greater demand for IHSS services, as noted earlier almost half of the providers are currently providing care for a family member, and it seems unlikely that their level of care would be influenced by a higher (or lower) rate of pay. If the demand for IHSS hours services increases as the result of a wage increase, the fiscal impact to the County for a living wage increase could be higher than the estimate presented here

\$15.00 per hour. These estimates are based on the assumption that 12 paid days off are provided to all full time IHSS providers, and are also provided on a pro-rated basis to IHSS providers working less than full time, such that 12 paid days off would be provided to each full time equivalent (FTE) worker. We estimated the number of FTEs to be approximately 3,002. To estimate the number of paid days off used, we relied on prior research which found that about 30 percent of workers surveyed did not use any paid sick days. Among those who did use paid sick days, workers used on average only three of the eight sick days available.¹⁰⁵ As shown in Figure 12, the total cost ranges from just over \$1.0 million at \$11.65 per hour to \$1.3 million at \$15.00 per hour. The federal government would pay 56 percent of these costs, with the County responsible for the remainder. Thus, we estimate that the annual cost to Sonoma County for providing IHSS workers with 12 paid days off each year would be about \$450,000 at \$11.65 per hour, \$500,000 at \$13.00 per hour, and \$580,000 at \$15.00 per hour.

FIGURE 12: ESTIMATED COST FOR PROVIDING 12 PAID DAYS OFF ANNUALLY TO IHSS WORKERS

Estimates of Cost for Paid Days Off	\$11.65 Wage Rate	\$13.00 Wage Rate	\$15.00 Wage Rate
Annual Service Hours	6.24 million	6.24 million	6.24 million
Full Time Equivalents @ 2080 hours/year	3,002	3,002	3,002
Total Paid days off @ 12 per FTE	36,028	36,028	36,028
Total Compensation Cost per Hour	\$13.51	\$15.08	\$17.40
Cost per Paid Day Off at 8 hours/day	\$108.11	\$120.64	\$139.20
Percent Taking Any Days Off	70%	70%	70%
Of Those, Percent of Days Taken	38%	38%	38%
Total Annual Cost for Paid Days Off	\$1,022,466	\$1,140,949	\$1,316,480
Federal Share	\$572,581	\$638,932	\$737,229
State Share	\$0	\$0	\$0
County Share (MOE)	\$449,885	\$502,018	\$579,251

¹⁰⁵ Drago, Robert and Vicky Lovell. 2011. San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees. Washington, D.C.: Institute for Women's Policy Research. We note that this study looked at sick leave as opposed to paid time off more generally. Anecdotal evidence suggests that employees are more likely to take paid time off as opposed to sick leave. Furthermore, we have assumed that the paid time off would not need to be paid out to employees who do not take time off nor would employees be able to accrue these paid days for more than one year. Therefore, these estimates of the fiscal impact of a paid time off requirement may understate the true extent of this effect.

County Service Contractors

Most living wage ordinances cover firms that provide services to the local government, though as pointed out in the body of this report, the specific requirements can vary considerably. Ordinances may provide exemptions for certain types of firms, such as small businesses or non-profits. In addition, most ordinances do not require contractors to pay all of their employees the living wage, but rather only those employees who spend some portion of their time on work related directly to the contract(s) with the local government entity. The impact of any specific living wage ordinance will therefore depend not only upon the wage rate and other conditions required by the ordinance, but also on the extent to which contracting firms and employees are covered or exempted from those requirements.

To analyze the potential impact of a living wage ordinance in Sonoma County, we developed a list of all service contracts in effect during the 2013-14 fiscal year, including the vendor's name and the amount of the contract. Because some contractors to the County have more than one contract, we combined the contracts for each vendor and calculated the total value of all contracts for FY 2013-14 for each contractor. For those contractors with \$25,000 or more in County service contracts, we collected contact information for the vendor from the appropriate County department as well as information on the type of firm (for-profit, non-profit or government agency) and the type of service provided (Construction, Professional Services, Food Service/Catering, Janitorial/Maintenance, Landscaping, and Other). In total, this represented 390 contractors with approximately \$120 million worth of service contracts.

We then contacted the vendors via email and asked them to complete an on-line survey to confirm their business type, category of services provided, total number of employees, and the specific wage rates and benefits for those employees spending 2 hours or more per week on work performed for the County. We followed up by phone as needed to clarify responses and to collect the necessary data from the largest contractors who had not yet responded to the survey. Overall, the survey response rate was approximately 43 percent based on the number of contractors, or 40 percent of the total value of all service contracts. A summary of the responses is presented in Figure 13 below.

FIGURE 13: SUMMARY OF SONOMA COUNTY SERVICE CONTRACTOR SURVEY RESPONSES

	For-Profit	Non-Profit	Government	TOTAL
Total Number of Service Contractors	275	84	31	390
Total FY 2013/14 Contract Value (\$M)	79.4	36.5	3.6	119.5
Survey Response Statistics:				
Number of Responses	125	33	8	166
(% of Contractors)	45%	39%	26%	43%
Contract Value of Responses (\$M)	28.4	17.5	1.5	47.3
(% of Total Contract Value)	36%	48%	40%	40%

Based on the survey responses received, we estimate that most Sonoma County service contractors would not be affected by a living wage ordinance, primarily because most contractors already pay employees more than \$15 per hour. As a baseline estimate, we first excluded for-profit firms with fewer than five employees or total annual contract values below \$25,000 as well as non-profit firms or government agencies with fewer than 24 employees or \$50,000 in annual contract value. Under these conditions, 90 for-profit firms (72 percent), 20 non-profits (61 percent), and six government agencies (75 percent) among the 166 contractor survey responses received would be potentially covered under such a living wage ordinance.

Based on the contractors' survey responses, however, most of these contractors already pay their employees a wage rate above \$15.00 per hour, as shown in Figure 14: Estimated Service Contractor Costs for A \$15.00 Per Hour Living Wage

Contractor Costs for a \$15.00 Living Wage	For-Profit	Non-Profit	Government	TOTAL
Survey Responses:				
Total Number of Contractors	125	33	8	166
Potentially Subject to Living Wage	90	20	6	116
Directly Affected by Living Wage	6	12	-	18
Estimated Cost Increase from Living Wage				
Pre-Tax Direct Wage Cost Increase	102,648	362,716	-	465,364
Pre-Tax Spillover Cost Increase	4,176	47,907	-	52,083
Pre-Tax Total Respondent Cost Increase	106,824	410,623	-	517,447
Cost of Taxes/Benefits @ 7.65%	8,172	31,413	-	39,585
Total Respondent Cost	114,996	442,036	-	557,031
Respondent Cost Passed On to County	57,498	442,036	-	499,534
Estimated Non-Respondent Cost to County	55,030	267,824	-	322,854
Total Estimated Cost to County (\$M)	112,528	709,859	-	822,387

. Among the 125 for-profit firms who responded to our survey, only 6 would be covered by such a living wage ordinance and would need to increase any employees' wage rate. For non-profit contractors, 12 of the 33 respondents would be required to raise the wages for some employees. For potentially covered government agencies, all respondents are currently paying their employees more than \$15.00 per hour.

FIGURE 14: ESTIMATED SERVICE CONTRACTOR COSTS FOR A \$15.00 PER HOUR LIVING WAGE

Contractor Costs for a \$15.00 Living Wage	For-Profit	Non-Profit	Government	TOTAL
Survey Responses:				
Total Number of Contractors	125	33	8	166
Potentially Subject to Living Wage	90	20	6	116
Directly Affected by Living Wage	6	12	-	18
Estimated Cost Increase from Living Wage				
Pre-Tax Direct Wage Cost Increase	102,648	362,716	-	465,364
Pre-Tax Spillover Cost Increase	4,176	47,907	-	52,083
Pre-Tax Total Respondent Cost Increase	106,824	410,623	-	517,447
Cost of Taxes/Benefits @ 7.65%	8,172	31,413	-	39,585
Total Respondent Cost	114,996	442,036	-	557,031
Respondent Cost Passed On to County	57,498	442,036	-	499,534
Estimated Non-Respondent Cost to County	55,030	267,824	-	322,854
Total Estimated Cost to County (\$M)	112,528	709,859	-	822,387

We then estimated both the direct and indirect costs for these service contractors. The direct cost increase is simply the difference between the current wage rate and the living wage rate times the number of hours spent by the affected employee(s). For the indirect costs, we again assumed that the spillover effect would range from a 5 percent increase for those employees at or just slightly above the living wage, down to a 1 percent increase for those employees earning \$2.00 per hour more than the living wage rate. We multiplied these wage increases by the number of hours devoted to work on County contracts to estimate the total annual cost and added an additional 7.65 percent to account for the associated increase in taxes that would be paid by the employer.

In addition to the total cost increase, we also estimated the percent of these costs that would be passed on to the County in the form of higher contract costs. Based on a review of previous studies, we assumed that 100 percent of the costs for non-profits and 50 percent of the costs for for-profits would be passed through to the County.¹⁰⁶

¹⁰⁶ See for example Mayer, Sara and Carol Zabin (2006). "Impacts of the proposed Living Wage Ordinance for The City of Petaluma: City Employees, Contracts, Leases, Franchises, Agreements and Grants." (available at http://laborcenter.berkeley.edu/pdf/2006/Petaluma_Fiscal_Impact.pdf).

Finally, we estimated the costs associated with firms who did not provide survey responses. To do this we broke down the responses into firm type (non-profit, for-profit, and government) and the type of service provided. We then applied the same estimated cost increase for those firms without a survey response to those with a response in proportion to the contract value. In total, the estimated fiscal impact for service contractors from a \$15.00 per living wage is approximately \$113,000 for for-profits and \$710,000 for non-profits, for a total estimated increase of just over \$822,000 dollars per year to the County.

In addition to estimating the fiscal impact of a \$15.00 per hour living wage, we also estimated the impact of a \$13.00 per hour living wage, which is summarized in Figure 15 below.

For a \$13.00 per hour living wage we estimated the annual fiscal impact would be approximately \$46,000 from for-profit contractors and \$240,000 from non-profit contractors, with no fiscal impact from government agencies.¹⁰⁷

FIGURE 15: ESTIMATED SERVICE CONTRACTOR COSTS FOR A \$13.00 PER HOUR LIVING WAGE

Contractor Costs for a \$13.00 Living Wage	For-Profit	Non-Profit	Government	TOTAL
Survey Responses:				
Total Number of Contractors	125	33	8	166
Potentially Subject to Living Wage	90	20	6	116
Directly Affected by Living Wage	4	9	-	13
Estimated Cost Increase from Living Wage				
Pre-Tax Direct Wage Cost Increase	40,456	132,813	-	173,269
Pre-Tax Compression Cost Increase	3,535	12,534	-	16,069
Pre-Tax Total Respondent Cost Increase	43,991	145,347	-	189,339
Cost of Taxes/Benefits @ 7.65%	3,365	11,119	-	14,484
Total Respondent Cost	47,357	156,466	-	203,823
Respondent Cost Passed On to County	23,678	156,466	-	180,145
Estimated Non-Respondent Cost to County	22,228	83,825	-	106,052
Total Estimated Cost to County (\$M)	45,906	240,291	-	286,197

¹⁰⁷ Based on our survey response, we determined that virtually all service contractors already provide at least some paid time off to their employees. Therefore, we have not separately estimated a County fiscal impact due to the potential requirement to provide paid time off. We note, however, that to the extent the requirement for paid time off exceeds the amount of time off currently provided, there would likely be a fiscal impact on the County.

Increase Enrollment in Existing County Programs

Many programs currently in place in Sonoma County are highly effective at reducing poverty. However, many of these programs are underutilized, underfunded, or both. Two such programs in particular, the Earned Income Tax Credit and CalFresh (formerly the food stamp program), have been shown to be highly effective at reducing poverty.

Earned Income Tax Credit

The Earned Income Tax Credit is one of the most effective tools for moving Americans out of poverty. In California, it is estimated that the EITC is responsible for moving nearly 1.2 million people out of poverty each year.¹⁰⁸ However, almost 3 out of 10 eligible Californians fails to take advantage of this important anti-poverty benefit.¹⁰⁹

In order to assist the County in evaluating alternative poverty reduction strategies, we estimated the impact of additional outreach efforts on EITC participation. Currently, the County partners with the United Way of the Wine Country in support of its “Earn it! Keep it! Save it!” program. This program provides free tax preparation assistance to Sonoma County households earning less than \$52,000 per year.¹¹⁰

For tax year 2013 (the first year of the program’s operation in Sonoma County), the program was able to assist in the preparation of 3,688 tax returns. The total cost for the program, including the estimated value of in-kind support, was \$432,345, or about \$117 per return. Of the returns filed, 35.8 percent claimed the EITC and 30.4 percent claimed the Child Tax Credit (CTC). Evaluation data collected from this first year of the program’s operation indicated that about 20 percent of these filers had previously used paid tax preparation assistance. The remaining 80 percent had either used an alternative site for free tax preparation, prepared their own taxes, or simply had not filed.

Based on these results from the “Earn it! Keep it! Save it!” program, we estimate that a doubling of the program’s budget, to \$865,000 would allow the program to serve nearly 3,700 additional Sonoma County tax filers. Of these, we estimate that 35.8 percent, or about 1,320 would be EITC filers and 30.4 percent or 1,120

¹⁰⁸ Bohn, Sarah, et. al., “The California Poverty Measure: A New Look at the Social Safety Net.” PPIC 2013, p. 15.

¹⁰⁹ Internal Revenue Service: <http://www.eitc.irs.gov/EITC-Central/Participation-Rate>

¹¹⁰ See <http://www.unitedwaywinecountry.org/eitc/>.

would claim the CTC. Because some fraction of these filers would likely have sought professional tax preparation assistance in the absence of program expansion, not all of these returns can be counted as benefits of the program. However, using data from the 2013 tax year's program, we estimate that roughly 55 percent of these returns (representing 831 returns claiming the EITC and 706 returns claiming the CTC) would be new returns that either would not have filed or would not have claimed the EITC properly on their self-prepared return.¹¹¹

If the participants in the program are like the average EITC eligible resident in California, then we would expect that 29 percent of these participants did not claim the EITC. This represents a lower bound estimate of the fraction of participants in Earn it! Keep it! Save it! that would be new EITC filers. On the other hand, the 80 percent of participants that did not get paid tax help in the prior year represent the upper bound for the fraction of Earn it! Keep it! Save it! participants that did not previously claim the EITC. The 55 percent figure is based on the average of the fraction of Californians that do not claim the EITC (29 percent) and the fraction of participants in Earn it! Keep it! Save it! that did not receive paid tax help in the prior year (80 percent).

Based on data for the 2013 tax year's "Earn it! Keep it! Save it!" program, we estimate that the average EITC benefit would equal \$1,702 per return and the average CTC benefit would equal \$1,280 per return. Total benefits for Sonoma County tax filers would total more than \$2.3 million.

These additional resources would not only help low-income families who receive the benefits, but would also boost the local Sonoma County economy as the money they receive will be spent on locally produced goods and services. We estimate that the \$2.3 million in additional federal tax return money received by Sonoma County tax filers would result in nearly \$3.5 million in additional economic activity in the county.¹¹²

Overall, we estimate that for each \$1 spent to increase participation in the EITC and CTC, the County would receive total direct and indirect benefits of \$7.

In addition to the value of the tax credits themselves and the follow-on economic benefits, the "Earn it! Keep it! Save it!" program offers a number of important additional benefits. First, even for those who would have

¹¹¹ We note that this figure may somewhat overstate the true number of marginal additional returns, as some of those who did not get paid tax help might nevertheless have successfully filed for and claimed the EITC and CTC. However, we also note that the cost per prepared return for the program is somewhat higher than comparable figures reported for other jurisdictions with similar programs. We would expect therefore that the cost per return will fall over time, allowing the program to serve more people with the same level of resources. These two "errors" therefore cut in opposite directions and, to some extent, should cancel each other out.

¹¹² County level economic multipliers are generally in the range of 1.5 – 2. We conservatively use a multiplier of 1.5 for purposes of this estimate.

used a paid tax preparer, “Earn it! Keep it! Save it!” allows low income tax filers to keep not only the value of any tax credits received, but also to save the cost of professional tax preparation (typically a cost of about \$400, according to the United Way). In addition, the financial education and assistance in establishing a bank account offered in conjunction with the “Earn it! Keep it! Save it!” program’s tax preparation assistance can also help low-income households build assets and establish a relationship with the mainstream financial services sector.

CalFresh

CalFresh is one of the most effective tools for moving Americans out of poverty. In California, it is estimated that the CalFresh program is responsible for moving nearly 800,000 people out of poverty each year.¹¹³ However, research suggests that almost half of eligible Sonoma County residents do not claim these benefits.¹¹⁴ A more recent estimate prepared by the Sonoma County Department of Human Services suggests that the fraction of the eligible population that does not claim CalFresh benefits may be as low as one in five. Regardless, there are thousands of eligible households and individuals in the County that are eligible for but do not claim CalFresh benefits.

In order to assist the County in evaluating alternative poverty reduction strategies, we estimated the impact of additional outreach efforts on CalFresh participation. The Department of Human Services currently provides outreach and enrollment assistance for the CalFresh program through a combination of County eligibility workers and contracts with community organizations in the County. In October 2014, the Board of Supervisors authorized the Department of Human Services to expand outreach efforts through a contract with the Redwood Empire Food Bank to fund two staff positions for onsite CalFresh application preparation.¹¹⁵

This recent action notwithstanding, there is still an opportunity for the County to increase CalFresh enrollment. The Department of Human Services estimates that they could reach, enroll, and maintain a caseload of 3,000 additional individuals for an additional \$954,954 annually. This added participation would be accomplished through a combination of additional outreach using county eligibility workers and contracts with community organizations as well as “in-reach” in which lists of residents enrolled in other programs (notably the MediCal

¹¹³ Bohn, Sarah, et. al., “The California Poverty Measure: A New Look at the Social Safety Net.” PPIC 2013, pages 15-16, http://www.ppic.org/content/pubs/report/R_1013SBR.pdf

¹¹⁴ Shimada, Tia, “Program Access Index 2011: Measuring CalFresh Utilization by County,” California Food Policy Advocates, February 2013, <http://cfpa.net/CalFresh/CFPAPublications/PAI-FullReport-2013.pdf>

¹¹⁵ Note that a 2014 review of six different outreach programs with increased funding ranging from \$300,000 to \$700,000 found a range in increased enrollment, from no statistically significant effect to an increase of 23 percentage points (see XXXX.). This indicates that the increases estimated here are certainly within the range of the improvements experienced in other jurisdictions.

program) would be cross referenced against the CalFresh enrollment list to identify potentially eligible but not enrolled residents of the County.

Based on the County's estimate that an additional 3000 cases could be added for roughly \$1 million (\$954,954 rounded up), we estimate that an additional 1,500 cases (half of the 3,000 total) could be added to the CalFresh rolls for \$500,000 (half of the million estimate).

Expand Home Visiting Programs

Estimates of the cost of expanding the Nurse Family Partnership are based on cost information contained in a study by Ted Miller for the Pew Center on the States as well as data provided by the Sonoma County Department of Health Services.¹¹⁶ Miller estimated that the cost of the program was \$8,580 per family, similar to the cost in Sonoma County. Sonoma County Department of Health Services staff anticipate that, if the program were expanded, the County could access additional federal funds totaling 20 to 30 percent of the additional cost. Therefore, for an added investment of \$1 million in County funds, we estimate that the County would be able to increase total funding for the NFP by \$1.25 million (including 25 percent added federal funds). This would allow the program to serve an additional 146 families ($\$1,250,000/\$8,580 = 146$).

Help Low-Income Families Save for College

Research has shown that promoting college savings may be an important tool for reducing future poverty and promoting economic mobility. Our analysis estimates the costs and benefits for a college savings program that would be similar to the Kindergarten to College (K2C) program recently initiated by the City and County of San Francisco.¹¹⁷ For the purpose of our analysis we have assumed the Sonoma County college savings accounts would be structured as follows:

- A college savings account would be opened with an initial "seed amount" of \$50.00 for each kindergarten student at the time of enrollment in a Sonoma County public school, with the ability to opt out if the parents decide to do so.¹¹⁸ The program would be the named holder of the account, with the student as the

¹¹⁶ Miller, Ted R. "Nurse-Family Partnership Home Visitation: Costs, Outcomes, and Return on Investment," funded by Pew Center on the States, Revised April 30, 2013.

¹¹⁷ More information about the San Francisco K2C program is available on their website: <http://sfofe.org/programs/k-to-c>.

¹¹⁸ Our analysis assumes 1 percent of parents would opt out of the program based on San Francisco's experience (see Phillips, Leigh. "Kindergarten to College: Local Innovation, National Impact." City and County of San Francisco (2011), available at <http://www.edpartnerships.org/sites/default/files/events/2013/07/%2319%20An%20Evaluation%20of%20College%20Savings%20-%201.pdf>).

beneficiary. We estimate this would enroll approximately 5,259 students per year, for a cost of \$262,950 annually.¹¹⁹

- For those students who qualify and sign up for the Free and Reduced Lunch program, an additional \$100 would be deposited by the County. This represents 2,442 children, or 46.4 percent of the total.¹²⁰ The cost of this additional seed for children of low-income families represents an additional \$244,200.
- The County would then provide a 1-to-1 match for any additional deposits to these accounts from the students' friends and families, up to \$200 per account. Based on the experience of the San Francisco program, we estimate that approximately half (50 percent) of the accounts will eventually make such contributions, for an additional annual cost to the County of \$526,000.¹²¹

Under these assumptions, the County's annual cost for the program is estimated to total \$1,033,150.¹²² As a result of the program, we estimate that an additional 751 students will attend college each year, with 415 of those students from low-income families.¹²³ We estimate that the completion rates for these students will be comparable to current completion rates for Associate's and Bachelor's degrees. We then apply the national income differential between those who finish high school, those who attend college but do not earn a degree,

¹¹⁹ Sonoma County data on school enrollment and eligibility for the Free and Reduced School Lunch program for 2013-14 was downloaded from the California Department of Education (<http://www.cde.ca.gov/ds/sd/sd/documents/frpm1314.xls>). It is assumed that Kindergarten students represent one-thirteenth of the K-through-12 total.

¹²⁰ Ibid.

¹²¹ According to a survey conducted by San Francisco's K2C program, 50 percent of parents surveyed indicated that they intend to contribute to their accounts (see Phillips (2011)).

¹²² San Francisco has funded its matching program exclusively through philanthropic donations for at least the first two years of the program. If Sonoma County were equally successful at finding donors to support the program, the annual costs could be reduced by half or the amount of the matching contributions increased.

¹²³ We estimate that 37 percent of low-income families are already saving for their child's college education, and 56% of middle and higher income families are already doing so. While those students will also benefit from these additional savings, we have assumed that participation in this program would have no impact on their decision to attend college. See "How America saves for college 2013: Sallie Mae's National Study of Parents with Children under Age 18." (2013). (https://www.salliemae.com/assets/core/how-America-Saves/HowAmericaSaves_Report2013.pdf). To estimate the effect of the program on college attendance, we relied on research published by the St. Louis Federal Reserve Bank. That study reported that the probability of enrolling in college is just 45 percent for students without savings, but 72 percent for those with dedicated college savings accounts of \$500 or more. The same study also found that 33 percent of students having such accounts went on to complete a degree, versus only 5 percent of those without any savings (See Elliot, William. "Are All Types of College Financial Aid Created Equal?" Bridges, St. Louis Federal Reserve, Winter 2012-2013, available at <http://csd.wustl.edu/Publications/Documents/WP13-05.pdf>) Finally, we assumed that degrees completed would reflect the national average, with 34 percent of the graduates earning Associate's degrees and 66 percent earning Bachelor's degrees (see the U.S. Department of Education, National Center for Education Statistics, "The Condition of Education 2012" (NCES 2012-045), Table A-47-2, available at <http://nces.ed.gov/fastfacts/display.asp?id=72>).

those who complete an Associate's Degree, and those who complete a Bachelor's degree, as presented in Figure 16. Applying these earnings differentials, we estimate that this program would result in \$10,323 per year in additional annual income for those students who go on to attend college as a result of the program.¹²⁴

FIGURE 16: 2013 UNEMPLOYMENT RATE AND EARNINGS BY EDUCATION LEVEL

Education Level Attained	2013 Unemployment Rate	Median weekly earnings	Implied Annual Earnings
Doctoral degree	2.2%	\$1,623	\$84,396
Professional degree	2.3%	\$1,714	\$89,128
Master's degree	3.4%	\$1,329	\$69,108
Bachelor's degree	4.0%	\$1,108	\$57,616
Associate's degree	5.4%	\$777	\$40,404
Some college, no degree	7.0%	\$727	\$37,804
High school diploma	7.5%	\$651	\$33,852
Less than a high school diploma	11.0%	\$472	\$24,544

Note: Data are for persons age 25 and over. Earnings are for full-time wage and salary workers. Implied Annual Earnings are estimated by multiplying the median weekly earnings times 52.

Source: Current Population Survey, U.S. Department of Labor, U.S. Bureau of Labor Statistics (http://www.bls.gov/emp/ep_table_001.htm).

Increase Access to Early Childhood Education

First 5 Sonoma County has estimated the current unmet need for subsidy-eligible spaces in high quality, curricula-based preschool to be 1,101 slots. The cost to the county to provide these subsidized spaces would include annual costs of \$9,888/slot, plus an additional 30 percent to cover administrative and training costs. Creating these slots would also require a one-time capital investment of \$27.5 million to build the additional classroom space at various locations throughout the county. For the purposes of this analysis, we have assumed these capital costs would be paid over thirty years at an interest rate of 5 percent, for an effective annual cost of \$1.8 million, or \$1,625 per additional pupil. Under these assumptions, we estimate that an additional \$1 million per year in funding would enable the County to provide high quality preschool for an additional 69 children from low-income families.

¹²⁴ Note that we have not assumed any of these students would complete an advanced or professional degree; if so, their additional earnings could be higher than the figure presented here.

Promote Worker Skill Development

To illustrate the impact of expanding the County's job training programs with an additional \$1 million per year, we have analyzed the impact of expanding two existing programs: the Sonoma County Youth Ecology Corps (SCYEC) and the SonomaWORKS On-the-Job Subsidized Employment Program (SEP).

The SCYEC began in 2009 as a summer jobs program, and was expanded into a year-round program in 2012, though its focus remains primarily on providing summer employment to youth and young adults aged 14 to 24. In 2013, with a budget of \$775,794 the program provided workforce training and taught environmental stewardship to 246 participants, while also helping to maintain the County's parks and community gardens, clearing public trails and waterways, and providing valuable services to local private and public nonprofits within Sonoma County.¹²⁵ For this analysis we have assumed that \$750,000 would be devoted to expanding the SCYEC, almost doubling the size of the current program and enabling it to serve approximately 238 additional youth each summer.

We then assume that the remaining \$250,000 in additional annual funding would be used to expand the current SEP program. This Job Link program provides a subsidy to qualified employers to cover the cost of initial job training. Specifically, the program pays for up to 50 percent of the wages for a newly-hired SonomaWORKS participant for the first six months, up to a total of \$10,000 per placement.¹²⁶ The additional \$250,000 in annual funding would provide subsidized job placements for an additional 25 SonomaWORKS jobseekers, enabling them to develop the specific on-the-job skills needed to meet the needs of local employers and transition into permanent, well-paying jobs.

Develop Affordable Housing

Our estimate of the number of additional housing units that could be added for an additional investment of \$1 million annually is based on affordable housing cost data from the California Tax Credit Allocation Committee. Specifically, based on the average cost per unit for all new construction projects from 2012 and 2013 that received 9 percent tax credits, the average cost per unit was \$329,000. Of this, the share contributed by local public funding sources was \$92,667. Assuming an investment of \$1 million per year for 30 years would result in a total investment of \$30 million. Dividing this by the \$92,667 public funds contribution amount = 324 units developed over the period ($\$30,000,000/\$92,667 = 324$).

¹²⁵ For more details see the Sonoma County Youth Ecology Corps 2013 Summer Evaluation Report, available at <http://youthecologycorps.org/wp-content/uploads/2013-Evaluation-Report-FINAL.pdf>.

¹²⁶ Information on the Subsidized Employment Program was provided by the County's Employment and Training Services Department.

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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: 46
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Traci Tesconi 565-1903

Supervisorial District(s):

Second

Title: Expansion of Agricultural Preserve 2-423 and a new Land Conservation Contract; 6188 Bodega Avenue, Petaluma, APN 022-080-013; Camozzi Family; AGP14-0189.

Recommended Actions:

Hold a public hearing and adopt a resolution:

- (1) Finding the project exempt from CEQA;
- (2) Enlarging Agricultural Preserve No. 2-423 by 96.69 acres, for a total preserve size of 759.24 acres;
- (3) Approving a new Non-Prime Land Conservation Contract and attached Land Conservation Plan for property located at 6188 Bodega Avenue, Petaluma, APN 022-080-013, and
- (4) Authorize the Chair to execute the contract requested by the Camozzi family.

Executive Summary:

The Camozzi family seek approval for the expansion of Agricultural Preserve 2-423 and to place their 96.69 acre parcel used for livestock grazing under a Non-Prime Land Conservation Act Contract

Location, Zoning and Project Description: The parcel is located in the Petaluma area at 6188 Bodega Avenue, Petaluma. The parcel is 96.69 acres with a single family residence, a detached garage, a barn, an agricultural pond, and two wells. A majority of the parcel is used for grazing of dairy replacement heifers. The base zoning is LEA (Land Extensive Agriculture) with a 100 acre density designation and the following combining districts: Z (Second Unit Exclusion), and SR (Scenic Resources).

In 2010, the property owners recorded a Conservation Easement(C/E 10-081617) with the Sonoma County Agricultural Preservation and Open Space District for the purpose of preserving and protecting the conservation values of the property for grassland and grazing of livestock. The requested Non-Prime contract is consistent with the purpose of the existing Conservation Easement and will provide the property owners a greater property tax incentive by their agreement under the contract to devote the parcel to a commercial agricultural use.

Background: As part of the Board of Supervisors' December 2011 update of the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules") the Board eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The project site is contiguous to an established Agricultural Preserve (2-423).

Enlargement of the Agricultural Preserve: Before the requested new Land Conservation Contract and the attached Land Conservation Plan can be approved and executed, the 96.69 acre parcel must be included within an Agricultural Preserve. State law and the County's local Uniform Rules contain requirements for the expansion of an existing Agricultural Preserve. These requirements, detailed below, include noticing requirements, a public hearing and an analysis of the qualifications of the land for inclusion in the existing preserve.

1. Pursuant to Government Code Section 51231 and under the County's Uniform Rules (Uniform Rule 3.5.A.) the Board of Supervisors may modify an existing Agriculture Preserve (2-423) by a resolution after a public hearing. Pursuant to Government Code Section 51237, the Resolution and enlarged Agricultural Preserve map depicting the 96.69 acres added to the preserve area will be recorded.
2. Pursuant to Government Code Section 51234, enlargement of an Agricultural Preserve must be consistent with the General Plan. Also, the use of any land within an agricultural preserve must be restricted by zoning that is compatible with the agricultural or open space uses of the land within the preserve subject to Land Conservation Act contracts. Enlarging the existing Agricultural Preserve 2-423 is consistent with the General Plan because the land is devoted to agricultural use, is contiguous to an existing Agricultural Preserve, and is designated as Land Extensive Agriculture under the General Plan and the LEA zoning district. Over 50 % of the parcel is used for grazing of livestock. The enlargement of the existing Agricultural Preserve Area does not result in any loss of land under the Land Conservation Act program since 96.69 acres is being added.
3. The enlargement of the Agricultural Preserve 2-423 for a total preserve size of 759.24 acres can be considered concurrently with the application for a new contract and approved by one action. The Agricultural Preserve 2-423 will continue to exceed the 100-acre minimum preserve size requirement.
4. Pursuant to Section 15317 of the CEQA Guidelines, the project is Categorically Exempt from CEQA.

New Non-Prime Land Conservation Act Contract on land added to an Agricultural Preserve: The requirements for a new or replacement contract for land within a preserve are separate from the requirements for establishment of a preserve. As explained below, upon enlargement of the Agricultural Preserve, all requirements for a new Williamson Act contract will be met. The parcel qualifies for a Land Conservation Act Contract for non-prime agricultural land for the following reasons:

- a) Land is within an Agricultural Preserve: As described above, the Board's action will add the parcel to the Agricultural Preserve 2-423. The Board of Supervisors may approve an application for the establishment or alteration of an agricultural preserve concurrently with its approval of an application for a contract or contracts within the preserve.
- b) Agricultural Use of the Land: The parcel is used for grazing of livestock being devoted to a

commercial agriculture use.

- c) Single Legal Parcel Requirement: The land proposed for the contract is comprised of a single legal parcel made up of Assessor's Parcel Numbers: 022-080-013.
- d) Minimum Parcel Size: The land must be at least 40 acres in size for a Non-Prime Land Conservation Act contract. The 96.69 acre parcel exceeds the 40-acre minimum parcel size for a new Non-Prime Land Conservation Act Contract.
- e) Minimum Income Requirement: For a Non -Prime Land Conservation Contract for grazing of livestock, the minimum income requirement is not less than \$2,000.00 gross total income per farm operation and \$2.50 gross income per acre of production. Based on the income information provided by the applicants, the farm operation generates an income ranging from a total of \$10,000 to \$12,000 gross annual income from selling ten to fifteen of the heifers being raised on the site each year. The parcel meets the total farm operation gross income and the per acre gross income requirements of the Uniform Rules.
- f) Non-Agricultural Compatible Uses: Non agricultural uses of the land must be listed in the Uniform Rules as compatible uses. The parcel is developed with a single family residence and detached garage. Such uses are listed as "compatible uses" in Uniform Rule 8.3. Compatible uses must be limited to 5 acres or 15% of the total acreage, whichever is less. Here the 5 acre standard applies. The two compatible uses occupy 1.25 acres which is well within the allowable area for compatible uses. The barn, agricultural pond, and two wells are considered "agricultural uses" under the Uniform Rule 7 because they serve and are part of the on-site agricultural operation.
- g) Non-Prime Farmland: Non-prime farmland is defined as land used for grazing, hay production, non-permanent row crops, livestock production, etc. The parcel is 96.69 acres, used for the grazing of dairy cattle, and therefore meets the definition of non-prime farmland.

Staff Recommendation: Staff recommends the Board of Supervisors approve the request because all of the state and local requirements for enlargement of the Agricultural Preserve and for a new contract for the 96.69 acres within the preserve have been met.

Prior Board Actions:

On December 13, 2011, the Board approved the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Land Conservation Act Contracts support agriculture and agribusiness by assisting in the preservation of agricultural land through the incentive of reduced property taxes in exchange for retaining the land in agricultural production.

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):			
<p>Approval of the Land Conservation Act Contract means that the owner will pay a reduced property tax assessment based upon the value of the agricultural uses rather than the land value under Proposition 13. This results in a reduction in the County's share of property tax revenue for each parcel under a Land Conservation Act Contract. The amount of this reduction for an individual contract depends on parcel-specific variables including the Proposition 13 status of the land and the value of the agricultural crop, and is determined annually by the Assessor's office. The Board has not requested, and staff does not recommend, evaluating property tax revenue implications on a contract-by-contract basis. Instead, the Board has directed that, as a policy matter, approving new contracts is important to the County's agricultural economy and outweighs the cost in reduced property tax revenue.</p>			
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:			
Draft Board of Supervisors Resolution Exhibit A: Agricultural Preserve Map 2-423			
Related Items "On File" with the Clerk of the Board:			
Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).			



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____

AGP14-0189 Traci Tesconi

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request By The Camozzi Family For Expansion of Agricultural Preserve 2-423 by 96.69 Acres And Execution Of A New Land Conservation (Williamson Act) Contract And Attached Land Conservation Plan; For Property Located At 6188 Bodega Avenue, Petaluma, APN 022-080-013.

Whereas, a request has been made by property owners Robert J. Camozzi, II and Norene S. Camozzi, Trustees under The Robert J. Camozzi II and Norene S. Camozzi Trust, dated July 6, 2005, an undivided 1/2 interest; and Robert J. Camozzi and Gloria J. Camozzi, Trustees under The Robert J. Camozzi and Gloria J. Camozzi Trust, dated December 11, 2001, an undivided 1/2 interest; for expansion of Agricultural Preserve 2-423 by 96.69 acres and execution of a new Land Conservation (Williamson Act) Contract and attached Land Conservation Plan, for non-prime agricultural land located at located at 6188 Bodega Avenue, Petaluma, APN 022-080-013, Supervisorial District No. 2; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules)* (Resolution No. 11-0678); and

Whereas, on June 12, 2012, the Board of Supervisors authorized the acceptance of applications for new Land Conservation Contracts; and

Whereas, consistent with the *Uniform Rules*, County Counsel has revised the Land Conservation Contract form, which now incorporates a Land Conservation Plan identifying the various uses of the contracted land. Future changes to identified land uses require amendment of the Land Conservation Plan. The Board, pursuant to Resolution No. 11-0678, has authorized the Director of PRMD to approve amendments to executed Land Conservation Plans; and

Whereas, consistent with the *Uniform Rules* (Uniform Rules 3.1, 3.4.F), the Board of Supervisors may concurrently consider and approve both the enlargement of Agricultural Preserve 2-423 and the new Land Conservation Contract, and

Whereas, in accordance with the provisions of law, the Board held a public hearing on November 24, 2014, at which time all interested persons were given an opportunity to be heard; and

Whereas, the Board of Supervisors finds that the inclusion of the 96.69 acres, identified as APN 022-080-013, into Agricultural Preserve 2-423 is consistent with the Sonoma County General Plan and the applicable provisions of state law, and

Whereas, the Board of Supervisors finds that the 96.69 acre parcel, once included in designated Agricultural Preserve 2-423, will meet all requirements for a Non-Prime Land Conservation Contract.

Now, Therefore, be it Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for enlargement of Agricultural Preserve 2-423:

1. The Permit and Resource Management Department (PRMD) has provided the report required by Government Code §51234 to the Board of Supervisors on the request for enlargement of Agricultural Preserve 2-423; and
2. The Board of Supervisors has held a noticed public hearing on the proposed enlargement of Agricultural Preserve 2-423, at which all interested parties were heard; and
3. The land proposed to be added to Agricultural Preserve 2-423 is 96.69 acres, and presently identified by APN 022-080-013. Agricultural Preserve 2-423 is approximately acres and will increase to acres in size after adding the subject property; and
4. The land proposed to be added to Agricultural Preserve 2-423 is restricted by the LEA(Land Extensive Agriculture) zoning, B6-100 acre density, Z (Second-Unit Exclusion), SR (Scenic Resources), whereas, the zoning district allows for the raising of livestock, which is the current agricultural use of the project site, as required by Government Code §51230 and *Uniform Rule 3.3*; and
5. No land will be removed from Agricultural Preserve 2-423 or from the County's Agricultural Preserve Program as a result of the requested action; and
6. As required by Government Code §51234 and *Uniform Rule 3.3.*, the addition of the 96.69 acres to Agricultural Preserve 2-423 is consistent with the General Plan because it is devoted to an agriculture use, is contiguous to land already within designated Agricultural Preserve (2-423), and a majority of the land is used for the grazing of livestock; and
7. All state and local requirements for the enlargement of Agricultural Preserve 2-423 by 96.69 acres and approval of Agricultural Preserve 2-423 being well over 100 acres in size have been met.

Be It Further Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for a new Prime Land Conservation Contract (“Contract”):

1. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract is a single legal parcel, presently identified by APN 022-080-013, and
2. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract will be located within a designated Agricultural Preserve (2-423) on or before the time the Contract is executed; and
3. The land proposed to be restricted by the Contract is 96.69 acres in size and exceeds the 40 acre minimum parcel size requirement for a Non-Prime Land Conservation Contract under *Uniform Rule 4.2*; and
4. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract presently meets the minimum annual commercial agricultural income requirement which is not less than \$2,000.00 gross total income per farm operation and \$2.50 gross income per acre of production under a Non-Prime Land Conservation Contract; and
5. Consistent with *Uniform Rule 4.2*, the land is devoted to an agricultural use because over 50 % of the land is used for grazing of livestock, which is a non-prime agricultural uses; and
6. The parcel does not contain any compatible uses pursuant to the Contract, *Uniform Rule 8.0*, and Government Code §51238.1; and
7. With the enlargement of Agricultural Preserve 2-423, all state and local requirements for restricting the 96.69 acre parcel, presently identified as APN 022-080-013 under a Non- Prime Land Conservation contract, have been met.

Be It Further Resolved, that the Board of Supervisors finds the requested action categorically exempt from the California Environmental Quality Act pursuant to Section 15317, Class 17 of Title 14 of the California Code of Regulations (CEQA Guidelines), which provides that modifying an Agricultural Preserve with no net loss of land under an Agricultural Preserve, and executing a new Land Conservation Contract are exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby expands the Agricultural Preserve to include the 96.69 acres located at 6188 Bodega Avenue, Petaluma, APN 022-080-013.

Be It Further Resolved that the Board of Supervisors authorizes the Chair of the Board of Supervisors to execute the Land Conservation Contract and attached Land Conservation Plan.

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby instructed to record within 20 days, and no later than December 30, 2014, (1) this Resolution, (2) the approved Agricultural Preserve Map (2-423), as enlarged by 96.69 acres, and (3) the associated Land Conservation Contract and attached Land Conservation Plan with the Office of the Sonoma County Recorder.

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, including the original executed Contract and Land Conservation Plan. 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.

Existing Agricultural Preserve Area

Proposed Agricultural Preserve Area

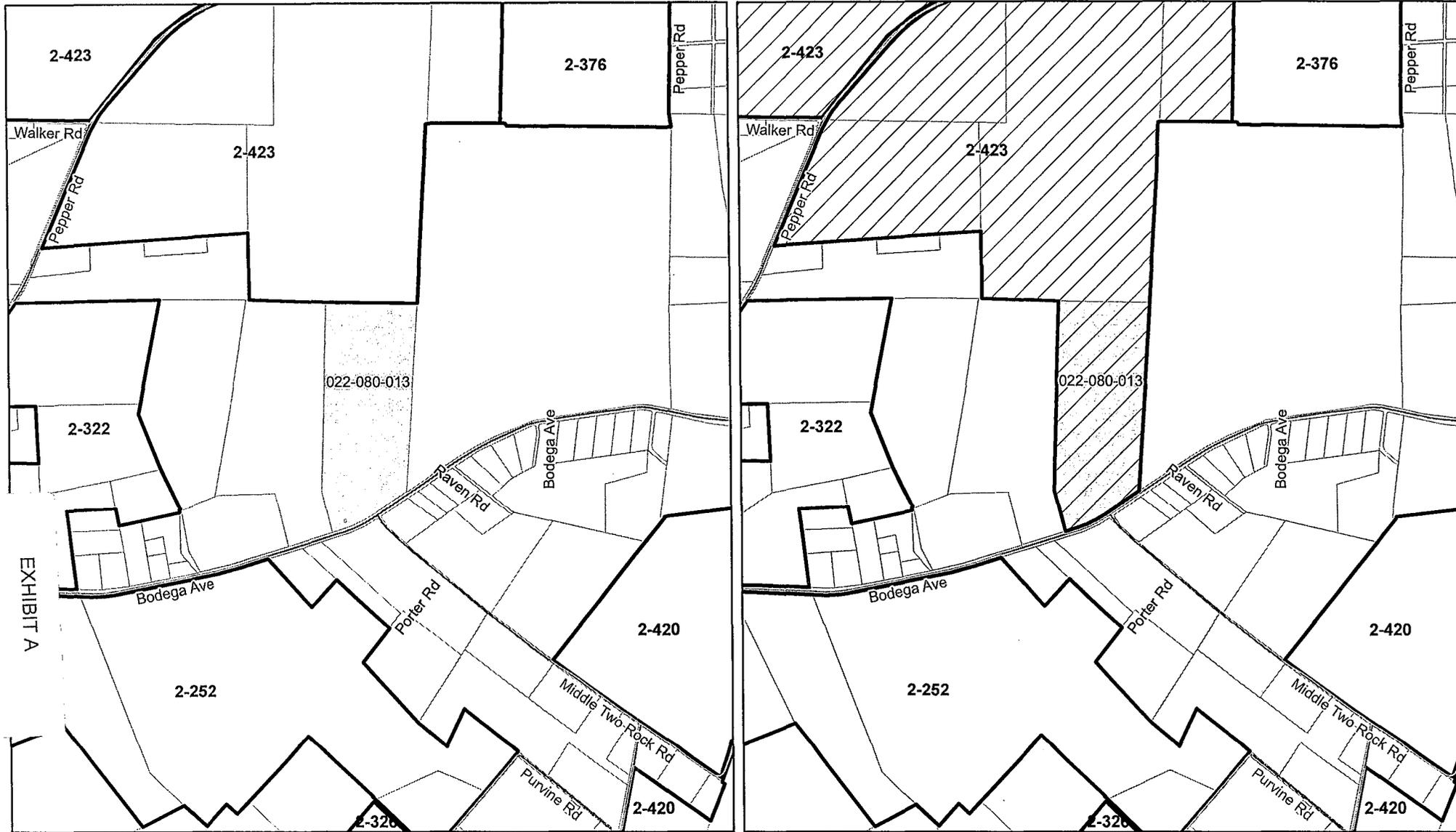


EXHIBIT A

Base Data

-  Parcels
-  Main Arterials

Ag Preserve Amendment Data

-  Subject Area
-  Existing Agricultural Preserve Boundary
-  Proposed Agricultural Preserve Boundary



1 inch equals 2,000 feet

Map Scale and Reproduction methods limit precision in physical features displayed. This map is for illustrative purpose only, and is not suitable for parcel-specific decision making. The parcels contained here-in are not intended to represent surveyed data.

Site-specific studies are required to draw parcel-specific conclusions.

Assessor's parcel data are current as of March 31, 2011. For more current parcel data consult the County of Sonoma Assessor's Office.

No part of this map may be copied, reproduced, or transmitted in any form or by any means without written permission from the Permit and Resource Management Department (PRMD), County of Sonoma, California.

FILE: AGP14-0189
 APN: 022-080-013
 Resolution No.: TBA
 Adopted Date: TBA

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103





County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 47
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 24, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Yolanda Solano x 7387
Jennifer Barrett x 2336
Sandi Potter x 8351

Supervisorial District(s):

All

Title: Zoning Code and Area Plan Amendments for Riparian Corridors; File ORD13-0002

Recommended Actions:

Hold a public hearing and at the conclusion of the hearing:

- 1) Approve an ordinance amending the Zoning Code to update the riparian protection policies and add the Riparian Corridor combining zone to properties to reflect the setbacks, as shown in Attachment A;
and
- 2) Adopt a resolution amending five Area Plans to be consistent with the General Plan and repealing eight Area Plans that have been fully implemented, as shown in Attachment B.

Executive Summary:

Purpose. Zoning Code and Area Plan amendments are proposed to bring consistency to all stream protection regulations with the policies of the General Plan and Area/Specific Plans. The amendments are needed to: 1) bring the zoning code into compliance with California law, which requires that zoning be consistent with the General Plan; 2) satisfy the requirements of the California Environmental Quality Act (CEQA) by implementing mitigation measures of the General Plan's Program Environmental Impact Report (EIR); and 3) provide updated zoning maps that make it easier to determine existing stream setbacks; and 4) resolve inconsistencies in how setbacks are measured and implemented. The proposed amendments will also serve to recognize established practices and interpretations of the stream protection regulations.

Background. Prior to the 1989 General Plan, stream setbacks were established in several of the Area Plans, and countywide setbacks for development were contained in building and grading ordinances. The Area Plan setbacks varied in size and method of measurement. The setbacks of the building and grading ordinances were measured differently than the Area Plan stream setbacks, and based on a formula for bank stabilization (2.5 x the height of the bank + 30 feet).

The 1989 General Plan designated 61 major streams as "Riparian Corridors", which included the stream and

adjacent land area. Streamside Conservation Areas (i.e. Biotic Resource zones) that limited the uses allowed within designated riparian corridors were first established by the 1989 General Plan. These stream protection policies were implemented in 1993 through adoption of setbacks for agricultural cultivation in all agricultural zones and through the Biotic Resource Combining District. In 2000, the Board adopted the Vineyard Erosion and Sediment Control Ordinance (VESCO), which established requirements for vineyard plantings and replantings that incorporated the setbacks for agricultural cultivation under the authority of the Agricultural Commissioner.

General Plan. In 2008, the Board adopted the General Plan update that significantly increased the miles of designated streams from 473 to 3,200 miles and introduced a general prohibition on the removal of vegetation in the Streamside Conservation Areas. The updated General Plan's stream protection policies were the result of a comprehensive public engagement process over a seven year period, where the standards were thoroughly reviewed and discussed. The updated General Plan policies were ultimately adopted by the Board in September 2008 and were subsequently incorporated into the County Code in December 2008 through the Building Code, and the Grading, Drainage, and Vineyard and Orchard Site Development Ordinance (Chapter 11). The proposed zoning text and database amendments provided in Attachment A are being updated to be consistent with the General Plan and other County Code sections, reflecting stream setbacks for both structures and agriculture that have been in place for many years. The General Plan policies emphasize the important functions that riparian corridors provide, such as: groundwater recharge, floodplain management, filtration of sediment and pollutants, bank stabilization, erosion control, water temperature modulation, and aquatic and wildlife habitat. The importance of preserving riparian areas to maintain groundwater recharge has been underscored by recent drought conditions and concerns over groundwater depletion and climate change. Streambeds and adjacent areas are the primary recharge areas throughout the County; and, the importance of protecting riparian zones to provide sustainable water supplies has been highlighted throughout the public review process. **General Plan Program EIR.** The proposed zoning code amendments implement mitigation measures of the Program EIR certified in 2008 for the updated General Plan. Implementation Programs 11 and 12 (Attachment C) were included in the General Plan to ensure that these stream protection policies would be put into effect to mitigate the potential land use and nature resource impacts of the updated General Plan and satisfy state law requirements. The County's grading, drainage, and vineyard and orchard site development codes have already been updated to be consistent with the stream setbacks of the General Plan. The proposed zoning code amendments will complete PRMD's effort to bring internal consistency to the County Code with regard to riparian protection.

Consistency Required by State Law. The Government Code (§ 65860) requires that a County's zoning ordinance be consistent with its General Plan and related Area Plans. When an inconsistency exists as a result of an amendment to the General Plan, the zoning ordinance must be amended within a reasonable time to be consistent with its General Plan as amended. Zoning ordinances are also required to be consistent with adopted area and specific plans.

Riparian Corridor Combining Zone. The existing Biotic Resource (BR) combining zone contains standards for both riparian corridors and biotic habitat. The proposed amendments would move the riparian corridor sections to the new RC (Riparian Corridor) combining zone. This would allow the specific setback distance (200-foot, 100-foot, or 50-foot) for each stream segment to be included in the zoning data base for easy reference. The setback distance for agricultural cultivation, generally half the distance required for development, would also be included in the database. For example, a stream that requires a 50-foot setback for new construction and a 25-foot setback for agriculture would be shown in the zoning data base as RC-50/25.

Summary of the Proposed Zoning Code Amendments. The proposed code amendments (Attachment A) include the following components:

- Replace the current Biotic Resource (BR) combining zone with Riparian Corridor (RC) and Biotic Habitat (BH) combining zones to distinguish the applicable special use standards;
- Rename the Rural Commercial (RC) Zone to Commercial Rural (CR) to prevent confusion with Riparian

Corridors and match the new zoning code format;

- Add text to the RC combining zone to incorporate GP stream protection policies.;
- Add the RC combining zone to all designated streams and their associated Streamside Conservation Areas followed by the setbacks for agricultural cultivation (e.g. RC-200/100, RC-100/50, RC-50/25, etc.); and
- Remove agricultural cultivation setback text from the base zones and place all standards related to Riparian Corridors in the RC combining zone for ease of reference and to conform to the new zoning code format.

Proposed Area Plan Amendments. The proposed amendments to the Area Plans are included as Exhibits to the Resolution provided in Attachment B.

The County's sixteen Area and Specific Plans (Area Plans) provide a variety of riparian policies and standards applicable to specified areas of the County, and are summarized in the table provided in Attachment E. The Zoning Code contains an inclusionary provision (Section 26-02-030) that requires that standards of the General and Area Plans be applied to all permits (e.g. building permits, zoning permits, use permits, etc). Some Area Plan setbacks were included in the Biotic Resource combining zone, however, the setback distance is not included in the zoning descriptors and one must refer instead to the Area Plans. The Area Plan stream setbacks are buried in different sections of these documents and may not be discovered through a typical due diligence zoning query, resulting in unnecessary delay, inconsistent application, confusion, and often added costs. Incorporation of the Area Plan stream setbacks into the zoning code and database would consolidate the standards in one convenient database, making the requirements clearer and providing the public with consistency and certainty. Once incorporated, the setbacks will be easy to determine in the zoning database on the PRMD website.

A basic tenet of land use planning and an adopted policy of the General Plan states that: *"In any case where there appears to be a conflict between the General Plan and any Specific or Area Plan, the more restrictive policy or standard shall apply."* (General Plan Policy LU-1a). Nine Area/Specific Plans have stream setbacks that are greater than those of the General Plan and are currently applied during the project review process and are proposed to be incorporated into the zoning database.

The General Plan requires the repeal of eight Area Plans following implementation of the Area Plan standards into the zoning code (Attachment C). The riparian setbacks of these plans are the last remaining standards that need implementation.

The General Plan also indicates that the eight remaining plans have policies that remain applicable and are to be retained (Attachment C). Five of these Area Plans have setbacks that are less stringent than those of the General Plan or that measure setbacks from the outer dripline and are proposed to be updated to meet the minimum standards of the General Plan in accordance with Policy OSRC-8h and provide consistent method of measurement.

The Area Plan stream setbacks generally apply only to new construction, except in two of the Area Plans. Agricultural cultivation is allowed within these stream setbacks, consistent with the existing base zoning and General Plan setbacks for agricultural cultivation. However, two Area Plans, Petaluma Dairy Belt & West Santa Rosa, apply their stream setbacks to both structures and agriculture, requiring a 30 foot setback from the outer edge of the riparian vegetation. Since one of the objectives of the zoning amendments is to provide consistency, the Planning Commission recommends that the standards of all Area Plans be implemented as structural setbacks and that the top of the bank (rather than the outer edge of the riparian vegetation) be used as the reference point to measure the setback for consistency with the General Plan. The Planning Commission also recommended that the stream setbacks incorporate the dripline of any riparian trees located partially or wholly within the setback (refer to Issue #1 below). Setbacks for agricultural cultivation are measured from the top of the higher bank and are proposed to remain as currently required by the General Plan.

Public Outreach

Public outreach efforts for the proposed zoning amendments were extensive, and included numerous meetings with key stakeholders, resource agency staff, several public workshops, and two Planning Commission hearings. Notices of the proposed ordinance revisions were published in the Press Democrat on five separate occasions, two press releases were issued, and there was significant media coverage. Dozens of community groups with diverse views and interests were contacted, and staff presentations were made to explain the proposed changes and receive input. Informational updates and notices have continued to be emailed to over 200 interested parties.

Following the first hearing of the Planning Commission, the PRMD director established a Working Group of various stakeholders and resource agencies to review the draft ordinance, identify potential issues, and provide comments or suggestions. Five Working Group meetings were held between April and August 2014 (see Working Group Roster, Attachment F). Many changes were made to the Draft Ordinance in response to the comments received from the Working Group, Planning Commission, and agency comments (Attachment I). County Counsel also reviewed the Draft Ordinance and made some suggested edits for clarification which have been incorporated into the PC Recommended Draft Ordinance provided in Attachment A.

Planning Commission Hearings

The primary concerns raised during the Planning Commission hearings and meetings with interest groups concerned allowed uses, clarification of ordinance interpretations, and implementation. A comparison table of existing stream protection standards and uses allowed within the Streamside Conservation Area (RC zone) under the proposed ordinance is provided in Attachment D. Policy options were developed where appropriate as described in the Planning Commission's staff report provided in Attachment G.

The Planning Commission resolved most of the policy issues by allowing the following as permitted uses:

- Grazing and related livestock control fencing and watering facilities;
- Agricultural cultivation subject to setbacks;
- Pest management programs;
- Levee maintenance;
- Invasive plant removal not exceeding 5 acres; Streamside maintenance conducted by the Water Agency;
- Maintenance and fencing of existing outdoor activity areas, including residential yards and outdoor storage or corporation yards; Parks, trails and bikeways; and Fire fuel management.

The Planning Commission recommended allowing the following with a zoning permit in compliance with standards:

- Road and utility crossings;
- Stream maintenance;
- Habitat restoration projects;
- Stream dams and stream-related water storage systems;
- Hazardous tree removal; and
- Temporary seasonal docks.

Timber operations with an approved timber harvest plan and mining operations subject to a use permit are also allowable uses. Many of the issues and policy options considered by the Planning Commission are summarized in the minutes from the August 28, 2014 public hearing (Attachment G).

Remaining Issues. The remaining areas of concern include:

- Extending riparian zone to dripline of existing riparian trees;
- Protection of existing riparian vegetation outside the agricultural setback;
- Turnarounds for agricultural cultivation;

- Replanting;
- Water wells; and
- Implementation and Enforcement.

Each of these issues are discussed in more detail with policy options in the sections that follow. In each case, Policy Option A is the proposed draft ordinance as recommended by the Planning Commission and included in Attachment A. The Board may choose any of the policy options outlined below as substitute language.

Issue #1: Extending Riparian Zone to Dripline of Existing Riparian Trees

According to findings made in the General Plan EIR, development in the County has resulted in a decrease in the extent and quality of riparian habitat as compared with historic conditions. Ecological function of the riparian zone has greatly diminished as human activities have encroached into the riparian corridor. Consequently the wildlife corridors created by dense riparian vegetation are becoming more and more fragmented. Fortunately, there are some creeks where the existing riparian vegetation extends beyond the Streamside Conservation Areas. Policy options have been prepared to protect existing riparian trees and the ecological functions they serve. Preserving riparian trees that extend beyond the Streamside Conservation Areas has been required as mitigation for discretionary projects that are subject to CEQA. Preserving riparian vegetation to the outer dripline of the trees (i.e. the area located directly below the outer circumference of the tree canopy) would accomplish the intent of the General Plan to preserve riparian vegetation along streams and with it, the valuable functions it provides. Many of the Area Plans also require protection of riparian vegetation to the dripline of trees and beyond, as summarized in Attachment D. Protection of riparian vegetation to the outer dripline of the trees is regularly required by the Regional Water Quality Control Boards and other permitting agencies and is frequently incorporated into discretionary projects.

Resource agencies requested that the Streamside Conservation Areas be extended to the dripline of the existing riparian habitat to provide additional protections to stream functions. Some stakeholder groups preferred that the Streamside Conservation Area be limited to only the distance specified in the General Plan. Other interest groups noted that riparian trees located within the Streamside Conservation Areas but with root zones and canopies that extend beyond the zone could be damaged or destroyed by development, further decreasing the extent and quality of the protected riparian habitat.

Some of the public comments included concerns about the possible expansion of the Streamside Conservation Area over time as new trees grow and regenerate at the margins. Staff notes that riparian vegetation is adapted to wet conditions and is generally limited to the riparian zone near streams where water is relatively available. Riparian vegetation is distinguished from upland vegetation by the type of vegetation that is adapted to the availability of groundwater. Riparian vegetation would not continue to expand beyond the area of influence from stream related groundwater. Expansion of the Streamside Conservation Areas could occur only in locations where the plants have access to the stream underflow.

Concerns were also expressed that determining the actual boundary of the contiguous canopy could be difficult. However, the draft Ordinance contains a very specific definition of "Riparian Tree," and the actual boundary of a contiguous canopy can generally be determined using aerial photographs and site evaluations. Contiguous tree cover is often used in scientific studies as a metric for native plant communities. As currently required for discretionary permits and under the Agricultural Commissioner's best management practices, a qualified expert either on staff or a consultant could be used where there may be difficulty in determining the extent of contiguous riparian tree cover.

Policy Options

- A. Option A would extend the Streamside Conservation Area to the outer dripline of riparian trees with trunks located wholly or partially within the Streamside Conservation Areas as recommend by the Planning Commission as follows:

“Where the dripline of existing riparian trees with trunks located wholly or partially within the Streamside Conservation Areas extends beyond the Streamside Conservation Areas boundary, as indicated in the zoning database, the boundary shall be increased to include the outer dripline of the riparian trees.”

- B. Option B would extend the Streamside Conservation Area to the outer dripline of contiguous riparian trees to protect existing ecological functions as follows:

“Where the dripline of existing contiguous riparian trees extends beyond the Streamside Conservation Areas boundary, as indicated in the zoning database, the boundary shall be increased to include the outer dripline of the contiguous riparian trees. Where a stream traverses a forested area, the Streamside Conservation Areas shall be the applicable riparian setback as shown in the zoning database.”

- C. Option C would Limit the Streamside Conservation Area to the setback identified in the General Plan or Area Plans by deleting the sentence from Section 26-65-010:

~~*“Where the dripline of existing riparian trees with trunks located wholly or partially within the streamside conservation area extends beyond the streamside conservation area boundary, as indicated in the zoning database, the boundary shall be increased to include the outer dripline of the riparian trees.”*~~

Planning Commission

The Planning Commission recommended Policy Option A to include the outer dripline of existing trees whose trunk is located wholly or partially within the Streamside Conservation Area. The Planning Commission determined that extending protections to include the root zones and canopies of the riparian trees is consistent with the intent of the General Plan to protect and enhance riparian corridors as stated in Goal OSRC-8 of the General Plan. It is important to note that the setback for the Streamside Conservation Areas affects only new development and does not apply to agriculture, which is an allowed use within the Streamside Conservation Area.

Issue #2: Protection of Existing Riparian Vegetation Outside the Agricultural Setback

Stream setbacks for agricultural cultivation were included in the 1989 General Plan and have been in the zoning code since 1993. The setback for agricultural cultivation is generally half the setback distance required for structures. For example, the setback for new development along rural areas of the Russian River is 200 feet; the setback for new agricultural cultivation would be 100 feet. The 2008 General Plan update increased the setback for new agriculture cultivation in upland areas from 25 feet to 50 feet because of the increased potential for erosion in upland areas. Agricultural cultivation currently dominates the valley floors and new agricultural cultivation is most likely to occur in hillside areas. The stream setbacks incorporated into Chapter 11’s provisions for vineyard and orchard site development were based on slope and soil erodibility. The slope and soil erodibility criteria established in Chapter 11 were used to determine the setbacks for agricultural cultivation proposed to be included in the zoning database.

Agricultural Cultivation Stream Setbacks		
Current Zoning (adopted in 1993)	General Plan (adopted in 2008)	Proposed Zoning
100 ft - Russian River	100 ft – Russian River	100 ft – Russian River

50 ft - Flatland Streams*	50 ft - Flatland Streams*	50 ft - Flatland Streams*
25 ft - Upland Streams	50 ft - Upland Streams	50 ft - Upland Streams
	25 ft – Urban & Other Streams not listed above	25 ft – Urban & Other Streams not listed above
* Applies to 61 major streams designated in the 1989 General Plan		
Note: Setbacks for agricultural cultivation have been in zoning since 1993		

The resource agencies are opposed to the General Plan’s policy of allowing agricultural cultivation within Streamside Conservation Areas, and note that the setbacks for agricultural cultivation would allow some farmers to remove any existing riparian vegetation up to the minimum setback of 25-feet. The Agricultural Commissioner’s Office reports that most vineyard developers are willing to voluntarily avoid removal of existing riparian vegetation, but the adoption of these amendments could reverse that trend by making clear to all farmers that the regulations do not protect existing riparian areas from new agricultural cultivation. The following policy options are provided that would protect existing riparian vegetation from new cultivation.

Policy Options

A. Option A would retain the existing setbacks for agricultural cultivation as follows:

Agricultural cultivation and related access roads, drainage, planting, seeding, fertilizing, weeding, tree trimming, irrigation, and harvesting that are located as follows:

- a. *No closer than 100 feet from the top of the higher bank in the 200-foot riparian corridor for the Russian River;*
- b. *No closer than 50 feet from the top of the higher bank in the 100-foot riparian corridors designated in the General Plan and the upland areas of the 50-foot riparian corridors; or*
- c. *No closer than 25 feet from the top of the higher bank in all other riparian corridors.*

B. Option B would revise the setbacks for agricultural cultivation to include protection for all existing contiguous riparian vegetation within the Streamside Conservation Area, as follows:

1. *Agricultural cultivation and related access roads, drainage, planting, seeding, fertilizing, weeding, tree trimming, irrigation, and harvesting that do not involve the removal of existing contiguous riparian vegetation within the Streamside Conservation Area and are located as follows:*

- a. *No closer than 100 feet from the top of the higher bank in the 200-foot riparian corridor for the Russian River;*
- b. *No closer than 50 feet from the top of the higher bank in the 100-foot riparian corridors designated in the General Plan and the upland areas of the 50-foot riparian corridors; and*
- c. *No closer than 25 feet from the top of the higher bank in all other riparian corridors.*

C. Alternatively, Option C would provide direction to the Agricultural Commissioner to incorporate protections for existing riparian vegetation into the Agricultural best management practices.

If the Board adopts Options B or C, staff recommends adoption of the following definition of “Riparian Vegetation,” which has been adapted from the U.S. Fish and Wildlife Service, *A System for Mapping Riparian Areas In The Western United States* (November 2009).

Riparian Vegetation: *Plant communities contiguous to and affected by surface and subsurface hydrologic features of water bodies (rivers, streams, lakes, or wetlands) that have one or both of the following characteristics: 1) distinctly different vegetative species than adjacent areas, and 2) species similar to adjacent areas but exhibiting more vigorous or robust growth forms. Riparian vegetation is usually transitional between wetland and upland.*

Planning Commission

The Planning Commission recommended Option A to retain the existing setbacks for agricultural cultivation in the zoning code consistent with past practices, recognizing that protections for existing riparian vegetation could be incorporated into the best management practices developed by the Agricultural Commissioner. The Planning Commission felt that the policy decision for agricultural setbacks had been made with the adoption of the General Plan update. Therefore, the Commission supported the agricultural setback as set forth in the General Plan.

Issue #3: Turnarounds for Agricultural Cultivation

A turnaround is the unplowed land at the end of a plowed furrow used for turning farm machinery. The General Plan indicates that “equipment turnaround and access roads” may be located within the stream setback area provided that a 25-foot filter strip is maintained between the turnaround or road and the top of the stream bank (Policy OSRC-8d (9)). A filter strip is an area of grass or other permanent vegetation used to filter sediment, organic nutrients, pesticides and other contaminants from irrigation and storm water runoff before it enters a stream.

The Vineyard Erosion and Sediment Control Ordinance (VESCO) was adopted in 2000 and amended from time to time thereafter, including on December 9, 2008, when the Board adopted revisions to Chapter 11 of the County Code, governing grading, drainage, and vineyard and orchard site development. Under Chapter 11, filter strips may be installed within the setback area for agricultural cultivation in areas with poor riparian vegetation. Healthy riparian cover may not be removed to install a filter strip. Filter strips must be maintained in good condition in order to function properly. Equipment turnarounds and grassy avenues (unpaved, grass covered roads) are permitted to be located within the filter strip in compliance with the Agricultural Commissioner’s best management practices. All weather access roads are not permitted within the setback for agricultural cultivation under the Agricultural Commissioner’s best management practices.

During the Planning Commission hearing farming interests requested that fencing also be allowed within the setback for agricultural cultivation. Others were concerned that this policy would allow fencing up to the top of bank along most of the streams. Some speakers commented that allowing equipment turnarounds and within the 25-foot filter strip would further reduce setbacks that they already considered inadequate. The resource agencies requested that agricultural cultivation not be allowed within the Streamside Conservation Areas, including the turnarounds and filter strips. There was also a concern that traversing the filter strips with farm equipment and vehicles would damage the filter strips and lessen their effectiveness.

Agricultural Commissioner’s best management practices specify seed mix that provides a substantial erosion resistant ground cover that, with maintenance, will withstand occasional use by farm equipment. According to the Agricultural Commissioner’s Office, allowing equipment to operate over the filter strip was intended to encourage landowners to plant filter strips where there is little vegetation growing in the streamside area. The practice only applies to areas with poor vegetative cover; healthy riparian vegetation may not be removed to install a filter strip. The Agricultural Commissioner’s staff has found the practice to be successful in controlling erosion. This

practice employed by the Agricultural Commissioner has been interpreted as consistent with the General Plan since 2008.

The Planning Commission also recommended that new fencing for agricultural operations be allowed within the 25-foot filter strip. This was in response to a concern that a landowner could not use the filter strip as a turnaround if fences were not allowed to be constructed within the filter strip as well. If the fence were required to be placed 25 feet from the top of the bank, farm machinery could not access the filter strip.

Policy Options

- A. Option A would allow filter strips, turnarounds, grassy avenues, and fences within the setbacks for agricultural cultivation to the top of the higher bank, and excludes all-weather turnarounds and roads from the setback area as recommended by the Planning Commission:

“Filter strips, equipment turnarounds, grassy avenues, and fencing associated with agricultural cultivation;”

- B. Option B would allow filter strips, turnarounds, grassy avenues, and fences provided that a 25-foot “no touch” riparian zone is maintained between the stream bank and the area for these uses. (This would only be available where the agricultural setback is 50-feet or more.):

“Filter strips, equipment turnarounds, grassy avenues, and fencing associated with agricultural cultivation, provided that the affected area is the minimum necessary for these uses and that a minimum 25-foot riparian zone is provided and maintained between the top of the bank and the area used for a turnaround, filter strip, grassy avenue, or fence;”

- C. Option C would allow turnarounds, grassy avenues, and fences, as well as all weather access roads within the agricultural setback, provided that a 25-foot filter strip is maintained between the stream bank and the area for these uses:

“Equipment turnarounds, grassy avenues, access roads and fencing associated with agricultural cultivation, provided that the affected area is the minimum necessary for these uses and that a minimum 25-foot vegetative filter strip is provided and maintained between the top of the bank and the area used for a turnaround, grassy avenue, or fence;”

If the Board selects Option B in Policy Issue #2 above to protect all existing riparian vegetation, then staff recommends also adding the phrase “*that do not involve the removal of existing contiguous riparian vegetation*” to Option A, B or C above after “*associated with agricultural cultivation*” for consistency.

Planning Commission. The Planning Commission recommended Policy Option A, which excludes roads but allows turnarounds, grassy avenues and fences within the 25-foot filter strip, provided that the filter strip is properly maintained as specified in the Agricultural Commissioner’s best management practices, consistent with VESCO and the General Plan. Policy Option B is similar in that it excludes all weather roads but specifies that the filter strips must be outside a minimum 25-foot riparian zone.

Issue #4: Replanting

When zoning rules change, property owners are allowed to continue a use that was legally established prior to the amendments, even if that activity is no longer permitted under the new standards. Under the County Zoning Code (Section 26-94), a legal non-conforming use may continue indefinitely until the non-conforming activity ceases for a year or more, after which time the use must conform to the new regulations. However, this time period would penalize farmers who fallow their fields or rotate crops for more than one year.

Crop rotation and allowing fields to lay fallow is used to improve soil health and manage soil borne diseases. If the ability to continue farming within the stream setback area is jeopardized by leaving a field fallow for a year, the unintended consequence would be to discourage this sustainable farming practice.

Chapter 11 allows replanting of vineyards and orchards that have been under active cultivation for the previous five years, provided that the footprint does not increase and the planting is set back a minimum 25 feet from top of stream banks. However, Chapter 11 applies only to vineyards and orchards, not other types of crops. Since agricultural best management practices were only available for vineyards and orchards, the Agricultural Commissioner established a working group and developed best management practices to address other types of crops, specifically hay/silage and row crops, which may be cultivated within the Streamside Conservation Area (Attachment H).

The Planning Commission's Recommended Draft Ordinance has been revised to mirror Chapter 11 by allowing replanting of crops when the area has been in active cultivation, provided the footprint is not increased and the Agricultural Commissioner's best management practices are used.

Nonconforming status only applies to legally established uses. An issue was raised after the Planning Commission action that some existing vineyards did not meet the adopted setbacks for agricultural cultivation adopted into zoning in 1993. This occurred primarily because no permits were required until VESCO was adopted in 2000. In addition, some existing non-vineyard/orchard crops planted between 1993 and 2014 do not meet the established setbacks. To preserve existing agricultural uses and apply stream conservation setbacks consistently moving forward, the proposed ordinance recognizes all existing agricultural cultivation footprints as of the effective date of the ordinance.

Policy Options

- A. The revised draft ordinance includes a provision that allows replanting of existing cultivated croplands that existed prior to the effective date of the ordinance:

Section II. *For the purposes of Section I of this ordinance, only cropland under active cultivation on the effective date of this ordinance shall be deemed to be existing cropland.*

- B. Option B would allow replanting only of lawfully established cropland:

Section II. *For the purposes of Section I of this ordinance, only lawfully established cropland under active cultivation on the effective date of this ordinance shall be deemed to be existing cropland.*

Issue #5: Water Wells

The General Plan lists all uses allowed within the Streamside Conservation Areas but does not list water wells as an allowed use. Water wells are usually associated with another land use such as agricultural cultivation. In many instances, public entities, small mutual water systems, and public and private water companies also have water wells. Stream setbacks for new wells were not discussed in the General Plan, though the Water Resources Element does contain policy direction to develop well permit standards. The County Code does not currently include stream setbacks for water wells, and well drilling is currently permitted in the Streamside Conservation Areas. "Wells" were added as an allowed use within the Streamside Conservation Areas in compliance with the County Code to codify current practice and defer to the Water Well Construction Standards Ordinance for appropriate setback standards.

PRMD's Engineering & Water Resources Division issues permits for water wells and is currently working with stakeholders to revise the well construction standards (Chapter 25B of the County Code). The Preliminary Draft Water Well Construction Standards Ordinance proposes a 30-foot setback for new wells from streams.

The Planning Commission received more comments concerning water wells than any other issue. Strong opinions

were expressed, both in support and in opposition, to the inclusion of water wells as an allowed use within the Streamside Conservation Areas. Some speakers argued that wells should be located outside the Streamside Conservation Area unless there is no other alternative location because wells may result in a reduction of streamflow and threaten listed salmonids. Other speakers stated that new wells should be allowed near the stream because that is where they are most likely to find water. Resource agencies are opposed to wells in the Streamside Conservation Area.

Shallow water wells located near streams may reduce stream flows and impair riparian functions. However, impacts to groundwater supply and interactions with surface water are complex and cannot be easily addressed by a single setback distance. The public review process for the Water Well Construction Standards Ordinance will consider well construction standards and setbacks. In addition, the County and the Water Agency will review land use policies and groundwater modeling in the context of the adopted groundwater management plans for Sonoma Valley and the Santa Rosa Plain and relative to recently enacted state legislation.

There are more than 40,000 existing water wells in the County, many of which are located within riparian corridors. If setbacks for water wells were established in zoning, the non-conforming zoning regulations would apply to water wells. Existing wells that do not conform to the adopted well setback would become legal non-conforming land uses. Non-conforming wells for non-residential or non-agricultural uses (such as public water companies or small community water systems) would be allowed to remain until they are abandoned or require repairs exceeding fifty percent (50%) of their replacement value. Repairs to nonconforming residential or agricultural structures are not limited and any well used for residential or agricultural use could remain and be maintained and repaired. All new wells would be required to meet the setback. Wells not meeting setbacks in zoning could only be allowed with a Conservation Plan and use permit.

Since non-conforming use regulations only apply to land uses regulated by the zoning code, they would not apply to water wells if the setbacks were established in the Water Well Construction Standards Ordinance in Chapter 25B. New wells would need to meet the standards established by that ordinance. Staff recommends that any riparian setbacks for wells should be decided through the public processes updating the Water Well Construction Standards Ordinance and implementing the new state groundwater management requirements.

Policy Options

- A. Option A would allow water wells as a permitted use within Streamside Conservation Areas in compliance with Chapter 25B as proposed in the Planning Commission's Recommended Draft Ordinance:

"9. Wells in compliance with Sonoma County Code Chapter 25B (Water Wells);"

- B. Option B would exclude new water wells from the Streamside Conservation Areas, unless no alternative location exists:

"9. Wells may be located within the Streamside Conservation Area only when no other feasible location outside the Streamside Conservation Area is available;"

- C. Option C would establish a minimum setback as determined appropriate by the Board. For example, the Board could establish the setback at the agricultural setback; or a standard 30-ft setback as proposed in the Draft Water Well Construction Ordinance; or other appropriate setback distance:

*"9. Wells set back a minimum ** feet from the top of the higher bank;"*

Planning Commission. The Planning Commission recommended that water well setbacks be addressed through the Water Well Construction Standards Ordinance and therefore supported Policy Option "A".

Issue #6 Enforcement

During the stakeholder outreach process and at the Planning Commission the County received comments about enforcement of the ordinance. Some stakeholders were concerned that aggressive enforcement would be initiated by PRMD staff, while others expressed frustration with a perceived lack of enforcement by the County and the Resource Agencies. The County Code requires that all allowed uses be in compliance with the code, other County regulations, and applicable permits from the resource agencies. The proposed changes include references to the best management practices for agricultural uses developed by the Agricultural Commissioner. However, the Agricultural Commissioner's Office currently does not have enforcement authority. Verification of compliance with agricultural best management practices would be identified by the Agricultural Commissioner's Office, as they currently are under Chapter 11. However, in the event that the Agricultural Commissioner confirms a violation of setbacks or best management practices, the violation would be referred to PRMD for enforcement in accordance with the County Code (Chapter 1). Code enforcement by PRMD would continue to follow current practice, which is complaint driven.

The Agricultural Commissioner's Office has expertise in agricultural land use and is more familiar with appropriate installation and maintenance of best management practices. In addition, the Agricultural Commissioner's Office is currently working with the Regional Water Quality Control Boards to address non-point source pollution through general permits and waivers of waste discharge for agriculture, including development and review of ranch and farm water quality plans that are encouraged or required by the Regional Water Quality Control Boards. Representatives of the agricultural community requested that agricultural setbacks be enforced by the Agricultural Commissioner's Office and conducted in compliance with any required permits and the standards specified in this section.

Policy Options

- A. Option A would allow the Agricultural Commissioner to determine the applicable best management practices, but enforcement would remain with PRMD. Section 26-65-040 lists the allowed land uses, activities and permit requirements including:

The following agricultural activities, provided that they are conducted and maintained in compliance with agricultural best management practices developed or referenced by the Agricultural Commissioner, or defined in a farm or ranch water quality plan acceptable to the Agricultural Commissioner. The Agricultural Commissioner shall determine the applicable agricultural best management practices.

- B. Option B would allow the Agricultural Commissioner to determine the agricultural best management practices and enforce the agricultural cultivation setbacks and grazing-related uses within the Streamside Conservation Areas:

The following agricultural activities, provided that they are conducted and maintained in compliance with agricultural best management practices developed or referenced by the Agricultural Commissioner, or defined in a farm or ranch water quality plan acceptable to the Agricultural Commissioner. The Agricultural Commissioner shall determine the applicable agricultural best management practices and shall enforce the provisions of this subsection.

Planning Commission. The Planning Commission recommended that the ordinance defer to the Agricultural Commissioner's Office to develop agricultural best management practices but did not specifically address enforcement authority. The enforcement authority issue was not raised before the Planning Commission.

Exceptions

The General Plan includes five situations in which otherwise prohibited uses are allowed within the Streamside

Conservation Areas. These exceptions are included in the draft ordinance and outlined below:

1. A parcel would be rendered unbuildable by application of the setback;
2. Minor expansion of legal non-conforming structure;
3. Maintenance, restoration or reconstruction of existing structure or use;
4. Project site has no substantial value for riparian functions; and
5. A conservation plan is approved which sets forth measures to off-set the negative effects of use that would not otherwise be allowed.

The Planning Commission's Recommended Draft Ordinance allows any use that does not meet the limitations and standards in the ordinance to be approved with a Conservation Plan. The working group emphasized the importance of developing a simplified process for minor projects. Some jurisdictions have adopted "stewardship plans" as a simple, user friendly method of allowing an exception for minor types of activities such as removing vegetation. In most cases, a farm or ranch plan developed for the Regional Water Quality Control Board TMDL waivers or a restoration plan developed for permitting by other agencies can be approved as the Conservation Plan.

The exception to the standards when a Conservation Plan is approved provides the greatest flexibility to address any circumstances or context. The Conservation Plan would allow encroachment into the setback when an offsetting enhancement or restoration plan is proposed. The Conservation Plan could also be used as a tool for enforcement to resolve the violations.

CEQA Compliance

The Program Environmental Impact Report (EIR) for Sonoma County General Plan 2020, certified by the Board of Supervisors in 2008, disclosed, evaluated, and mitigated potential environmental impacts of General Plan policies. Potential impacts of riparian protection measures and stream setbacks were analyzed in multiple sections of the EIR. In addition, Mitigation Measure 4.6-2(b) directs the rezoning of all lands within Streamside Conservation Areas to the Biotic Resources combining zoning district, and the adoption of a riparian protection ordinance. The Planning Commission's Recommended Draft Ordinance would implement Mitigation Measure 4.6-2(b). Riparian protection will be achieved through application of the zoning database and permitting process. The Planning Commission's Recommended Draft Ordinance would not relax any existing standards or policies in the General Plan.

The Planning Commission's Recommended Draft Ordinance 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 amendments to the Zoning Code and Area Plans is within the scope of the General Plan 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. The Program EIR for the General Plan 2020 is available for review at the PRMD office and online.

Summary of Requested Action

Hold a public hearing and at the conclusion of the hearing:

- 1) Approve an ordinance amending the Zoning Code to update the riparian protection policies and add the Riparian Corridor combining zone to properties to reflect the setbacks, as shown in Attachment A;
- and

2) Adopt a resolution amending five Area Plans to be consistent with the General Plan and repealing eight Area Plans that have been fully implemented, as shown in Attachment B.

Prior Board Actions:

On May 15, 2012 the Board adopted amendments to the Vineyard Erosion and Sediment Control Ordinance setting standards for vegetation removal related to grading and cultivation.

On December 9, 2008 the Board amended the Vineyard Erosion and Sediment Control Ordinance to strengthen requirements for vineyard and orchard planting and replanting and incorporated agricultural cultivation setbacks under the authority of the Agricultural Commissioner.

On September 23, 2008, the Board adopted General Plan 2020 that added riparian protection to all USGS mapped blue line streams, added policies for riparian corridors, and included a program to rezone designated Streamside Conservation Areas (Open Space and Resource Conservation Program 11).

In, 2000 the Board adopted the Vineyard Erosion and Sediment Control Ordinance establishing requirements for vineyard and orchard development and setbacks for agricultural cultivation.

In 1993 the Board adopted Ordinance No. 4643 that implemented these stream protection policies by adoption of setbacks in all agricultural and resource zones and through the Biotic Resource (BR) Combining District.

In 1989, the Board adopted the 1989 General Plan establishing Streamside Conservation Areas which limited the uses allowed within designated riparian corridors along 61 major fish-bearing streams in the County.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The Zoning Code and Area Plan changes will provide protection for riparian corridors and the functions they provide including: groundwater recharge, floodplain management, filtration of sediment and pollutants, bank stabilization, erosion control, water temperature modulation, and aquatic and wildlife habitat.

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):

none

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

1. ATTACHMENT A: Draft Ordinance Amending Chapter 26 of the Zoning Code
Exhibit A Article 65 Riparian Corridor (RC) Combining Zone
Exhibit B Article 66 Biotic Habitat (BH) Combining Zone
Exhibit C Zoning Database Table with Existing and Proposed Zoning (on CD and available online at http://www.sonoma-county.org/prmd/docs/riparian_corridor/index.htm)
2. ATTACHMENT B: Draft Resolution repealing eight Area Plans and Amending the following five Area Plans:
Exhibit A Airport Industrial Specific Plan
Exhibit B Bennett Valley Area Plan
Exhibit C Penngrove Area Plan
Exhibit D Sonoma Mountain Area Plan
Exhibit E Petaluma Dairy Belt Area Plan
3. ATTACHMENT C: General Plan Policies for Riparian Corridors, Open Space and Resource Conservation Element Implementation Programs and Land Use Policy LU-1a
4. ATTACHMENT D: Comparison of Current and Proposed Stream Protection Standards
5. ATTACHMENT E: Summary of Area Plan Stream Setbacks
6. ATTACHMENT F: Working Group Roster
7. ATTACHMENT G: Planning Commission Staff Report, Resolution and Minutes of 8-28-2014
8. ATTACHMENT H: Sonoma County Agricultural Commissioner' Best Management Practices
9. ATTACHMENT I: Comment Letters

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

General Plan Program EIR <http://www.sonoma-county.org/prmd/gp2020/gp2020eir/index.htm>

A System for Mapping Riparian Areas in the Western United States (November 2009)

<http://www.fws.gov/wetlands/Documents/A-System-for-Mapping-Riparian-Areas-In-The-Western-United-States-2009.pdf>

Ordinance No.

An Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Amending Chapter 26 Of The Sonoma County Code To Add Or Replace Miscellaneous Definitions, Rename The Rural Commercial District, Replace The Biotic Resource Combining District With Separate Combining Zones For Riparian Corridors And Biotic Habitat, Revise Stream Protection Policies For Riparian Corridors To Implement Sonoma County General Plan 2020, And Rezone Properties To Add The Riparian Corridor Combining Zone To All Designated Streams

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Chapter 26 of the Sonoma County Code is amended as follows:

(a) Section 26-020-140 [Definitions] is amended to add or replace the following terms:

Agricultural Crop: Any cultivated crop grown and harvested for commercial purposes.

Agricultural Cultivation: The act of preparing the soil for the raising of agricultural crops.

Cropland: Land devoted to the production of agricultural crops.

Designated Stream: A river or stream mapped or identified in the Open Space and Resource Conservation Element of the General Plan, or in an adopted area plan or specific plan or other adopted stream protection standards, guidelines, or mitigation measures.

Resource Agency: A federal or state agency having jurisdiction by law over natural resources affected by an activity or use. Resource agencies include the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, NOAA Fisheries, California Department of Fish and Wildlife, North Coast and San Francisco Bay Regional Water Quality Control Boards, State Water Resources Control Board, and other similar federal and state agencies.

Restoration: Actions taken with the primary goal to maintain, improve, or restore physical, chemical, and biological functions of a stream, wetland, or other sensitive habitat.

Riparian Corridor: The area occupied by a river or stream and related plant and animal communities.

Riparian Corridor, 50-foot: A riparian corridor with a streamside conservation area of 50 feet on each side of a designated stream measured from the top of the higher bank.

Riparian Corridor, 100-foot: A riparian corridor with a streamside conservation area of 100 feet on each side of a designated stream measured from the top of the higher bank.

Riparian Corridor, 200-foot: A riparian corridor with a streamside conservation area of 200 feet on each side of a designated stream measured from the top of the higher bank.

Riparian Functions: The beneficial uses of areas in and along streams, including: providing food, water, and breeding, egg deposition and nesting areas for fish, amphibians, reptiles, birds, insects, and mammals; providing protective cover, shade and woody debris to stream channels as habitat for coho salmon, steelhead, freshwater shrimp, and other protected and common aquatic-dependent species; providing movement opportunities, protective cover, and breeding, roosting, and resting habitat for terrestrial wildlife; filtering sediment and pollutants in runoff into streams; providing erosion protection for stream banks; and facilitating groundwater recharge.

Riparian Tree: A woody perennial plant growing in a riparian corridor, typically larger than 14 feet at maturity with a well-defined stem and definite crown having a single or multi-trunk structure, with a minimum diameter at breast height of two (2) inches for a single stem or aggregate of multi-trunk stems of five (5) inches, and a minimum height of ten (10) feet.

Soils, Highly Erodible: Soils in the Diablo, Dibble, Goldridge, Laughlin, Los Osos, Steinbeck, and Suther soil series as mapped by the U. S. Department of Agriculture.

Soils, Less Erodible: Any soils that are not highly erodible soils.

Upland Area: An area with less erodible soils and a natural slope steeper than 15 percent, or highly erodible soils and a natural slope steeper than 10 percent.

Vegetation Removal: The cutting, breaking, burning or uprooting of vegetation, the application of herbicide to vegetation, the covering over of vegetation with earth, or the compacting of the soil under and around vegetation. For the purposes of this chapter, vegetation means all natural, non-cultivated plant life including the root system, stem, trunk, crown, branches, leaves or blades.

(b) Section 26-04-010 (d) [Permitted Uses - LIA zoning district], Section 26-06-010 (d) [Permitted Uses - LEA zoning district], Section 26-08-010 (d) [Permitted Uses - DA zoning district], Section 26-10-010 (d) [Permitted Uses - RRD zoning district], Section 26-16-010 (h)

[Permitted Uses - AR zoning district], Section 26-18-010 (e) [Permitted Uses - RR zoning district], Section 26-26-030 (g) (2) [Permitted Uses - PC zoning district], Section 26-40-010 (e) [Permitted Uses - AS zoning district], and Section 26-42-010 (e) [Permitted Uses - K zoning district] are amended to read as follows:

“The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, including wholesale nurseries, **conducted and maintained in compliance with Article 65, RC Riparian Corridor Combining Zone.**”

(c) Article 38 RC Rural Commercial District is amended to change the title of the Article to the CR Commercial Rural District.

(d) Article 65 RC Riparian Corridor Combining Zone is added to read as set forth in Exhibit “A,” attached hereto and incorporated herein by this reference.

(e) Article 66 BR Biotic Resource Combining District is amended to change the title of the Article to the BH Biotic Habitat Combining Zone, and amended to read as set forth in Exhibit “B,” attached hereto and incorporated herein by this reference.

(f) The Official Zoning Database is amended to rezone properties to reflect the new combining zones for all riparian corridors and biotic habitat areas and to rezone Rural Commercial properties to CR Commercial Rural as set forth in the Table in Exhibit “C,” attached hereto and incorporated herein by this reference.

Section II. For the purposes of Section I of this ordinance, only cropland under active cultivation on the effective date of this ordinance shall be deemed to be existing cropland.

Section III. The amendments in Section I of this ordinance are consistent with Sonoma County General Plan 2020 in that they incorporate into zoning the General Plan’s goals, objectives, and policies that provide for the protection of riparian corridors, including the establishment of streamside conservation areas as set forth in the Open Space and Resource Conservation Element and as specifically required by Open Space and Resource and Conservation Implementation Programs 11 and 12. The amendments in Section I of this ordinance are also consistent with the County’s Area/Specific Plans in that the proposed stream setbacks would correspond with the standards of the applicable Area/Specific Plan when those standards are more stringent than the General Plan as required by General Plan Policy LU-1a.

Section IV. The Program Environmental Impact Report (EIR) for Sonoma County General Plan 2020, certified by the Board of Supervisors in 2008, disclosed, evaluated, and mitigated potential environmental impacts of General Plan policies. Potential impacts of riparian protection measures and stream setbacks were analyzed in multiple sections of the EIR. In addition, Mitigation Measure 4.6-2(b) directs the rezoning of all lands within Streamside Conservation Areas to the Biotic Resources combining zoning district, and the adoption of a riparian protection ordinance. The amendments in Section I of this ordinance would implement

Mitigation Measure 4.6-2(b). Riparian protection will be achieved through application of the zoning database and planning process. The amendments in Section I of this ordinance would not relax any existing standards or policies in the General Plan or Area Plans. The amendment in Section I of this ordinance 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 amendments in Section I of this ordinance are 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>.

Section V. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section VI. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California. Pursuant to Government Code Section 25124, complete copies of Exhibits “A”, “B”, and “C” to this ordinance are on file with the Clerk of the Board of Supervisors and are available for public inspection and copying during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California. Complete copies of the Exhibits are also available for public review on the County’s website at http://www.sonoma-county.org/prmd/docs/riparian_corridor/index.htm

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this ___ day of _____, 2014, on regular roll call of the members of said Board by the following vote:

Supervisors:

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

Whereupon, the Chair declared the above and foregoing ordinance duly adopted and

So Ordered.

Chair, Board of Supervisors
County of Sonoma

Attest:

Veronica A. Ferguson,
Clerk of the Board of Supervisors

By: _____
Chief Deputy Clerk of the Board

Article 65. RC Riparian Corridor Combining Zone

Sec. 26-65-005. Purpose

Sec. 26-65-010. Applicability

Sec. 26-65-020. Determination of Streamside Conservation Areas and Setbacks for Agricultural Cultivation

Sec. 26-65-030. Prohibited Uses and Exceptions

Sec. 26-65-040. Allowed land uses, activities and permit requirements

Sec. 26-65-005. Purpose

The RC combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values.

Sec. 26-65-010. Applicability

The RC combining zone shall be applied to designated streams and include the stream bed and bank and an adjacent streamside conservation area on each side of the stream as measured from the top of the higher bank. The minimum streamside conservation area shall be shown in the zoning database followed by the minimum setback for agricultural cultivation (e.g., RC 100/50). Where the drip line of existing riparian trees with trunks located wholly or partially within the streamside conservation area extends beyond the streamside conservation area boundary, as indicated in the zoning database, the boundary shall be increased to include the outer drip line of the riparian trees.

Sec. 26-65-020. Determination of Streamside Conservation Areas and Setbacks for Agricultural Cultivation

The streamside conservation area indicated in the zoning database is approximate to allow for a parcel-specific determination of the boundary based upon the location of the top of the higher bank and existing riparian vegetation. The streamside conservation area shall be determined by the Director. The setback for agricultural cultivation indicated in the zoning database is also approximate to allow for a site-specific determination of the boundary based upon the location of the top of the higher bank, existing riparian vegetation, and, for upland areas of 50-foot riparian corridors, the slope and soil types of the planting area. The setback for agricultural cultivation shall be determined by the Agricultural Commissioner.

Sec. 26-65-030. Prohibited Uses and Exceptions

Except as allowed by Section 26-65-040, grading, vegetation removal, agricultural cultivation, structures, roads, utility lines, and parking lots shall be prohibited within any stream channel or streamside conservation area.

- A. An exception to this prohibition may be approved by the Director with a Zoning Permit if:
 - 1. It makes a parcel unbuildable, provided vegetation removal is minimized;
 - 2. The use involves the minor expansion of an existing legally established structure in conformance with Article 94 where it is demonstrated that the expansion will be accomplished with minimum vegetation removal and protection of riparian functions;
 - 3. The use involves only the maintenance, restoration, or reconstruction of an existing legally established structure or use in conformance with Article 94; or
 - 4. The Director determines that the affected area has no substantial value for riparian functions.
- B. An exception to this prohibition may be approved with a use permit if a conservation plan is adopted that provides for the appropriate protection of the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions. Off-site mitigation will be considered only where on-site mitigation is infeasible or would provide superior ecological benefits, as determined by the Director.

Sec. 26-65-040. Allowed land uses, activities and permit requirements.

The following activities and uses may be allowed within a streamside conservation area, if allowed by the base zone and any combining zones, subject to any required permits and the standards specified in this section. These activities and uses shall also be conducted and maintained in compliance with any prohibitions, permits, approvals, or authorizations required by applicable resource agencies.

- A. Stream maintenance and restoration carried out or overseen by the Sonoma County Water Agency.
- B. Levee maintenance.
- C. Invasive plant removal, such as Himalayan blackberry (*Rubus armeniacus*), giant reed (*Arundo donax*), salt cedar (*Tamrix* sp.), and star thistle (*Centaurea*

solstitialis), not exceeding 5 acres in disturbed area, principally involving hand labor and not using mechanized equipment.

- D. Streamside maintenance and small riparian habitat restoration not exceeding 5 acres of disturbed area, principally involving hand labor and not using mechanized equipment, as described by State CEQA Guidelines Section 15333, subject to a zoning permit.
- E. Stream dams and stream-related water storage systems, subject to a zoning permit.
- F. Road and utility line crossings in compliance with County road construction standards and maintenance guidelines, subject to a zoning permit.
- G. Fencing and maintenance of existing outdoor activity areas, such as yards, gardens, and landscaped or natural vegetation, associated with a legally established structure or use and not involving further encroachment into existing riparian vegetation.
- H. The following agricultural activities, provided that they are conducted and maintained in compliance with agricultural best management practices developed or referenced by the Agricultural Commissioner, or defined in a farm or ranch water quality plan acceptable to the Agricultural Commissioner. The Agricultural Commissioner shall determine the applicable agricultural best management practices.
 - 1. Grazing and similar agricultural production, not involving cultivation or structures. Livestock control fencing and watering facilities are allowed.
 - 2. Agricultural cultivation and related access roads, drainage, planting, seeding, fertilizing, weeding, tree trimming, irrigation, and harvesting that are located as follows:
 - a. No closer than 100 feet from the top of the higher bank in the 200-foot riparian corridor for the Russian River;
 - b. No closer than 50 feet from the top of the higher bank in the 100-foot riparian corridors designated in the General Plan and the upland areas of the 50-foot riparian corridors; or
 - c. No closer than 25 feet from the top of the higher bank in all other riparian corridors.
 - 3. Replanting existing cropland and related access roads, drainage, planting, seeding, fertilizing, weeding, tree trimming, irrigation, and harvesting that are located closer to the top of the higher bank than specified in Subsection

26-65-040.H.2, provided that the existing cropland is under active cultivation and the footprint of the planting area is not increased within the applicable setback for agricultural cultivation.

4. Filter strips, equipment turnarounds, grassy avenues, and fencing associated with agricultural cultivation.
- I. Selective vegetation removal as part of an integrated pest management program administered by the Agricultural Commissioner.
- J. Wells in compliance with Sonoma County Code Chapter 25B (Water Wells).
- K. Fire fuel management in compliance with County Fire Safe Standards, provided that no redwood trees are removed and vegetation removal is limited to the minimum required for fire safety purposes. New development located within 100 feet of any riparian corridor shall be allowed with a zoning permit only where there are no feasible alternative development locations that do not require vegetation removal for fire protection and fire resistive construction materials are used to avoid or minimize the need for vegetation removal in the riparian corridor.
- L. Bikeways, trails, and parks on publicly owned land or public use easements, or on private lands, subject to a zoning permit.
- M. Temporary seasonal gangway and floating dock of up to 120 square feet with encapsulated floatation and grated deck, subject to a zoning permit.
- N. Timber operations conducted in compliance with an approved timber harvest plan.
- O. Tree removal subject to a zoning permit, to protect life or property from the threat of harm posed by a dead, dying, diseased, or damaged tree likely to die within one year of the date proposed for removal, or a tree at risk of falling when the structural instability cannot be remedied. A report by a certified arborist or registered professional forester documenting the hazardous condition and a tree replacement plan is required.
- P. Mining operations, subject to a use permit for surface mining activities in compliance with the Chapter 26A (Surface Mining) of this code.
- Q. Other activities or uses not meeting the above criteria may be permitted with an exception under Section 26-65-030 (Prohibited Uses and Exceptions), subject to a use permit and approval of a conservation plan.

Article 66. BH Biotic Habitat Combining Zone

Sec. 26-66-005. Purpose

The BH combining zone is established to protect and enhance Biotic Habitat Areas for their natural habitat and environmental values and to implement the provisions of the General Plan Open Space and Resource Conservation Element, Area Plans and Specific Plans. Protection of these areas helps to maintain the natural vegetation, support native plant and animal species, protect water quality and air quality, and preserve the quality of life, diversity and unique character of the County.

Sec. 26-66-010. Applicability

The BH combining zone is applied to the areas that are designated as Biotic Habitat Areas in the General Plan Open Space and Resource Conservation Element. The BH combining district may also be applied to other biotic resource areas that are identified in adopted area or specific plans. Where such plans require greater protection of biotic resources, the more restrictive standards shall apply. As biotic resources are assessed and new occurrences are reported, additional areas may be considered for BH zoning.

Sec. 26-66-020. Standards for Biotic Habitats

The following requirements shall apply to properties within the BH combining zone that are designated as Biotic Habitat Areas on Open Space Plan Maps, of the General Plan Open Space and Resource Conservation Element.

- A. **Biotic resource assessment.** A biotic resource assessment to develop mitigation measures may be required where the Director determines that a discretionary project could adversely impact a designated critical habitat area.
- B. **Tentative map requirements.** Each tentative map shall include building envelopes that avoid biotic habitat areas.
- C. **Setback requirements.** Each proposed structure shall be set back a minimum of 50 feet from the edge of any wetland within a designated biotic habitat area, with the following exceptions:
 1. Existing farm structures are exempt and may be expanded or modified, provided that the expansion or modification shall not encroach further into any wetland; and
 2. The Director may modify the setback if, after preparation of a biotic resource assessment, the Director determines that either:
 - a. Applying the setback makes an otherwise buildable parcel unbuildable; or

- b. The structure is a noncommercial agricultural structure and needs to be located adjacent to an existing farm complex for efficient farm operation.



County of Sonoma
State of California

Date: November 24, 2014

Item Number: _____

Resolution Number: _____

ORD13-0002 Sandi Potter



3/5 Vote Required -

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Adopting an Ordinance Amending Chapter 26 (The Zoning Ordinance) of the Sonoma County Code to Implement the Goals, Objectives, Policies And Programs of the General Plan Related to the Protection of Riparian Resources and Approving an Amendment Revising Stream Setbacks in the Airport Industrial Specific Plan, Bennett Valley Area Plan, Penngrove Area Plan, Petaluma Dairy Belt, and the Sonoma Mountain Area Plan for Consistency with the General Plan, and Repealing the Hessel, Lower River, North Santa Rosa, North Sonoma Valley, Russian River, South Sonoma Areas I and II, West Santa Rosa and West Sebastopol Area Plans.

Whereas, the County of Sonoma adopted an update of the Sonoma County General Plan on September 23, 2008, including an Open Space and Resource Conservation Element which set forth goals, objectives and policies to increase stream protections and the wide range of riparian functions they provide, including groundwater recharge, stream bank stability, water quality, and fish and wildlife habitat; and

Whereas, the General Plan requires that the streamside conservation areas and regulations set forth in the Open Space and Resource Conservation Element be implemented through zoning; and

Whereas, the General Plan Open Space and Resource Conservation Element policies adopted to increase protection for rivers and streams were identified as mitigating policies in the Environmental Impact Report (EIR) for the General Plan update; and

Whereas, an Open Space and Resource Conservation Program was adopted requiring that properties be rezoned to correspond to the designated Streamside Conservation Areas set forth in the General Plan; and

Whereas, the Permit and Resource Management Department has proposed amendments to the Zoning Code to include changes to the zoning text and data base in conformance with the riparian protections set forth in the General Plan and in accordance with Open Space and Resource Conservation Programs 11 and 12, and to satisfy the mitigation requirements of the EIR adopted for the General Plan update; and

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Whereas, the County adopted Area/Specific Plans between 1975 and 1985, which include provisions for the protection of rivers and streams, most of which are identified as mitigating in the environmental impact reports adopted for each plan but were never incorporated into zoning; and

Whereas, nine of the County's Area/Specific Plans include stream setbacks that exceed those set forth in the Open Space and Resource Conservation Element of the General Plan; and

Whereas, the General Plan provides that in any case where there appears to be a conflict between the General Plan and any Specific or Area Plan the more restrictive policy shall apply, and therefore the greater stream setbacks of the nine area plans are controlling and applied to discretionary projects; and

Whereas, the Permit and Resource Management Department has proposed amendments to the Zoning Code to incorporate the greater riparian setbacks set forth in the nine Area/Specific plans; and

Whereas, the General Plan designates the Hessel, Lower River, North Santa Rosa, North Sonoma Valley, Russian River, South Sonoma Areas I and II, West Santa Rosa and West Sebastopol Specific Plans for repeal once the development standards and guidelines have been considered for adoption; and

Whereas, three duly noticed public workshops to introduce the proposed zoning code amendments and receive public input were hosted by PRMD staff on May 22, 2013, June 5, 2013 and September 12, 2013; and

Whereas, in accordance with the provisions of law, the Planning Commission held a duly noticed public hearing on June 20, 2013 at which time all interested persons were given an opportunity to be heard; and

Whereas, the Planning Commission continued the hearing to allow staff sufficient time to prepare policy options requested by the Commission; and

Whereas, the PRMD Director convened a working group comprised of representatives of various organizations, interest groups and agencies which met on five different occasions between April 9, 2014 and August 13, 2014 to review the draft ordinance and provide the Director with their recommendations; and

Whereas, the Director's working group provided numerous comments and suggestions, many of which were incorporated into the draft ordinance; and

Whereas, Permit and Resource Management staff prepared a report dated August 28,

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2014 for the Planning Commission reviewing the proposed amendments and setting forth the proposed regulatory changes necessary to implement the General Plan goals, objectives and policies; and

Whereas, in accordance with the provisions of law, the Planning Commission held a second duly noticed public hearing on August 28, 2014 at which time all interested persons were given an opportunity to be heard; and

Whereas, by a 4-1-0 vote, the Planning Commission adopted Resolution Number 14-015 recommending that the Board of Supervisors adopt the ordinance amending Chapter 26 of the Sonoma County Zoning Code and the Specific and Area Plans text changes required for consistency; and

Whereas, in accordance with the provisions of law, the Board of Supervisors held a duly noticed public hearing on November 24, 2014 at which time all interested persons were given an opportunity to be heard; and

Now, Therefore, Be It Resolved that the Board of, having considered all materials, file information, all public and agency comments, and all reports from staff, and the proposed Ordinance and Area and Specific Plan amendments, does make the following findings:

1. - The proposed amendments are consistent with the County's General Plan in that they incorporate into zoning the General Plan's goals, objectives, and policies that provide for the protection of riparian corridors, including the establishment of Streamside Conservation Areas as set forth in the Open Space and Resource Conservation Element and as specifically required by Open Space and Resource and Conservation Implementation Programs 11 and 12.
2. - The Environmental Impact report (EIR) for the Sonoma County General Plan update, certified by the Board of Supervisors in 2008, disclosed, evaluated and mitigated potential environmental impacts of General Plan policies. Potential impacts of riparian protection measures and stream setbacks were analyzed in multiple sections of the EIR. In addition, Mitigation Measure 4.6-2(b) directs the rezoning of all lands within Streamside Conservation Areas to the Biotic Resources combining zoning district, and the adoption of a riparian protection ordinance. The proposed Zoning Code amendments would implement Mitigation Measure 4.6-2(b). Riparian protection will be achieved through application of the zoning database and planning process. The proposed zoning amendments would not relax any existing standards or policies in the General Plan or Area Plans.
3. - The proposed code 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

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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>.

Now, Therefore, Be It Resolved that Chapter 26 of the Sonoma County Zoning Code is hereby amended as follows:

- a. Rename Article 38 Commercial Rural (CR) zone and revise Articles 4, 6, 8, 10, 16, 18, 26, 40, and 42 to delete the riparian setbacks related to agricultural cultivation and refer to the requirements of Article 65, Riparian Corridors, as shown in the ordinance provided in Attachment A; and
- b. Add Article 65 Riparian Corridor Combining Zone as shown in Exhibit A attached to the ordinance; and
- c. Replace Article 66 in its entirety with Biotic Habitat (BH) Combining Zone as shown in Exhibit B; and
- d. Amend the Official Zoning Database to rezone properties to reflect the new zoning classifications for all Riparian Corridors and Biotic Habitat areas and rename Commercial Rural properties as listed in Exhibit C attached to the ordinance.

Be It Further Resolved that the following Area and Specific Plans are amended to conform the riparian setbacks to the General Plan standards:

- a. Airport Industrial Area Specific Plan
- b. Bennett Valley Area Plan
- c. Penngrove Area Plan
- d. Petaluma Dairy Belt Area Plan
- e. Sonoma Mountain Area Plan

Be It Further Resolved that the riparian standards of the following Area and Specific Plans are hereby incorporated into zoning and such plans are now repealed in accordance with General Plan Policy LU-1a:

- a. North Santa Rosa Plan
- b. West Santa Rosa Plan
- c. North Sonoma Valley Plan
- d. South Sonoma Areas I and II

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- e. Lower River Plan
- f. Hessel Plan
- g. Russian River Plan
- h. West Sebastopol Plan

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.

EXHIBIT A - Airport Industrial Area Specific Plan Amendments

Amend pages 33 and 34 as shown in bold underline text below:

V. LAND USE AND OPEN SPACE ELEMENT

This element translates the goals framework established in Chapter IV into a set of specific land use and open space policies for the planning area. Establishment of these specific policies has required that certain tradeoffs be made between the economic, land use, circulation, visual, natural resource, and capital improvement goals set forth in Chapter IV.

Factors considered in developing the specific land use and conservation policies include existing Sonoma County General Plan policies, parcelization and ownership configurations, existing land uses, landowner intentions, market trends, access characteristics, physical and environmental constraints, visual prominence, and public service conditions. (These determinants are described in Sections III and IX of this specific plan and in Section X and Appendix C of the 1984 Specific Plan).

A. GENERAL LAND USE AND CONSERVATION CONCEPT

The land use and conservation configuration established for the planning area is mapped on Figure 5. The map designates land uses, major transportation corridors, and principal open space areas.

Table 4 provides a summary of the proposed plan land use allocations diagrammed on Figure 5. The land use plan has been designed to provide for a balance between industrial park and heavy industrial development. These two industrial classifications are designated in the plan to accommodate local interest and market demands for expansion of existing heavy industrial development, as well as future industrial park development.

Existing heavy industrial land use areas have been retained, substantially expanded, and contained in the internal area south of Airport Boulevard (for a total of approximately 191 acres). The designation allows heavy industrial expansion in response to identified near term market demands.

All lands north of Airport Boulevard and west of the railroad, including lands outside the current "Ultimate Sewer Services Area," are designated for future industrial park development (approximately 198 acres), with the exception of the sewer pond site at the northwest corner of the planning area which is designated as permanent open space (43.6 acres), and an airport-related heavy industrial designation south of the sewer pond site (14.7 acres) for airport support uses. Approximately half of the area north of Airport Boulevard and east of the railroad (previously in the General Plan designated Critical Community Separator) is also designated for urbanization, including industrial park (48.6 acres) and retail commercial (2.8 acres). These urban uses are separated from the freeway by a dedicated permanent open space (42.7 acres). Approximately half of the area in the southwest quadrant of the Airport Boulevard/US 101 interchange (previously in the General Plan designated Critical Community

Separator) has been designated for a high density residential affordable housing project, separated from the freeway by a dedicated permanent open space area (11.3 acres).

In keeping with Sonoma County General Plan policies, the two designated permanent open spaces along U.S. 101 are intended to maintain scenic values along the freeway and to provide a clear separation and visual relief between urban communities.

Areas fronting on the south side of Airport Boulevard and the east side of Laughlin Road have been designated for industrial park use in order to contain and insulate the internal heavy industrial area, and to provide for a high quality environment along these principal planning area routes.

Finally, a permanent open space corridor is designated along Mark West Creek to provide an adequate buffer zone between industrial development and riparian habitat. The **minimum average** width of the setback is 100 feet. Specific guidelines and policies with respect to the width and use of this zone are established in Figure 8 in this plan.

Amend pages 56, 57 and 58 as shown in bold underline text below:

F. OPEN SPACE AND AGRICULTURAL AREAS

1. **Purpose and Objectives.** Open space and conservation areas and policies are established in this plan for the following purposes.
 - a. To preserve existing agricultural values;
 - b. To retain those planning area open space components with particularly high scenic and community separator values;
 - c. To protect planning area native streams from water quality degradation and from alterations or obstructions which might create flood hazards;
 - d. To protect planning area riparian values; and
 - e. To mitigate potential development impacts on rare and endangered plant species.

2. **Open Space Area Designations**
 - a. **Agriculture and Open Space Areas.** Agricultural and Open Space designations on Figure 5 are intended to accommodate and preserve agricultural uses, to provide a distinct open space separation between planning area industrial activity and other developed areas, to maintain rural scenic values along U.S. 101, and to provide general visual relief from urbanization without encroachment by incompatible uses.

 - b. **Critical Community Separator and Scenic Area.** Approval of any industrial or commercial development on an assembly of planning area which includes a portion of the designated Critical Community Separator and Scenic Area (see Figure 5), including parcels 7, 49, 50, and 51 on Figure 4, shall be conditioned upon the following:
 1. Owner dedication to the County of a permanent open space and conservation or agricultural easement encompassing that portion of the subject land assembly which is within the Figure 5 designated Critical Community Separator Boundary;
 2. Establishment of a third-party interest in that dedication with a nonprofit organization involved in the preservation and protection of open space, to ensure that the open space nature of the easement remains in perpetuity;
 3. A developer commitment to fund and, in cooperation with designated third party, install and maintain a 15-foot average width landscaped buffer along the outside edge of the development boundary. (The buffer area should be landscaped with a combination of Coast redwoods and Valley oaks, placed in natural looking clusters along the northern and eastern edge of the development boundary.)

4. A developer commitment to provide ongoing maintenance of grassland or to establish an agricultural use in the foreground between the development area boundary and the U.S. 101 right-of-way.
5. The posting of notes on the Final Subdivision Proposal for these parcels explaining the permanent nature of the open space easement.

- c. **Mark West Creek.** The planning area segment of Mark West Creek has been designated as a major waterway by the Sonoma County Water Agency and has been identified as a significant riparian habitat by the California Department of Fish and Game. To ensure that these values are not adversely affected by planning area development, the following standards shall apply to those parcels with industrial designations that border Mark West Creek.

Industrial Land Use Designations:

1. Mark West Creek shall be retained as a natural waterway.
2. A permanent open space corridor shall be established along the planning area side of Mark West Creek to provide an adequate buffer zone between industrial development and riparian habitat. The following guidelines and policies shall be applied in establishing the zone:
 - a. The corridor shall include all riparian vegetation as indicated in aerial photographs taken of the creek on or before May 1984 (see Figure 3).
 - b. In addition, the corridor shall include an unobstructed access easement between the riparian growth and the edge of industrial development, to provide a means of controlled public and maintenance access.
 - c. Development of lands bordering the creek shall be made contingent upon erection by the applicant of a continuous 6-foot chainlink fence along the outside edge of the corridor.
 - d. The width of the access easement shall measure at least 10 feet from the outside drip line of the riparian canopy, as indicated by the aerial photography.
 - e. The minimum average width of the creek setback shall be 100 feet from the top of the high bank, as defined by Sonoma County Water Agency criteria, and the face of the fence line described above. All riparian vegetation shall be included in the creek setback area.
 - f. The corridor between the creek bank and fence line shall be granted in fee simple to the County of Sonoma or its designee as a permanent riparian conservation and enhancement corridor.
 - g. Where such standards are less restrictive than required for General Plan designated riparian corridors, compliance with the General Plan standards is required.¹

3. To protect wildlife habitats, access to the creek shall be restricted.
4. Where warranted, plantings of native species shall be introduced into the open space corridor between the access easement and creek bank to increase cover and enhance the wildlife habitat. The Department of Fish and Game shall be consulted regarding appropriate selection and use of plant materials to ensure successful growth and wildlife adaptation.
5. The access easement shall be kept clear and periodically mowed to allow detection of infringements and controlled public access.

Agricultural and Rural Residential Land Use Designations:

1. **Stream setbacks of 100 feet, measured from the top of the higher bank, shall be provided in accordance with General Plan policies and Zoning Code standards.**
- d. **Airport and Redwood Creeks.** Planning area segments of Airport Creek and Redwood Creek are designated as minor waterways by the Sonoma County Water Agency based on area of their tributary watershed. Vegetation and wildlife values associated with these creek segments are less substantial than those of Mark West Creek. **The policies of the General Plan and Zoning Code standards shall apply to all creeks within the Area Plan boundaries. In addition,** the following standards shall apply to those industrial park designations through which these streams pass:
1. The Sonoma County Water Agency will be responsible for reviewing any projects that would substantially divert or obstruct natural stream flows, or would substantially change the bed channel or bank of either stream. Development plans that propose alterations to either of these stream channels shall be submitted to the SCWA for approval. The types of alterations that are permissible and associated design standards are set forth in the agency's Flood Control Design Criteria.
 2. All proposed development plans that affect these stream channels shall be submitted by the Planning Department to the California Department of Fish and Game, which will review them for possible adverse impacts on wildlife and vegetation, and suggest mitigation measures where indicated.
 3. Flood control improvements to these two creeks shall be designed to maintain or enhance the aesthetic qualities of the channel through preservation of existing vegetation and introduction of new landscaping.

EXHIBIT B - Bennett Valley Area Plan Amendments

Amend pages 13 and 14 as shown in bold underline text below:

MITIGATION MEASURES

The following section of this report discusses the rationale for the Land Use designations in this plan. While the Zoning Ordinance provides a tool for implementing land use decisions, additional tools are needed to mitigate adverse impacts that might occur with the proposed land use. The list below gives mitigation measures which respond to specific impacts. At the conclusion of each subarea analysis, the pertinent mitigating measures have been noted.

A. FOR GEOLOGIC HAZARDS

- 1) Retain very low density.
- 2) Site structure and design foundation in accord with recommendations of an engineering geologist.

B. FOR FLOOD HAZARDS

- 1) Prohibit residential structures within designated inundation area as mapped on Critical Open Space Plan.

C. FOR WATER AVAILABILITY

- 1) Encourage Board of Supervisors to authorize a monitoring of groundwater supplies in Bennett Valley.
- 2) Encourage Mutual Water Systems only when consistent with Policy PF-1h of the General Plan.

D. FOR FIRE HAZARD

- 1) Retain low densities.
- 2) Encourage major subdivisions with mutual water systems and require adequate access for fire suppression equipment.
- 3) Where minor subdivision occurs, encourage cluster development with adequate water supply and access for fire suppression.
- 4) Clear wildland grass and brush near associated structures

E. TO MAINTAIN VISUAL AMENITY

The Critical Open Space Plan Map shows designated open space areas. Where the following standards are less restrictive than General Plan standards, compliance with General Plan standards is required.

Avoid skyline development.

- 1) Site and design structures in harmony with natural surroundings.
- 2) Prohibit structures in visual/scenic corridors as mapped on the Critical Open Space Plan.
- 3) Prohibit structures in visual corridors as mapped on the Critical Open Space Plan.
- 4) Apply the Bennett Valley Design Guidelines.
- 5) Development in scenic landscape units shall comply with the General Plan and Zoning Ordinance.

F. TO MAINTAIN VALUABLE OPEN SPACE

The ~~Critical~~ Open Space Plan Map shows designated open space areas. Where the ~~above~~ standards of the Bennett Valley Area Plan are less restrictive than General Plan standards, compliance with General Plan standards is required.

- 1) Prohibit structures in riparian corridors and unique biotic features as mapped in the ~~Critical~~ Open Space ~~Plan~~ maps of the Bennett Valley Area Plan or General Plan. All new construction shall be subject to all General Plan stream protection policies and Zoning Code standards.
- 2) Site and design structures in harmony with natural surroundings.

G. TO PRESERVE AND PROTECT AGRICULTURE

- 1) Encourage utilization of Land Conservation Act of 1965 as amended.
- 2) Retain appropriately low densities.

H. TO AVOID INCREASING HAZARD ON INADEQUATE ROADS

- 1) Retain low density until road upgraded.
- 2) Encourage road trust funds to maintain establishment of and improve roads consistent with the transportation policy.

Amend pages 22 and 23 as shown in bold underline text below:

STANDARDS - APPLICATION

Review of any proposed development should consider each of the standards described below. Each standard should be applied to the maximum extent feasible, recognizing that in some cases these standards when applied to a particular project may be contradictory. **Where the standards of the Bennett Valley Area Plan are less restrictive than** General Plan policies, **compliance with General Plan policies and standards is required. ~~shall apply where the development guidelines conflict with the General Plan.~~** The Design Review Committee should consider the total impact of the project in determining the extent to which each standard should be applied.

- (1) It is the policy of this study to preserve the natural state of the land and vegetation.
- (2) Structures shall blend with the existing landscape and vegetation to the maximum feasible extent. Therefore, minimum setbacks shall be consistent with the Sonoma County Subdivision Ordinance, the General Plan, or where applicable, with the adopted Bennett Valley Area Plan, whichever is more restrictive. No new structure shall be sited within visual/scenic corridors, riparian corridors or unique biotic resource areas as designated on **either** the **Critical** Open Space Plan Maps of the **General Plan or** Bennett Valley Area Plan, **where applicable**, except in the visual/scenic corridor where the entire parcel is included within such designation or except in the visual/scenic corridor where said structure is a fence or agricultural appurtenance. Where the entire parcel is included in a visual/scenic corridor area, or where said structure is an agricultural appurtenance greater than 200 sq. ft., the Bennett Valley/North Sonoma Mountain Design Review Committee shall condition the approval of such structure(s) to mitigate adverse effects to the open space resource. In considering mitigation measures on agricultural appurtenances, the Design Review Committee will give priority to the needs of productive agriculture. A fence or agricultural appurtenance less than 200 square feet is permitted without design review. **All new construction shall be subject to all General Plan stream protection policies and Zoning Code standards.**
- (3) Site plans shall be presented to the Bennett Valley/North Sonoma Mountain Design Review Committee including:
 - a. An existing topographic map
 - b. An existing vegetation plan
 - c. Photographs of the site from four (4) directions
 - d. A proposed grading plan (if any)
 - e. A proposed landscape plan
 - f. A plan showing siting, bulk, design, color and materials of structures.
- (4) Approval of plans for new structures shall consider the relationships of the site.
- (5) All new structures shall be sited so that they harmonize with the natural surroundings, including but not limited to topography and vegetation; specifically
 - a. Roof lines shall follow established lines of land and/or tree forms;

- b. Existing vegetation and landforms shall be utilized to screen structures from public view.
- (6) New structures should be sited to take advantage of solar energy where that siting does not conflict with the public view.
 - (7) Structures shall utilize color, texture and materials that blend harmoniously with surrounding landscape. The following are recommended for harmonious development:
 - a. Materials: natural wood siding or shingles and natural stone for exteriors;
 - b. Colors: earth tone;
 - c. Roofing: fire resistant but dark toned if visible;
 - d. Roofline: considered in relationship to the total composition of structure with landscape.
 - (8) Utilities shall be placed underground from source point, unless masked by existing vegetation.
 - (9) Project outdoor lighting shall comply with the outdoor lighting policies of the General Plan Open Space and Resource Conservation Element.
 - (10) Existing structures shall be encouraged to comply with the standards for new structures as they undergo remodeling and maintenance.
 - (11) Existing neighborhoods shall be encouraged to undertake tree planting and landscaping programs to screen existing development from public view and to increase the privacy, comfort and habitability of the neighborhood (Chart 1).

Exhibit C - Penngrove Area Plan Amendments

Amend pages 32 and 38 as shown in bold underline text below:

Page 32:

Implementation

(1) Lichau Creek and Willow Brook are designated as major riparian corridors and the four intermittent streams as minor riparian corridors. A ~~building setback of 2 1/2 times the height of the bank plus 50 feet or 50 feet from the top of the higher bank~~ **stream conservation area of 100 feet from the top of the higher bank shall be required along the lower portions of Lichau Creek and 50 feet from the top of the higher bank shall be required along the upper portions of Lichau Creek, Willow Brook** and the intermittent streams. Replacement of existing buildings located within the setback is subject to the approval of the Sonoma County Water Agency and the Planning Director. Where such setback is less than required for General Plan designated riparian corridors, compliance with the General Plan **and standards of the Zoning Code** is required.

(2) All creeks shall be retained as natural waterways.

(3) Restoration and fencing shall be required on all subdivisions, use permits and Design Review applications unless waived by the Planning Director.

Page 38:

Vegetation and Wildlife

A **setback of 100 feet from the top of the higher bank is required along the lower portions of Lichau Creek, and a 50 foot setback is required along the upper portion of Lichau Creek**, Willow Brook and the intermittent streams. Where such setback is less restrictive than required for General Plan designated riparian corridors, compliance with the General Plan **and standards of the Zoning Code** is required. Replacement of existing buildings located within the setback is subject to the approval of the Sonoma County Water Agency and the Planning Director.

- (1) Willow Brook and Lichau Creek shall be retained as natural waterways.
- (2) Require retention of hedgerows and all large specimen trees on all use permits, subdivision design review applications.
- (3) Enforce additional mitigation measures Numbers 4-8 listed in Section 8.40, Summary of Mitigation Measures, Vegetation and Wildlife, as appropriate on use permits, rezonings, subdivisions and design review applications.

Exhibit D Petaluma Dairy Belt Area Plan Amendments

Amend page 10, 35, and 36 as shown in bold underline text below.

Page 10:

RIPARIAN CORRIDORS

Short-Term

- 1) A 200-foot building setback shall be maintained from the **top of the bank** ~~outer edge of the riparian vegetation~~ for all development projects that involve grading or vegetation removal for the riparian corridors designated on the Open Space Plan Map **of this Area Plan**.
- 2) A 100-foot building setback shall be maintained from the **top of the bank** ~~outer edge of riparian vegetation in riparian corridors~~ of all perennial **other** streams as defined by the U.S.G.S. **designated on the General Plan Open Space Maps**.
- 3) Agricultural uses, including cultivation of the land for agricultural use, shall **comply with the setbacks and policies of the Open Space and Resource Conservation Element of the General Plan**. ~~maintain a 30-foot setback from the outer edge of the riparian vegetation.~~
- 4) Riparian vegetation shall not be removed to accommodate any residential or commercial development allowed by this plan.
- 5) Additional channeling shall be discouraged.
- 6) Dredging of the channel shall be discouraged. In cases where dredging can be demonstrated to be necessary to the satisfaction of the Planning Director, the bank shall be planted between the waters edge and the maintenance access road with low shrubbery, such as hazelnut, native blackberry, wild rose honeysuckle, elderberry and the like based on a planting and maintenance plan approved by the Planning Director.
- 7) In the case of conflict of policies or standards for Riparian Corridors between the Petaluma Dairy Belt Area Plan and the General Plan, the more restrictive policies or standards shall apply.

Long-Term

- 1) Other means to preserve riparian vegetation should be encouraged, through setback requirements, contract agreements between landowners and non-profit

conservancy groups, or other means focused on preserving both agricultural viability and riparian corridor protection.

Page 37-38:

RIPARIAN CORRIDORS

Riparian corridors are the areas along the streams that have been retained in or returned to native vegetation, including areas where supplemental plantings shall be encouraged. Generally, they are wooded areas that go from the stream banks inland as far as the land stays low and moist.

These areas provide excellent cover, food and breeding habitat for a wide variety of birds and mammals. The trees along the banks are also an important cooling factor in keeping the water habitable for fish.

Policies

Short-Term

Where such standards are less restrictive than required for General Plan designated riparian corridors, compliance with the General Plan standards is required.

- 1) A 200-foot building setback shall be maintained from the **top of the bank** ~~outer edge of the riparian vegetation~~ for all development projects that involve grading or vegetation removal for the riparian corridors designated on the Open Space Plan-Map **of this Area Plan**.
- 2) A 100-foot building setback shall be maintained from the **top of the bank** ~~outer edge of riparian vegetation in riparian corridors~~ of all perennial **other** streams as defined by the U.S.G.S. **designated on the General Plan Open Space Maps**.
- 3) Agricultural uses, including cultivation of the land for agricultural use, shall **comply with the setbacks and policies of the Open Space and Resource Conservation Element of the General Plan**. ~~maintain a 30-foot setback from the outer edge of the riparian vegetation.~~
- 4) Riparian vegetation shall not be removed to accommodate any residential or commercial development allowed by this plan.
- 5) Additional channeling shall be discouraged.

- 6) Dredging of the channel shall be discouraged. In cases where dredging can be demonstrated to be necessary to the satisfaction of the Planning Director, the bank shall be planted between the waters edge and the maintenance access road with low shrubbery, such as hazelnut, native blackberry, wild rose honeysuckle, elderberry and the like based on a planting and maintenance plan approved by the Planning Director.
- 7) In the case of conflict of policies or standards for Riparian Corridors between the Petaluma Dairy Belt Area Plan and the General Plan, the more restrictive policies or standards shall apply.

Long-Term

- 1) Other means to preserve riparian vegetation should be encouraged, through setback requirements, contract agreements between landowners and non-profit conservancy groups, or other means focused on preserving both agricultural viability and riparian corridor protection.

Exhibit E Sonoma Mountain Area Plan Amendments

Amend page 21 as shown in bold underline text below:

RIPARIAN CORRIDORS

Portions of Lichau, Copeland, and Crane Creeks are designated as Riparian Corridors in the General Plan. Development along these corridors shall comply with the standards and policies of the General Plan Open Space Element. Several additional smaller streams are designated on this Area Plan Open Space Plan Map. Development along these corridors is subject to the following policies **in addition to the policies of the General Plan and standards of the Zoning Code.**

Policies

- (1) Review all development proposals in the vicinity of Area Plan riparian corridors with regard to their beneficial and adverse impacts.
- (2) Encourage greater public awareness relative to wildlife and wildlife management programs.
- (3) Encourage the use of Area Plan riparian corridors for educational purposes.
- (4) Enforce County ordinance 1108 the **stream protection policies of the General Plan and Zoning Ordinance** provides criteria for stream maintenance and construction encroachments.

Policy LU-1a: This plan has relied extensively upon policies and designations set forth in previous Specific Plans and Area Plans. The County shall continue to use the following selected Specific Plans and Area Plans to implement this plan. A Specific or Area Plan may establish more detailed policies affecting proposed development, but may not include policies that are in conflict with the General Plan. In any case where there appears to be a conflict between the General Plan and any Specific or Area Plan, the more restrictive policy or standard shall apply.

- (1) Airport/Industrial Specific Plan
- (2) South Santa Rosa Area Plan
- (3) Bennett Valley Area Plan
- (4) Sonoma Mountain Area Plan
- (5) West Petaluma Area Plan
- (6) Petaluma Dairy Belt Area Plan
- (7) Penngrove Area Plan
- (8) Franz Valley Area Plan

The following plans shall be repealed, but development guidelines contained therein shall be reviewed and updated and considered for adoption as "Local Area Development Guidelines", provided that they are consistent with the General Plan. Until such a time that these guidelines are adopted, any policies contained in these plans shall continue to apply provided they are consistent with the General Plan:

- (1) North Santa Rosa Plan
- (2) West Santa Rosa Plan
- (3) North Sonoma Valley Plan
- (4) South Sonoma Areas I and II
- (5) Lower River Plan
- (6) Hessel Plan
- (7) Russian River Plan
- (8) West Sebastopol Plan

The Sonoma County Local Coastal Plan is the policy document that guides land use and development in the Coastal Zone. The Local Coastal Plan is intended to be a standalone policy document that integrates the appropriate General Plan goals, objectives, and policies with those necessary to comply with the California Coastal Act.

Policy LU-1b: Periodically review population and economic growth projections. Work with ABAG, neighboring counties, and/or other appropriate agencies to achieve agreement over future growth projections and housing needs in the unincorporated County area. Continue to work with the Cities to achieve consensus on projections in the Sonoma County subregion.*

Policy LU-1c: Establish a growth monitoring system which measures the amount of building activity within the major use categories for each of the nine planning areas and for lands within the boundaries of each Urban Service Area.

Policy LU-1d: Prepare an Annual Report on the status of the General Plan in accordance with State law.

Policy LU-1e: At the beginning of each fiscal year, evaluate all General Plan implementation programs in progress and adopt a work plan prioritizing future programs for completion.

Policy LU-1f: Establish a program, under County direction, to monitor quantifiable demographic, economic, social, and environmental indicators in order to measure the quality of life and environmental condition of the County. Program activities should include:

- (1) The seeking of funding to establish and maintain the indicators program,
- (2) The establishment of broad based baseline measurements of social, economic, and environmental parameters against which to measure future changes,
- (3) The identification and measurement of indicators at a regular interval not to exceed five years,
- (4) The establishment of thresholds and limits by which to assess indicator changes and trends, and
- (5) The evaluation and reporting of trends in these indicators over time to assess the quality of life and environmental state of the County.*

Policy LU-1g: If necessary, use zoning to regulate the timing of development to assure a desirable balance between jobs and population. Zoning may authorize a lower development potential than that allowed by the Land Use Maps.*

Policy LU-1h: Evaluate Land Use Plan amendments subject to:

Open Space & Resource Conservation Element

Cunningham, and Atascadero Marshes. Include mechanisms for preservation and enhancement such as land acquisition, zoning restrictions, public and private conservation easements, regulating filling, grading or construction, floodwater retention, and wetland restoration.*

Policy OSRC-7s: Develop comprehensive programs for preservation and restoration of the San Pablo Bay area and shoreline habitats, including mechanisms for preservation and enhancement such as acquisition, zoning and easements and avoiding activities such as filling, grading or construction that would be detrimental to the biotic resources or historic water retention functions.*

Policy OSRC-7t: Continue to actively participate in the FishNet4C program and work cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources.*

Policy OSRC-7u: Identify and consider designation of old growth Redwood and Douglas Fir as sensitive natural communities. Encourage preservation and public acquisition of remaining old growth Redwood and Douglas Fir forests in private ownership with the County. Because of their rarity and biological importance, these sensitive natural community types should be made priorities for protection through conservation easements, fee title purchase, or other mechanisms.*

3.2 POLICY FOR RIPARIAN CORRIDORS

Areas along streams that naturally support native vegetation and wetlands are referred to as "Riparian Corridors." The abundant vegetation in the streamside environment provides food and water and creates breeding, egg deposition, and nesting areas for insects, fish, amphibians, reptiles, birds and mammals. The diversity of plant and animal species in riparian areas is among the highest of Sonoma County's natural landscapes. The dense vegetation provides protective cover and shade and contributes woody debris to stream channels, providing critically important habitat for salmon, steelhead, freshwater shrimp, and other protected freshwater fisheries and aquatic species.



Riparian vegetation contributes to water quantity and quality in several ways. Vegetation filters sediment and pollutants in stormwater runoff, slows flood flows, provides erosion protection for

Footnote: *Mitigating Policy

streambanks, and facilitates groundwater recharge. Elimination of natural plant communities along streams can increase surface run-off and siltation, contribute to water temperatures too warm for steelhead, salmon, and other fish, and reduce long term water availability.

The protection of riparian areas can create conflicts with agricultural and urban uses. Riparian corridors often contain prime soils for crops, provide water and shade for livestock, and provide a source of irrigation water and locations for agricultural wells. Riparian areas may support insect pests, wildlife, invasive plants and plant diseases that may adversely affect adjacent agricultural uses. In turn, vegetation removal, mowing, fencing, spraying, disking and other agricultural practices can reduce the habitat supporting functions of nearby riparian areas. In urban areas, streamside areas provide natural open space and opportunities for recreation, education, and aesthetic appreciation, but these areas and their habitat value are often restricted by buildings, yards, landscaping, fencing, and trails.

GOAL OSRC-8: **Protect and enhance Riparian Corridors and functions along streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, flood control, bank stabilization, and other riparian functions and values.**

Objective OSRC-8.1: Designate all streams shown on USGS 7.5 minute quadrangle topographic maps as of March 18, 2003, as Riparian Corridors and establish streamside conservation areas along these designated corridors.

Objective OSRC-8.2: Provide standards for land use and development in streamside conservation areas that protect riparian vegetation, water resources and habitat values while considering the needs of residents, agriculture, businesses and other land users.

Objective OSRC-8.3: Recognize and protect riparian functions and values of undesignated streams during review of discretionary projects.

The following policies shall be used to achieve these objectives:

Policy OSRC-8a: Classify "Riparian Corridors" designated in the Open Space and Resource Conservation Element as follows:

- (1) "Russian River Riparian Corridor" is the corridor adjacent to the main stem of the Russian River, excluding lands located within the Urban Residential, Commercial,

Footnote: *Mitigating Policy

Industrial, or Public-Quasi Public land use categories or within the jurisdiction of a city.

- (2) "Flatland Riparian Corridors" are the corridors adjacent to designated streams in the 1989 General Plan that flow through predominantly flat or very gently sloping land, generally with alluvial soil. This classification excludes areas located within the "Russian River Riparian Corridor" or within the Urban Residential, Commercial, Industrial, or Public/Quasi-Public land use categories.
- (3) "Other Riparian Corridors" are the corridors adjacent to all designated streams not included in (1) or (2) above.*

Policy OSRC-8b: Establish streamside conservation areas along both sides of designated Riparian Corridors as follows, measured from the top of the higher bank on each side of the stream as determined by PRMD:

- (1) Russian River Riparian Corridor: 200'
- (2) Flatland Riparian Corridors: 100'
- (3) Other Riparian Corridors: 50'*

Policy OSRC-8c: Continue to utilize the Biotic Resources combining district for all lands within the designated streamside conservation areas. Develop and adopt regulations establishing standards applicable to Riparian Corridors along designated streams consistent with Policies OSRC-8d and OSRC-8e. Until the regulations are adopted, require that land use and development comply with Policies OSRC-8d and OSRC-8e.*

Policy OSRC-8d: Allow or consider allowing the following uses within any streamside conservation area:

- (1) Timber harvest operations conducted in accordance with an approved timber harvest plan.
- (2) Streamside maintenance and restoration.
- (3) Fire fuel management where vegetation removal is limited to the minimum required for fire safety purposes and where there are no feasible alternative development locations or designs that do not require vegetation removal.
- (4) Road crossings, street crossings, utility line crossings.
- (5) Mining operations conducted in accordance with the County Surface Mining and Reclamation Ordinance.

- (6) Stream dams and stream-related water storage approved by applicable agencies.
- (7) Grazing and similar agricultural production activities not involving structures or cultivation, except as defined by (8) below, and conducted in accordance with water quality protection guidelines of the Agricultural Commissioner, Resource Conservation Districts, or Regional Water Quality Control Boards.
- (8) Agricultural cultivation and related planting, seeding, fertilizing, weeding, irrigation, and harvesting.
 - (a) located no closer than 100' from the top of the bank in the "Russian River Riparian Corridor".
 - (b) located no closer than 50' from the top of the bank in the "Flatland Riparian Corridors" or in upland areas of "Other Riparian Corridors".
 - (c) located no closer than 25' from the top of the bank in the "Other Riparian Corridors" not in upland areas.

The upland areas in (b) and (c) above shall be determined using information on streamside slopes from USGS topographic maps and soil types from the Soil Conservation Service "Soil Survey of Sonoma County".

- (9) Equipment turnaround and access roads associated with agricultural cultivation, provided that the affected area is the minimum necessary for these turnaround and access roads and that a minimum 25' vegetative filter strip is provided and maintained between the affected area and the top of the bank.
- (10) Vegetation removal as part of an integrated pest management program administered by the Agricultural Commissioner.
- (11) Creekside bikeways, trails, and parks within Urban Residential, Commercial, Industrial, or Public-Quasi Public land use categories.
- (12) Development authorized by exception under Policy OSRC-8e.*

Policy OSRC-8e: Prohibit, except as otherwise allowed by Policy OSRC-8d, grading, vegetation removal, agricultural cultivation, structures, roads, utility lines, and parking lots within any streamside conservation area. Consider an exception to this prohibition if:

Footnote: *Mitigating Policy

- (1) It makes a lot unbuildable and vegetation removal is minimized,
- (2) The use involves the minor expansion of an existing structure where it is demonstrated that the expansion will be accomplished with minimum damage to riparian functions,
- (3) The use involves only the maintenance or restoration of an existing structure or a non-structural use,
- (4) It can be clearly demonstrated through photographs or other information that the affected area has no substantial value for riparian functions, or
- (5) A conservation plan is approved that provides for the appropriate protection of the biotic resources, water quality, flood management, bank stability, groundwater recharge, and other applicable riparian functions. Until the County adopts mitigation standards and procedures for specific uses and riparian functions, prior to approving the conservation plan, consult on areas of concern with the Resource Conservation District, Agricultural Commissioner, and resource agencies that are applicable to the proposed plan.*

Policy OSRC-8f: Develop and/or adopt, where appropriate, revised streamside specific standards, guidelines, and/or best management practices that provide for protection of Riparian Corridors by watershed, stream, or other geographic areas. Once adopted, the revised standards would replace the standards that are in effect at the time.

Policy OSRC-8g: Support non-regulatory programs for protection of streams and riparian functions, including education, technical assistance, tax incentives, and voluntary efforts to protect riparian resources.

Policy OSRC-8h: Where additional Riparian Corridors are designated in Area Plans, revise such plans and guidelines as needed to provide protection of riparian corridors equivalent to or better than the protection provided by the General Plan.*

Policy OSRC-8i: As part of the environmental review process, refer discretionary permit applications near streams to CDFG and other agencies responsible for natural resource protection.*

Policy OSRC-8j: Notify permit applicants of possible Federal and State permit requirements in areas near streams and notify landowners whose property overlaps or touches a designated Riparian Corridor regarding the public hearings on the proposed regulations affecting them.*

Policy OSRC-8k: In coordination with resource agencies, landowners and the affected public, conduct a comprehensive study of riparian corridors in grazing areas and, if warranted, develop recommendations for County policies that may be needed to ensure appropriate protection of such corridors.*

Policy OSRC-8l: In coordination with resource agencies, landowners and the affected public, regularly review Riparian Corridor designations, ephemeral drainages, the requests, approvals and required mitigation for setback reductions, any cumulative effect of the approved reductions, and other protection issues and, if warranted, develop recommendations for County policies that may be needed to ensure appropriate protection of riparian corridors.*

Policy OSRC-8m: Apply the SCWA Flood Control Design Criteria creek setback to development along streams where necessary to protect against streambank erosion.

Policy OSRC-8n: Work with the Sonoma County Water Agency and other entities to identify all streams with “bed-and-bank” channels and consider Riparian Corridor designation for all such streams.

3.3 POLICY FOR MARINE FISHERY AND HARBOR RESOURCES

Sonoma County contains marine and inland fisheries and a growing aquaculture industry. Bodega Harbor is the home of a major commercial fishing fleet with berth installations, boat launching ramps, fish receiving piers, a navigation channel and a marina. Commercial and sport fishing net salmon, crab, herring, halibut, shark and bottom fish.



Oil exploration and drilling along the coast may adversely affect sensitive areas identified in the Local Coastal Plan. Streams and estuaries serve as nurseries and habitats for commercial fish species and are especially vulnerable to damage by an oil spill. Offshore activities such as oil platforms, pipelines, and tankers could interfere with commercial fishing activities. Ocean disposal of wastewater could also adversely affect nursery areas and the commercial fishing industry.

The Sonoma County Local Coastal Plan is the primary planning document for land use in the Coastal Zone. County goals, objectives, and policies that address these issues are contained in that Plan.

Footnote: *Mitigating Policy

Open Space and Resource Conservation Program 11. Rezoning of Designated Biotic Resource Areas

Program Description: Prepare and adopt an ordinance zoning properties to correspond to the designated Biotic Habitat Areas and Streamside Conservation Areas (Policy reference: OSRC-7b and 8c).

Open Space and Resource Conservation Program 12. Biotic Resource Protection Ordinances

Program Description: Prepare and adopt implementing ordinances for protection of designated Biotic Habitat Areas and Streamside Conservation Areas consistent with the Open Space and Resource Conservation Element (Policy reference: OSRC-7b, 8d, and 8e).

RIPARIAN CORRIDORS

Comparison of Current & Proposed Stream Protection Standards

CURRENT ZONING		PROPOSED ZONING	
Setbacks for Development	200 feet - Russian River Corridor 100 feet - Flatland Riparian Corridor 50 feet - Upland Riparian Corridor 50 feet - Urban Riparian Corridors	200 ft Riparian Corridor * 100 ft Riparian Corridor * 50 ft Riparian Corridor * * As designated in General Plan and Area/Specific Plans	
Setbacks for Agriculture	100 feet - Russian River Corridor 50 feet - Flatland Riparian Corridors 25 feet - Upland Riparian Corridors	100 feet - Russian River Corridor 50 feet - Flatland 58 & Upland Corridors 25 feet - Other Riparian Corridors	
Riparian Trees	N/A	Existing riparian trees are protected to outer canopy drip line when any part of trunk is located within setback.	
General Prohibitions	Structures Grading Roads <i>Planting of lawns</i> Utility lines <i>Fill or excavation</i> Parking lots	Structures Grading Roads <i>Vegetation removal</i> Utility lines <i>Agricultural cultivation</i> Parking lots	
Setback Exceptions	<ol style="list-style-type: none"> 1. Compliance makes parcel unbuildable. Vegetation removal must be minimized. 2. Maintenance, restoration or minor expansion of an existing structure 3. No significant disturbance of riparian habitat 4. Biotic Resource Assessment. Potentially significant adverse effects on riparian habitat are avoided or mitigated. 	<ol style="list-style-type: none"> 1. Compliance makes parcel unbuildable. Vegetation removal must be minimized. (Zoning Permit) 2. Maintenance, restoration, reconstruction of an existing legal structure or use (Zoning Permit) 3. Expansion of an existing legal structure. Vegetation removal must be minimized. Riparian functions must be protected. (Zoning Permit) 4. Area has no value for riparian functions (Zoning Permit) 5. Conservation Plan. Riparian functions must be protected. (habitat, water quality, flood management, bank stability, groundwater recharge, etc.) (Use Permit) 	
Allowed Uses	<ol style="list-style-type: none"> 1. Streamside Maintenance <ul style="list-style-type: none"> ▪ Only for flood control agency work 	Stream Maintenance & Restoration <ul style="list-style-type: none"> ▪ Sonoma County Water Agency work 	
	<ol style="list-style-type: none"> 2. N/A 	Levee Maintenance	
	<ol style="list-style-type: none"> 3. N/A 	Invasive Plant Removal <ul style="list-style-type: none"> ▪ 5 acres max; Hand labor only 	
	<ol style="list-style-type: none"> 4. N/A 	Stream Maintenance & Restoration (Zoning Permit) <ul style="list-style-type: none"> ▪ 5 acres max; Hand labor only 	
	<ol style="list-style-type: none"> 5. Permitted Summer Dams 	Dams & Stream-related Water Storage (Zoning Permit)	
	<ol style="list-style-type: none"> 6. Road and Utility Line Crossings 	Road and Utility Line Crossings (Zoning Permit) <ul style="list-style-type: none"> ▪ County road construction standards & maintenance guidelines 	
	<ol style="list-style-type: none"> 7. N/A 	Existing Outdoor Activity Area – fencing & maintenance <ul style="list-style-type: none"> ▪ Areas associated with existing legal structure or use ▪ No additional encroachment into existing riparian veg. 	

	CURRENT ZONING	PROPOSED ZONING
	8. Grazing and similar agricultural production activities not involving structures or cultivation	Grazing <ul style="list-style-type: none"> ▪ Livestock control fencing allowed ▪ Livestock watering facilities allowed ▪ Best management practices (BMP) or farm/ranch plan
Allowed Uses	9. Agricultural Cultivation <ul style="list-style-type: none"> ▪ See "Setbacks for Agriculture" 	Agricultural Cultivation (VESCO permit/BMP) <ul style="list-style-type: none"> ▪ See "Setbacks for Agriculture" (above)
	10. <i>N/A</i>	Replanting of existing cropland (VESCO permit/BMP) <ul style="list-style-type: none"> ▪ Field is in active cultivation ▪ Footprint is not increased ▪ Best management practices
	11. <i>N/A</i>	Filter Strip, Equipment Turnaround, Grassy Avenues, and Fencing for Agriculture <ul style="list-style-type: none"> ▪ Compliance with VESCO permit ▪ Best management practices (BMP)
	12. Integrated Pest Management Prog. <ul style="list-style-type: none"> ▪ Selective vegetation removal ▪ Administered by Ag Commissioner 	Integrated Pest Management Program <ul style="list-style-type: none"> ▪ Selective vegetation removal ▪ Administered by Agricultural Commissioner
	13. <i>N/A</i>	Wells <ul style="list-style-type: none"> ▪ Compliance with County Well Ordinance
	14. <i>N/A</i>	Fire Fuel Management <ul style="list-style-type: none"> ▪ County Fire Safe Standards followed ▪ No removal of redwood trees ▪ Vegetation removal is minimum necessary New Development - 100 ft setback (Zoning Permit) <ul style="list-style-type: none"> ▪ Unless no other feasible location ▪ Use of fire resistive construction materials
	15. Bikeways, Trails and Parks <ul style="list-style-type: none"> ▪ Urban riparian corridors 	Bikeways, Trails and Parks <ul style="list-style-type: none"> ▪ On publicly owned land or easement ▪ On private land with zoning permit (Zoning Permit)
	16. Timber <ul style="list-style-type: none"> ▪ Approved Timber Harvest Plan 	Timber <ul style="list-style-type: none"> ▪ Approved Timber Harvest Plan
	17. <i>N/A</i>	Hazardous Tree Removal (Zoning Permit) <ul style="list-style-type: none"> ▪ Report by arborist or professional forester ▪ Tree replacement
	18. Mining Comply with County mining ordinance	Mining <ul style="list-style-type: none"> ▪ Comply with Mining Ordinance & approved Use Permit
	19. No new permanent construction allowed in floodway. Use permit may be required for temporary floating docks (e.g. large or commercial uses)	Temporary (seasonal) Floating Dock (Zoning Permit) <ul style="list-style-type: none"> ▪ 120 sq ft maximum ▪ Encapsulated floatation & grated deck

**AREA AND SPECIFIC PLAN STREAM SETBACKS
RECOMMENDED ZONING**

August 28, 2013

ATTACHMENT E

AREA/SPECIFIC PLAN	AREA/SPECIFIC PLAN STREAM SETBACK ²	GENERAL PLAN SETBACK ²	PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.
LOCAL COASTAL PLAN (LCP)	100' setback from riparian vegetation for ALL riparian corridors including: <ul style="list-style-type: none"> ▪ Americano Crk/Estero¹ ▪ Fort Ross ▪ Gualala River¹ ▪ Mill Gulch¹ ▪ Russian Gulch ▪ Russian River¹ ▪ Salmon¹ ▪ Scotty Stewarts ▪ Stockhoff ▪ Timber Cove ▪ Warren ▪ Wildcat ▪ Willow¹ ▪ Unnamed 	<p>The Local Coastal Plan (LCP) is the policy document that guides land use & development in Coastal Zone.</p> <p>The LCP requires that development comply with the more restrictive standards of the GP or LCP.</p>	200' setback (RC-200)⁵ <ul style="list-style-type: none"> ▪ Russian River¹ 100 setback (RC-100)⁵ <ul style="list-style-type: none"> ▪ Americano Crk/Estero¹ ▪ Fort Ross ▪ Gualala River¹ ▪ Mill Gulch¹ ▪ Russian Gulch ▪ Salmon¹ ▪ Scotty ▪ Stewarts ▪ Stockhoff ▪ Timber Cove ▪ Warren ▪ Wildcat ▪ Willow¹ ▪ Unnamed
AIRPORT INDUSTRIAL SPECIFIC PLAN 1984	100' including all riparian vegetation <ul style="list-style-type: none"> ▪ Mark West Creek¹ (Industrial areas) No setbacks specified <ul style="list-style-type: none"> ▪ Airport Creek ▪ Redwood Creek 	100' setback <ul style="list-style-type: none"> ▪ Mark West Creek^{1,3} 50' setback <ul style="list-style-type: none"> ▪ Airport Creek ▪ Redwood Creek 	100' setback (RC-100) <ul style="list-style-type: none"> ▪ Mark West Creek¹ 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Airport Creek ▪ Redwood Creek
BENNETT VALLEY AREA PLAN 1979	No stream setbacks specified	<p>The Area Plan does not affect the General Plan's riparian setback standards.</p>	100 setback (RC-100)⁵ <ul style="list-style-type: none"> ▪ Mantanzas Creek¹ 50' setback (RC-50) <ul style="list-style-type: none"> ▪ All other streams

¹ 1989 General Plan Designated Riparian Corridor

² Setback measured from top of higher bank unless otherwise stated.

³ 100-ft. setback is applied to flatland reaches of specific streams located in rural areas. For purposes of this table, *rural* refers to the General Plan land use designations of Rural Residential, Land Intensive Agriculture, Land Extensive Ag, Diverse Ag, or Resource and Rural Development.

⁴ 50-ft. setback is applied to upland reaches of streams or to streams in urban areas. For purposes of this table, *urban* refers to General Plan land use designations of Urban Residential, General Commercial, Limited Commercial, General Industrial, Limited Industrial, and Public/Quasi Public.

⁵ The Local Coastal Plan would continue to require the setback standard which is the most restrictive.

⁶ General Plan Land Use Policy LU-1a

AREA/SPECIFIC PLAN	AREA/SPECIFIC PLAN STREAM SETBACK ²	GENERAL PLAN SETBACK ²	PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.
FRANZ VALLEY AREA PLAN 1979	<p>200' setback All major streams on attached Area Plan map including:</p> <ul style="list-style-type: none"> ▪ Bidwell ▪ Briggs¹ ▪ Coon ▪ Franz¹ ▪ Foote ▪ Humbug ▪ Kellogg ▪ Little Briggs ▪ Mark West¹ ▪ Maacama¹ ▪ Mill¹ ▪ Porter¹ ▪ Redwood ▪ Santa Rosa¹ ▪ Salt ▪ Van Buren ▪ Yellow Jacket ▪ Weeks ▪ Unnamed <p>100' setback All minor streams shown on attached Area Plan map including:</p> <ul style="list-style-type: none"> ▪ Barnes ▪ Brook ▪ La Franchi ▪ Martin ▪ Pool ▪ Wright ▪ Others 	General Plan defers to Area Plan when Area Plan standards are more restrictive ⁶	<p>200' setback (RC-200) All major streams on attached Area Plan map including:</p> <ul style="list-style-type: none"> ▪ Bidwell ▪ Briggs¹ ▪ Coon ▪ Franz¹ ▪ Foote ▪ Humbug ▪ Kellogg ▪ Little Briggs ▪ Mark West¹ ▪ Maacama¹ ▪ Mill¹ ▪ Porter¹ ▪ Redwood ▪ Santa Rosa¹ ▪ Salt ▪ Van Buren ▪ Yellow Jacket ▪ Weeks ▪ Unnamed <p>100' setback (RC-100) All minor streams shown on attached Area Plan map including:</p> <ul style="list-style-type: none"> ▪ Barnes ▪ Brook ▪ La Franchi ▪ Martin ▪ Pool ▪ Wright ▪ Others <p>50' setback (RC-50) ▪ All other USGS streams</p>

¹ 1989 General Plan Designated Riparian Corridor

² Setback measured from top of higher bank unless otherwise stated.

³ 100-ft. setback is applied to flatland reaches of specific streams located in rural areas. For purposes of this table, *rural* refers to the General Plan land use designations of Rural Residential, Land Intensive Agriculture, Land Extensive Ag, Diverse Ag, or Resource and Rural Development.

⁴ 50-ft. setback is applied to upland reaches of streams or to streams in urban areas. For purposes of this table, *urban* refers to General Plan land use designations of Urban Residential, General Commercial, Limited Commercial, General Industrial, Limited Industrial, and Public/Quasi Public.

⁵ The Local Coastal Plan would continue to require the setback standard which is the most restrictive.

⁶ General Plan Land Use Policy LU-1a

AREA/SPECIFIC PLAN	AREA/SPECIFIC PLAN STREAM SETBACK²	GENERAL PLAN SETBACK²	PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.
PENNGROVE AREA PLAN 1984	2.5 times the height of bank plus 50' <ul style="list-style-type: none"> ▪ Lichau¹ ▪ Willow Brook¹ ▪ other streams 	100' setback <ul style="list-style-type: none"> ▪ Lichau Creek^{1,3} ▪ Willow Brook^{1,3} 50' setback <ul style="list-style-type: none"> ▪ Lichau Creek^{1,4} ▪ Willow Brook^{1,4} ▪ Other USGS streams 	100' setback (RC-100) <ul style="list-style-type: none"> ▪ Lichau Creek^{1,3} ▪ Willow Brook^{1,3} 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Lichau Creek^{1,4} ▪ Willow Brook^{1,4} ▪ Other USGS streams
PETALUMA DAIRY BELT AREA PLAN 1985	200' from riparian vegetation <ul style="list-style-type: none"> ▪ Americano¹ ▪ Atascadero¹ ▪ Blucher¹ ▪ Salmon¹ ▪ San Antonio¹ 100' from riparian vegetation of other perennial USGS streams including: <ul style="list-style-type: none"> ▪ Stemple Creek ▪ Eablas Creek¹ 	General Plan defers to an Area Plan when the Area Plan standards are more restrictive ⁶ .	200' setback (RC-200) <ul style="list-style-type: none"> ▪ Americano Creek¹ ▪ Atascadero Creek¹ ▪ Blucher Creek¹ ▪ Salmon Creek¹ ▪ San Antonio Creek¹ 100' setback (RC-100) <ul style="list-style-type: none"> ▪ Stemple Creek ▪ Eabias Creek¹ ▪ Other perennial USGS streams 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Other USGS streams
SONOMA MOUNTAIN AREA PLAN 1978	No stream setbacks specified	The Area Plan does not affect the General Plan's riparian setback standards.	100' setback (RC-100) <ul style="list-style-type: none"> ▪ Lichau Creek^{1,3} ▪ Copeland Creek^{1,3} ▪ Crane Creek^{1,3} 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Lichau Creek^{1,4} ▪ Copeland Creek^{1,4} ▪ Crane Creek^{1,4} ▪ Other USGS streams

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⁴ 50-ft. setback is applied to upland reaches of streams or to streams in urban areas. For purposes of this table, *urban* refers to General Plan land use designations of Urban Residential, General Commercial, Limited Commercial, General Industrial, Limited Industrial, and Public/Quasi Public.

⁵ The Local Coastal Plan would continue to require the setback standard which is the most restrictive.

⁶ General Plan Land Use Policy LU-1a

<p>AREA/SPECIFIC PLAN</p>	<p>AREA/SPECIFIC PLAN STREAM SETBACK²</p>	<p>GENERAL PLAN SETBACK²</p>	<p>PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.</p>
<p>SOUTH SANTA ROSA AREA PLAN 1981</p>	<p>200' setback Major streams as shown on attached Area Plan map including:</p> <ul style="list-style-type: none"> ▪ Kawana Springs ▪ Roseland Creek ▪ Todd Creek ▪ Laguna de Santa Rosa¹ ▪ Unnamed <p>100' setback Minor streams as shown on attached Area Plan map including:</p> <ul style="list-style-type: none"> ▪ Hunter ▪ Moorland ▪ Naval ▪ Windmill ▪ Unnamed 	<p>General Plan defers to an Area Plan when the Area Plan standards are more restrictive⁶.</p>	<p>200' setback (RC-200)</p> <ul style="list-style-type: none"> ▪ Kawana Springs ▪ Roseland Creek ▪ Todd Creek ▪ Laguna de Santa Rosa¹ ▪ Other major streams on Area Plan map <p>100' setback (RC-100)</p> <ul style="list-style-type: none"> ▪ Hunter ▪ Moorland ▪ Naval ▪ Windmill ▪ Other minor streams on Area Plan map <p>50' setback (RC-50)</p> <ul style="list-style-type: none"> ▪ All other USGS streams
<p>WEST PETALUMA AREA PLAN 1981</p>	<p>200' setback</p> <ul style="list-style-type: none"> ▪ Petaluma River¹ <p>100' setback</p> <ul style="list-style-type: none"> ▪ Minor streams as shown on attached Area Plan map 	<p>General Plan defers to an Area Plan when the Area Plan standards are more restrictive⁶.</p>	<p>200' setback (RC-200)</p> <ul style="list-style-type: none"> ▪ Petaluma River¹ <p>100' setback (RC-100)</p> <ul style="list-style-type: none"> ▪ Minor riparian corridors as shown on Area Plan Map <p>50' setback (RC-50)</p> <ul style="list-style-type: none"> ▪ All other USGS streams

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⁴ 50-ft. setback is applied to upland reaches of streams or to streams in urban areas. For purposes of this table, *urban* refers to General Plan land use designations of Urban Residential, General Commercial, Limited Commercial, General Industrial, Limited Industrial, and Public/Quasi Public.

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⁶ General Plan Land Use Policy LU-1a

<p>AREA/SPECIFIC PLAN</p>	<p>AREA/SPECIFIC PLAN STREAM SETBACK²</p>	<p>GENERAL PLAN SETBACK²</p>	<p>PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.</p>
<p>HESSEL PLAN 1979 (Repeal)</p>	<p>200' setback</p> <ul style="list-style-type: none"> ▪ Blucher Creek¹ ▪ Laguna de SR¹ <p>100' setback</p> <ul style="list-style-type: none"> ▪ Americano¹ ▪ Gossage ▪ Two unnamed streams shown on area plan map 	<p>General Plan defers to an Area Plan when the Area Plan standards are more restrictive⁶.</p>	<p>200' setback (RC-200)</p> <ul style="list-style-type: none"> ▪ Blucher Creek¹ ▪ Laguna de SR¹ <p>100' setbacks (RC-100)</p> <ul style="list-style-type: none"> ▪ Americano Creek¹ ▪ Gossage Creek ▪ unnamed creeks on Area Plan map <p>50' setback (RC-50)</p> <ul style="list-style-type: none"> ▪ Other USGS streams
<p>LOWER RIVER PLAN 1982 (Repeal)</p>	<p>30' from edge of riparian vegetation</p> <ul style="list-style-type: none"> ▪ Russian River¹ ▪ Austin Creek¹ ▪ Dutch Bill Creek¹ ▪ East Austin Creek¹ ▪ Fife Creek¹ ▪ Green Valley Creek¹ ▪ Salmon Creek¹ 	<p>200' setback (rural areas)</p> <ul style="list-style-type: none"> ▪ Russian River¹ <p>100' setback (rural flatlands)</p> <ul style="list-style-type: none"> ▪ Austin Creek^{1,3} ▪ Dutch Bill Creek^{1,3} ▪ East Austin Creek^{1,3} ▪ Fife Creek^{1,3} ▪ Green Valley Creek^{1,3} ▪ Salmon Creek^{1,3} <p>50' setbacks (urban, upland, or other streams)</p> <ul style="list-style-type: none"> ▪ Russian River^{1,4} ▪ Austin Creek^{1,4} ▪ Dutch Bill Creek^{1,4} ▪ East Austin Creek^{1,4} ▪ Fife Creek^{1,4} ▪ Green Valley Creek^{1,4} ▪ Salmon Creek^{1,4} ▪ All other USGS streams 	<p>200' setback (RC-200)</p> <ul style="list-style-type: none"> ▪ Russian River¹ - rural areas <p>100' setback (RC-100) (Rural flatlands)</p> <ul style="list-style-type: none"> ▪ Austin Creek^{1,3} ▪ Dutch Bill Creek^{1,3} ▪ East Austin Creek^{1,3} ▪ Fife Creek^{1,3} ▪ Green Valley Creek^{1,3} ▪ Salmon Creek^{1,3} <p>50' setback (RC-50) (Urban, uplands, or other streams)</p> <ul style="list-style-type: none"> ▪ Russian River^{1,4} ▪ Austin Creek^{1,4} ▪ Dutch Bill Creek^{1,4} ▪ East Austin Creek^{1,4} ▪ Fife Creek^{1,4} ▪ Green Valley Creek^{1,4} ▪ Salmon Creek^{1,4} ▪ All other USGS streams

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AREA/SPECIFIC PLAN	AREA/SPECIFIC PLAN STREAM SETBACK ²	GENERAL PLAN SETBACK ²	PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.
NORTH SANTA ROSA PLAN 1983 (Repeal)	200' from centerline of creek <ul style="list-style-type: none"> ▪ Mark West Creek¹ 2.5 times height of bank plus 30' <ul style="list-style-type: none"> ▪ Minor streams as shown on attached Area Plan map 	General Plan defers to an Area Plan when the Area Plan standards are more restrictive ⁶ .	200' setback (RC-200) <ul style="list-style-type: none"> ▪ Mark West Creek¹ 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Other USGS Streams
NORTH SONOMA VALLEY SPECIFIC PLAN 1980 (Repeal)	No stream setbacks specified	The Area Plan does not affect the General Plan's riparian setback standards.	100' setback (RC-100) <ul style="list-style-type: none"> ▪ Calabazas Creek^{1,3} ▪ Graham Creek^{1,3} ▪ Santa Rosa Creek^{1,3} ▪ Sonoma Creek^{1,3} ▪ Stuart Canyon Crk^{1,3} 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Calabazas Creek^{1,4} ▪ Graham Creek^{1,4} ▪ Santa Rosa Creek^{1,4} ▪ Sonoma Creek^{1,4} ▪ Stuart Canyon Crk^{1,4} ▪ Other USGS Streams
RUSSIAN RIVER PLAN 1978 (Repeal)	No stream setbacks specified	The Area Plan does not affect the General Plan's riparian setback standards.	50' setback (RC-50) <ul style="list-style-type: none"> ▪ Russian River^{1,4} ▪ Fife Creek^{1,4} ▪ All other USGS streams Note: Plan limited to Urban Service Area
SOUTH SONOMA AREA I 1975 (Repeal)	No stream setbacks specified	The Area Plan does not affect the General Plan's riparian setback standards.	100' setback (RC-100) <ul style="list-style-type: none"> ▪ Sonoma Creek^{1,3} 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Sonoma Creek^{1,4} ▪ Other USGS Streams

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AREA/SPECIFIC PLAN	AREA/SPECIFIC PLAN STREAM SETBACK²	GENERAL PLAN SETBACK²	PROPOSED ZONING Applies only to new uses; No change to setbacks for agricultural cultivation.
SOUTH SONOMA AREA II 1975 (Repeal)	100' setback recommended for streams shown on attached Area Plan map Including: <ul style="list-style-type: none"> ▪ Sonoma Creek¹ ▪ Arroyo Seco ▪ Hereszthy ▪ Hyde ▪ Lovell ▪ Nathanson ▪ Schell ▪ unnamed creeks 	100' setback <ul style="list-style-type: none"> ▪ Sonoma Creek¹ 50' Setback <ul style="list-style-type: none"> ▪ all other creeks 	100' setback (RC-100) <ul style="list-style-type: none"> ▪ Sonoma Creek¹ ▪ Arroyo Seco ▪ Hereszthy ▪ Hyde ▪ Lovell ▪ Nathanson ▪ Schell ▪ unnamed creeks 50' setback (RC-50) <ul style="list-style-type: none"> ▪ All other USGS streams
WEST SANTA ROSA SPECIFIC PLAN 1982 (Repeal)	200' setback from edge of riparian vegetation <ul style="list-style-type: none"> ▪ Santa Rosa Creek¹ ▪ Laguna de SR¹ 100' from riparian vegetation <ul style="list-style-type: none"> ▪ Other streams as shown on attached Area Plan map 	General Plan defers to an Area Plan when the Area Plan standards are more restrictive ⁶ .	200' setback (RC-200) <ul style="list-style-type: none"> ▪ Santa Rosa Creek¹ ▪ Laguna de Santa Rosa¹ 100' setback (RC-100) <ul style="list-style-type: none"> ▪ Other streams shown on Area Plan map 50' setback (RC-50) <ul style="list-style-type: none"> ▪ Other USGS streams
WEST SEBASTOPOL PLAN 1979 (Repeal)	200' setback <ul style="list-style-type: none"> ▪ Atascadero¹ ▪ Blucher¹ ▪ Jonive Creek¹ ▪ Nolan Creek ▪ Santa Rosa¹ ▪ Laguna de SR¹ ▪ Purrington¹ ▪ Salmon¹ ▪ Other perennial streams 100' setback <ul style="list-style-type: none"> ▪ Intermittent and ephemeral streams 	General Plan defers to an Area Plan when the Area Plan standards are more restrictive ⁶ .	200' setback (RC-200) <ul style="list-style-type: none"> ▪ Atascadero Creek¹ ▪ Blucher Creek¹ ▪ Jonive Creek¹ ▪ Laguna de Santa Rosa¹ ▪ Purrington Creek¹ ▪ Salmon Creek¹ 100' setback (RC-100) <ul style="list-style-type: none"> ▪ Other USGS streams

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Director's Working Group Riparian Corridor Implementation Ordinance

Tennis Wick, Director

Jennifer Barrett, Deputy Director

	Participant	Expertise/Associations
1	Al Cadd	Russian River Property Owner Assoc
2	Andy Rodgers	Russian River Watershed Assoc
3	Bob Anderson	Winegrowers
4	Caitlin Cornwall	Sonoma Ecology Center
5	Craig Jacobsen	Farm Bureau
6	Daniel Sanchez	North Bay Assoc of Realtors
7	Denny Rosatti	Conservation Action
8	Don McEnhill	Russian Riverkeeper
9	Gloria Ball	SC Land Rights Coalition
10	John Azevedo	Farm Bureau
11	Mike Jensen	Landscape Architect, Prunuske Chatham
12	Rand Dericco	Syar Vineyards
13	Rick Jorgensen	GHD Engineering
14	Robert Torre	Russian River Wild Steelhead Society
15	Rue Furch	Sebastopol Water Information Group
16	Terry Harrison	Community Alliance with Family Farmers
17	Tito Sasaki	Farm Bureau
18	Joe Dillion Rick Rogers	National Marine Fisheries Service (NMF)
19	Bryan McFadin Stephen Bargsten	North Coast Regional Water Quality Control Board (NCRWQCB)
20	Adam McKannay	California Department of Fish and Wildlife (CDFW)
21	Abigail Smith	SFB Regional Water Board
22	Karen Weiss	Wildlife agency
23	Kimberley Sone	Cal Fire
24	Kara Heckert	Sonoma Resource Conservation District (RCD)
25	Michael Lennox	UC Extension
25	Tony Linegar	Ag Commissioner
26	David Hurst	County Counsel
27	Sandi Potter	PRMD Manager, Environmental Review & Comprehensive Planning
28	Yolanda Solano	PRMD Project Planner



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

Working Group
Riparian Corridor Ordinance
MEETING TOPICS

DATE	TOPICS
May 14, 2014	DETERMINING STREAMSIDE CONSERVATION AREAS <ul style="list-style-type: none">▪ Top of Bank▪ Undesignated Streams▪ Incorrect Mapping▪ Bank Erosion/Meandering Streams▪ Riparian Vegetation Definition▪ Tree Drip Line▪ Area Plans▪ Zoning Maps
June 11, 2014	USES ALLOWED WITHIN STREAMSIDE CONSERVATION AREA <ul style="list-style-type: none">▪ Yard Maintenance▪ Vegetation Removal▪ Fire Fuel Management (Redwood Trees)▪ Agriculture▪ Ag Equipment Turnaround Area▪ Levee Maintenance▪ Wells▪ Docks
July 9, 2014	EXCEPTIONS AND NON-CONFORMING USES <ul style="list-style-type: none">▪ Existing Uses▪ Replanting▪ Conservation Plan
Aug 13, 2014	Review of Revised Draft Ordinance



Sonoma County Planning Commission

MINUTES

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: August 28, 2014
Meeting No.: 14-08

ROLL CALL

Greg Carr
Paula Cook
Jason Liles
Pam Davis
Don Bennett, Chair

STAFF MEMBERS

Jennifer Barrett
Sandi Potter
Chelsea Holup, Office Assistant
David Hurst, Chief Deputy County Counsel

1:00 PM Call to order and Pledge of Allegiance

Approval of Minutes – N/A

Correspondence – several letters for item 1.

Board of Supervisors Actions - none

Commissioner Announcements/Disclosures

Public Appearances

Items scheduled on the Agenda

PLANNING COMMISSION REGULAR CALENDAR

Item No.: 1
Time: 1:05 p.m.
File: ORD13-0002
Continued From: June 20, 2013
Applicant: County of Sonoma
Staff: Sandi Potter
Env. Doc: General Plan 2020 Program EIR
Proposal: Proposal amending the Zoning Code to incorporate the stream protection policies of the County's General Plan and Area/Specific Plans and to replace the existing BR (Biotic Resource) combining zone with the new RC (Riparian Corridor) combining zone and apply to all rivers and streams designated by the adopted General Plan and the Area/Specific Plans. The RC combining zone will include a numeric extension that indicates the minimum general

and agricultural setbacks for the stream conservation area adjacent to streams. The proposed amendments incorporating the General Plan policies into zoning would also bring the Zoning Code into consistency with the County's Building Regulations and Grading Ordinance which already apply General Plan stream protection policies. Affected parcels include those with land in the unincorporated County that adjoin rivers or streams identified in the General Plan Open Space Maps or Area Plans, including all streams shown on USGS maps.

Location: County-wide
APN: Various
District: All
Zoning: Various

Staff presented the staff report incorporated herein by reference.

Commissioner questions:

Commissioner Liles asked about the working group. Who participated and how decisions were made?

Staff Potter stated the group consisted of representations of regulatory agencies, environmental interests, resource conservation districts, General Plan Citizen Advisory Committee members, experts in hydrology and fisheries, Riverkeepers, Trout Unlimited, property rights groups, and representatives of the Real Estate community. The working group met five (5) times in 2014 and discussed a list of issues, working consensus.

Deputy Director Barrett stated the working group discussion provided insights on the issues and highlighted key misunderstandings, allowing us to clarify the ordinance. Where there was a wide difference of opinion on issues staff provided policy choices.

Commissioner Bennett noted that we have been discussing this issue with the Agricultural community and have already adopted policy from 8 years ago through the 2020 General Plan, therefore it is already County law. Commissioner Bennett stated we are not reopening the General Plan. The commission is looking at the best way to implement policy and we cannot relax the standards.

Public Hearing Opened: 1:55 p.m.

Bryan McFadin, representing the NCRWQCB is an engineer for the protection of water ways. Riparian corridors and strong local ordinances are vital to water quality. They support an effective Ordinance the water board can incorporate into their processes and streamline. Weak Ordinances don't protect streams and can result in more complicated processes for property owners. The ordinance is a good first step. Local government is well suited to implement these policies as most property owners think of the County first when asking about permits. Water quality concerns include nutrients and sediment reaching waterways and temperature issues. There are many streams on the list of impaired water bodies, including the Russian River and Laguna de Santa Rosa in the North Coast Region. As part of that process we prepare action plans. We would like to see stronger protections in the County ordinance. They support the comments made by the Regional Water Quality Control Board for Region 2 and the letter submitted by NOAA. Regarding agricultural turnarounds, they support action B to exclude them from the agricultural setbacks. Agricultural turnarounds within the 25-ft set back are not protective. Would like to see more stringent guidelines. They support option B for the water wells and support excluding wells from the setback unless no alternative location exists. He noted that the ordinance allows the Director to approve anything with a conservation plan which provides for flexibility.

Doug Beretta: Organic dairy man in west county. Grazing stakeholders never addressed BMP's for grazing. Grazing is beneficial activity for over growth and invasive species. Requiring burdensome permits are running agriculture out of the county. The land is not eroding away. Please read Farm Bureau letter and Cattlemen's Association letter submitted.

Linda Selover: On the agricultural uses, she noted that fences don't allow wildlife to get to the water. Allowing fencing along steep banks is good. All creeks are different, so the standards should change in different locations. Seasonal grazing increases nutrient loads. Do we consider every runoff a creek?

Vesta Copestakes: Resident of Forestville. Forestville residents have been working to protect riparian corridors along Green Valley Creek. Planting trees provide shade and keeping cattle away has helped save Green Valley Creek. She is impressed by the stakeholders coming together and compromising.

Wendy Smit: Representing herself and her husband and other Alexander Valley resident working in wine industry. Thanks staff and the working group. Important to pass Ordinance and get it approved. It helps clarify rules for everyone. They are not happy with every one of the recommendations but can live with it.

Caitlin Cornwall: Sonoma County Ecology Center biologist. Urges the Commission to move ahead to recommend approval. She participated exhaustively in the General Plan and in the Working Group. We are completely dependent on water for healthy soils and for beautiful vistas. The value of the riparian corridor is well documented in a vast array of scientific literature. We are in a water crisis. Streams are the major recharge areas. The County should protect assets that are important to all citizens. She commended the work of staff and efforts of working group. She would like to see a stronger ordinance. Not enough, but these are baby steps. These policies mitigate the General Plan. She supports and would like to go further.

Joe Dillon: Water Quality Coordinator for NOAA fisheries. NOAA supports staff recommendations on Issues 1,2 and 3. On issue 4, he objects to turnarounds and access roads within the setbacks for agricultural cultivation. Should not allow the turnaround within 25 feet of stream. Also, objects to wells in riparian area (supportive of Option B). Wells can be interconnected with streams. Would like to clarify that some limited vegetation removal is allowed for fire management. Would like redwood trees protected. Also noted that seasonal docks support predator species and impact endangered fish in streams.

Bob Anderson: United Wine Growers. Turnarounds should be maintained. General Plan does work. VESCO works. The County's role should be limited to streamlining.

Tito Sasaki: Farm Bureau President. Please read letter we submitted. Wish we had more time. Crucial issue is complex and controversial. Should consider more time to work with county staff to come up with more solutions.

Al Gerhardt: Rancher from Occidental area since 1974. Riparian corridors move over time. Gravel bars move river. Trees grow and die. The banks of the Russian River have moved from where it was in the 1950's. Are riparian corridors tax free? Should not have to pay if owner can't use area. What if there is no bank along the river to measure the riparian corridor from. Regarding the drip line with contiguous trees, how does it work in forested areas? What if there is no bank on a creek? Timber operations allowed only in TP and RRD, what about the DA? Why can't we cut a redwood?

Norbert Babin: Confused about county taking property without advising property owners. Lives on Russian River in a 1938 single family dwelling. Concerned that there was no due process.

Dennis Murphy: Farmer in Alexander Valley since 1967. Look at the least intrusive options possible. Consistency is important here. To clarify ordinance, you may miss inconsistencies. Consider more time for public testimony. You allow public property exemption and restricted public access. Should be just as strict on private land.

Bobbie Stafford: Lives on Russian River. It is not clear if vegetation removal is allowed. Could be unintended consequences. Own a 35 acre parcel since 1956 and have cut vegetation and camped in the riparian corridor for events. This doesn't create permanent damage. This ability would be prohibited. Possible prohibition of water wells would affect riparian rights. How many holes do you have to dig to show there is no alternative?

Mitch McAlpin: Lives on Russian River. Entire parcel will be in riparian corridor. Please ensure owners are protected. Should not have to get a permit to remove hazardous tree. Maintenance of existing landscape okay but doesn't say anything about removal of limbs.

Terry Harrison: Represents CAFF appreciates staff efforts. Supported the General Plan and the draft Riparian Ordinance. There is value of carbon sequestration from riparian areas. On the turnarounds they support Option B, to exclude from the agricultural setback. It is too difficult to maintain a vegetated filter strip. Regarding Area Plans CAFF supports staff recommendation Option A. On grazing they supports Option A to require BMPs. BMPs have been successful. Maintenance and restoration of habitat supports Option B to allow with no permit. Attempting restoration permits from Corps, Fish and Wildlife, Regional Water Quality Control Board are unnecessary.

Wendy Krupnick: Represents CAFF and will continue with their recommendations. Support Option B for wells to exclude from the setback unless no alternative. Option B is more protective of climate change. We will experience larger downpours. On turnarounds, 25-ft feet doesn't provide a lot of protection. Turnarounds should be farther away. Wells have potential to deplete streams and should be farther away. What is the criteria for Director decisions on conservation plans?

Chris Snyder: Representing operating engineers. Requesting a continuance. What about emergency riprap? They would still like to get into the river and work if needed.

Linda Hale: Representing VOTMA. Many ranchers have restored creeks and seen benefits to more water and fish and healthier lands for farming. Grazing with BMP's should benefit farmers too; it preserves the land.

Deborah Tevarus: Was not noticed until last night. Had she realized a group was meeting she would have attended. Take no action until you have notified all wells owners and all property owners. Continuance requested.

Lou Tevarus: Water collecting on land is breeding area for mosquitoes. One organization says you can't have water on the ground and another organization is saying you have to have water for recharge. Rural household is largest user of water. Most well owners take water out of ground and recycle in septic exporting water from urban users.

Daniel Sanchez: NORBAR advocates for homeowners; Agrees with staff that allowance for wells should be codified. Wells in the corridor are very important because that's where the water is. On the drip line-where does the riparian zone stop? Concerned that it would keep expanding and could encourage owners to remove saplings. It is too complicated to understand where drip line ends. Remove drip line in favor of option c. Allowed uses should include roads and utilities with a planning clearance. On existing landscaped areas can you maintain yards if not landscaped? What about existing yards next to a shed, barn utility corp yards? Fencing should not be only for water protection from grazing operations as there are many rural residential homes near creeks that need fencing for other purposes. We ask for delay until the harvest season is over.

Jane Nielson: Owns two farms in Kansas fifth generation. They planted wide grassy or shrubby areas along row crops. Farmers allowed trees and shrubs to grow. All these changes have reduced flooding, reduced gullies, improve water availability and improved soil moisture. Farmers have forgotten that the planting zones were imposed. Everyone can benefit.

Dan Kerbein: Sierra Club had a representative on the working group and compliment the work done. Would like to improve on the General Plan, give riparian zone a chance, balancing interest of environmental and agricultural community. Look at the public interest, riparian functions are in the public interest. Riparian corridors belong to everyone. Bottom line is if you look at a map and if it would improve the situation, it is a good thing.

Orlean Koehle: Attended the General Plan hearings. Issues raised then that property rights are part of the constitution. Owners are best stewards of property. During the General Plan sent notice to 500 people. What would be the cost of this? If the County allowed gravel mining on the Russian River, it would not meander.

Roger Peters: Owns 8.5 Acres in Kenwood. Lives between two streams. Supports the draft ordinance. Ability to do creek maintenance is unclear in draft ordinance. If we have blackberries can we remove them? Is it 5 acres of Riparian Corridor or 5 acres of land? Will zoning permit process be cumbersome? Water wells within riparian corridor does not make sense. Urge to adopt option B to exclude wells unless no alternative, not option A.

Roy LaMoreaux: Remind people 300 years ago there was a King. Declaration of independence property rights are inviolate. Two forms of government - tyranny and unseen consequences.

Denny Rosatti: Sonoma County Conservation Action. Commend working group. It is a reasonable Ordinance. It's a small step, although the buffers are not enough. Drip line language should stay. Encourage deeper look at water well issue. Not every well is the same. Zoning rule should be explained to customers. Urged commission to move forward.

Don McEnhill: Russian River Keeper. Commend staff and director for the working group. It was a robust process. Strongly support the ordinance as proposed, even though it provides limited protections. We are over drafting key groundwater basins and experiencing more severe droughts. The Russian River functions as a conveyance, speeding water to the ocean without connecting to the floodplain and providing habitat for endangered fish. The riparian ordinance can push that day off for endangered species. Setback does not diminish use of creek side area, rather, it protects property. He continues to work with property owners. Greater buffers are in place elsewhere, even in small cities like Healdsburg. This ordinance is a very small step, but a good step forward.

Lloyd Iversen: Owns seven properties since 1981. Agrees with Tito from Farm Bureau. This is too little too late. The planet is burning up. Need the dedication of the agriculture community to make it work. Public outreach needed. Give farmers more time.

John Bechtol: Brush Creek Road was being channelized up to his property by government. He defeated effort to channelize on his property. Regulating property owners will pre-empt use by bureaucrats; presupposes owners are greedy, when owners are more qualified. He encouraged commission to deny draft ordinance.

David Fanecchi: Lives in Bennett valley on a 40 acre ranch in riparian area. The elephant in the room is protecting riparian areas from farmers, but the river takes our land and nobody is protecting us from the river. You can't expect us to have a new setback when the river erodes. We'd have to take out 200-feet of grapes when the river erodes our bank. Who will enforce the new rules? Farmers need protection. Wait until after harvest to November.

Rue Furch: Lives in rural area with a well. Thanks to staff and director for the working group. The Commission should base their decisions on the functions of riparian areas. The General Plan process was a compromise. We need to acknowledge and respect the science based functions of streams. We had to generalize rather than optimize. The ordinance allows for a Conservation Plan to amend the setbacks which is important, but protections need to stay. Groundwater depletion is occurring now even though we primarily rely on surface water. It is vital that we protect all recharge areas. We have 40,000 wells in Santa Rosa Basin, increasing our reliance on groundwater. This project implements EIR mitigation. City and county should be working together. The Ordinance relies on BMPs that are not fully established yet. Need operational standards for maintenance. Separate "stream maintenance" from "restoration". List of functions should be in ordinance and use the broader SF Water Regional Board's definition in their letter. Supports the use of standards. Performance standards for conservation plan should be specified. The Area Plan setbacks were vetted through a citizen involvement process that more thoroughly examined mitigation measures.

Leroy Ross: Representing family in Franz Valley. Property borders creek. He doesn't feel like he was properly notified. Greatly affects the Franz Valley area. Property is zoned DA with six structures within 50 feet of the riparian. Blackberry bushes are constantly being removed to alleviate floods. Requested continuance.

Public Hearing closed at 4:14 pm

Chair Bennett noted that we had a hearing last year on this and staff has done a lot of public outreach over this past year with the working group of stakeholders. We do our best to reach as many people as we can. The setbacks are already law. We are trying to put this into the zoning code for public information. **Chair Bennett** asked staff to respond to the questions raised in the testimony.

Deputy Director Barrett: Are any setbacks new? All setbacks are adopted in the General Plan or Area Plans and are currently implemented in grading ordinance. We have no new setbacks.

Commissioner Liles noted that existing land uses are allowed to continue. The ordinance won't affect current land use. **Commissioner Liles** How do you define a creek?

Deputy Director Barrett This ordinance addresses only creeks shown on USGS maps per the General Plan policy. Undesignated streams are addressed in the grading ordinance.

Commissioner Liles How and why is there a 30-foot setback for wells?

Deputy Director Barrett This proposed ordinance allows wells that meet standards in the Well Ordinance. There is a preliminary draft Well Ordinance proposed that has a 30-foot setback for wells, but it is not approved yet. Staff recommends allowing wells and defer to the Well Ordinance were all setbacks for wells are contained. The Commission can make a recommendation to exclude wells or recommend a greater setback within the riparian corridors.

Staff Potter: Well Ordinance would take into consideration the depth of the well and location and the use of the well.

Deputy Director Barrett : Question of tax free on property? The taxes are based on value of property and the values would be adjusted during appraisal of land for the highest and best use of the land. Riparian areas allow low intensity of uses so those would be appraised at lower values or discounted as non-buildable.

Deputy Director Barrett Drip line questions. Contiguous riparian area means trees that have touching canopies. Riparian vegetation can only grow close to the water and is distinguished from upland vegetation by the type of plants. Trees will not expand beyond the riparian zone where soil moisture is high and groundwater is available.

Commissioner Carr: "Contiguous" needs to be defined.

Commissioner Liles: In West County identifying contiguous riparian vegetation could be more confusing.

Deputy Director Barrett : Asked staff to show the slide on how we determine the drip line. In forested areas we would use the setback in the database. For areas with no defined bank, we use a formula based on slope stability which is 2.5 times the depth of the stream plus 30-feet measured from the toe of the bank.

Deputy Director Barrett : Timber harvest issue, timber production is listed as an allowed use only in the TP and RRD zones, however, growing and harvesting trees is an allowed use in the agricultural zones subject to the setbacks for agricultural cultivation, so timber harvesting is allowed but outside the setbacks for agricultural cultivation.

Deputy Director Barrett: Why are you not allowed to cut redwood trees? The issue here is in timber areas, where the exemption for fire management is issued by Cal fire. **Staff Potter** noted that removal of redwoods is

prohibited only for fire management. Redwoods are fire resistant and not a fire hazard. They can be trimmed to remove ladder fuels.

Deputy Director Barrett: Are you allowed to remove blackberries? Removal of invasive plants like Himalayan blackberries, Arundo and star thistle is allowed with a zoning permit up to 5 acres, and if over 5 acres, then a conservation plan is required. The area disturbed is what we use to calculate the area. This would be approximately a mile if you are disturbing the entire 50-foot wide corridor or could be 2 miles or more if the area disturbed is half as much. A zoning permit enables us to note the limitations and conditions as noted in the CEQA exemption.

Commissioner Bennett: Do they need a permit?

Deputy Director Barrett: Yes, the type of permit depends on the area to be removed. A zoning permit which is issued over the counter, is required for 5 acres or less. A use permit is required for larger projects. Permit thresholds are based on the scale of projects.

Deputy Director Barrett: The questions regarding structures and uses in the setback. Existing uses can remain and structures are allowed a one-time 10% expansion. They can also maintain their yard areas. Historic practices can continue.

Staff Sandi Potter: The State Water Resources Control Board issues water rights permits and activities in the setback need to be in compliance.

Deputy Director Barrett: Staff recommendation is to allow water wells in the riparian areas subject to the standards in the Well Ordinance. Option B is to allow wells in riparian zone, only if there is no other area to drill a well.

Planning Manager Sandi Potter: Question regarding whether planting in the corridor is allowed. Definitions are located in the Ordinance. (See Attachment A in staff report). There are no prohibitions on planting.

Deputy Director Barrett : Question regarding criteria for approval of conservation plans. Conservation plans are discretionary and can vary depending on the scale of the project. The Director does not always approve these. Minor projects can be approved administratively by staff with a hearing waiver. Major projects will be subject to hearing and approval by the BZA.

Commissioner Carr: There are a number of areas where we need to gain experience.

Deputy Director Barrett : One size does not fit all situations, that is why we use the discretionary process. Case by case analysis works well when you have varied situations. Regarding notice, we published several times in the Press Democrat, on website, sent emails to 200 plus people including everyone on the interested parties list for the General Plan. Also noticed last year for the workshops and the hearing on 6-20-13.

Commissioner Bennett: This item will be going to the Board. This is not the end of the line. There will be much more time for input at the Board level. Where are the funds for this process? **Deputy Director Barrett** noted that funds for this process come from the General fund for staff time.

Commissioner Bennett: What protects farmers from river erosion?

Deputy Director Barrett : Bank stabilization projects are allowed and are considered part of stream maintenance or restoration.

Planning Manager Sandi Potter: Noted that farmers would not need to remove any vines if the river erodes their banks. The setbacks are in place at the time that the field is first planted. They can continue as an existing use and replant per VESCO

Regarding where the setbacks came from. The 1989 General Plan established setbacks for many streams. Older Area Plans have also been in place and were carried over into new General Plan 2020 which expanded designated streams to include all blue line creeks.

Commissioner Bennett: Noted that several letters imply that these setbacks are new.

Staff Potter: All setbacks have been in the General Plan or Area Plans or base zoning. There are no new setbacks.

Commissioner Bennett: Asked the Commission if they want to continue this item or continue deliberations.

Jason Liles noted that the agricultural community would like more time.

Commissioner Carr: Would like to take a vote tonight. It has been 6 years since we adopted the General Plan. The Board wants this sooner rather than later. Not as concerned about tying down every loose end. Staff can address those in procedures.

Commissioner Cook: I'm troubled when public says they didn't know about the hearing. I have a hard time supporting without outreach to each property owner. A year ago we had requests for continuing it because of the Fall harvest season, and here we are again.

Commissioner Davis: I would like to move forward and see what we can accomplish tonight.

Commissioner Bennett: I think a lot of problems are already resolved, we should get this to the Board soon to complete our General Plan implementation. I'd like to see if we can pull this into shape. Not creating new policy.

Deputy Director Barrett : Suggested they start with the issues outlined in the staff report and the policy options listed under each issue area. We can summarize each topic and the Commission should take straw votes on the options.

Deputy Counsel David Hurst: It is the Commissioner's job to look at the item and work out the kinks. Start with Area Plans.

ISSUE: AREA PLANS

Deputy Director Barrett: Starting with issue #1 on Area Plans. All area plans were developed with extensive outreach to community groups. The 1989 General Plan called for implementation of standards and then repeal of 8 Area Plans. The riparian corridors are the last of the standards that need to be implemented before the Area Plans can be repealed. Many streams already have BR zoning. We are trying to make the setbacks easier for the public and staff to determine through zoning. The zone will clarify what the riparian zone is and the setback for agricultural cultivation. The agricultural setback is not always 50% in areas covered by some Area/specific Plans. We used the existing zoning and General Plan criteria to determine the agricultural setback. The options are to implement the setbacks as adopted in the Area Plans or the Commission can recommend that we re-evaluate setbacks in the Area Plans which will require an environmental evaluation.

Commissioner Liles: What are the 4th district Area Plans? Deputy Director Barrett noted that Airport and Franz Valley are the two plans in the 4th District. A summary of the Area Plans and their respective setbacks is contained in Attachment E of the staff report.

Commissioner Carr: Likes option A.

Commissioner Liles: There is not a lot of choice, seems like A is the better option.

Commissioner Bennett: agrees A.

STRAW VOTE: 5-0 for option A to incorporate Area Plan setbacks

ISSUE: DRIP LINE

Deputy Director Barrett: Issue #2 is extending the stream conservation area to the drip line of riparian trees. Cannot protect the trees without protecting the drip line and the root system. This applies only to structures and not to agricultural cultivation which is allowed within the stream conservation zone. Ag cultivation setbacks are not changing and are measured from the top of bank. The options include:
Option A. Extend the riparian zone to the drip line of all contiguous riparian vegetation.
Option B. Extend the riparian zone only to the drip line of trees with trunks in the designated setbacks.
Option C. Do not extend beyond the designated setback

STRAW VOTE: 5-0 for Option B to protect drip line only of trees within the designated setback

Commissioner Cook had to leave for 30 minutes but will return.

Deputy Director Barrett: Remaining issues are related to allowed uses within the riparian zone under Issue 4 of the staff report.

ISSUE: STREAM AND LEVEE MAINTENANCE

STRAW VOTE: 5-0 for Option A Stream and levee maintenance, but to revise to list levee maintenance separately from the exception for Water Agency projects.

Commissioner Liles: Skip maintenance/restoration until Commissioner Cook returns.

ISSUE: ROADS AND UTILITIES

STRAW VOTE: 4-0-1 Cook absent for Option A on roads and utilities

ISSUE: YARD AREAS

Commissioner Carr thought we need to clarify what is a yard area. **Deputy Director Barrett** suggested we use the term "outdoor activity area" to define yard areas, including landscaped or natural vegetation associated with a legally established structure, but not encroaching into areas of existing riparian vegetation. Commissioner Liles asked if yard area would then include the corp yard for a farmer. **Deputy Director Barrett** noted existing land uses are under the exception for legal non-conforming. Yard areas as well as structures can be maintained for existing legally established uses.

STRAW VOTE: 5-0 for Option A with modifications suggested by staff for outdoor activity areas.

ISSUE: TIMBER

STRAW VOTE: as recommended by staff, but delete the phrase "as allowed by base zone" which is already stated in first paragraph.

ISSUE: GRAZING

STRAW VOTE: 5-0 for Option A allowing Grazing with BMPs

ISSUE: TURNAROUNDS

STRAW VOTE: 5-0 for Option A allowing turnarounds with County Counsel's suggested edits

ISSUE: TEMPORARY DOCKS

STRAW VOTE: 5-0 for Temporary Docks as recommended by staff

Commissioner Cook returns

ISSUE: STREAMSIDE MAINTENANCE RESTORATION

Commissioner Cook asked if we could somehow allow invasive plant removal with planning clearance. Maybe consider less than 5 acre threshold.

Deputy Director Barrett clarified that in the case of vegetation removal there is no actual planning clearance since there would be no permit required. Suggested we could separate invasive plant removal from other restoration activities. Invasive Plant removal such as Himalayan blackberries, Arundo, or star thistle, principally involving hand labor and not exceeding 5 acres can be listed separately as an allowed use with no permit required.

STRAW VOTE: 5-0 to separate invasive plant removal from restoration activities as an allowed use. Add wording to clarify that "hand labor" does not involve mechanized equipment, wording used by the State Water Board General Permit.

Reviewed the suggested changes for Yard Areas for Commissioner Cook and other straw votes taken.

Motion by Commission Carr and seconded by Commissioner Davis to recommend approval as amended by straw vote and authorize staff to make minor word changes for clarity.

Motion approved 4-1-0

Commissioner Liles noted we have changed many things and he feels it would be better if the community had more time to review the changes before going to the Board. He supports the recommendations made, but is going to vote no on moving this forward without another hearing.

Vote:

Commissioner Bennett	Yes
Commissioner Carr	Yes
Commissioner Cook	Yes
Commissioner Liles	No
Commissioner Davis	Yes

Ayes: 4
Noes: 1
Absent: 0
Abstain: 0

Date Adopted: October 30, 2014



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

MEMO

Date: August 28, 2014
To: Planning Commission
From: Sandi Potter and Yolanda Solano
Subject: Zoning Code Amendments – Riparian Corridors
File ORD13-0002

Proposed Zoning Amendment

Purpose. The purpose of the proposed zoning code amendments is to 1) implement policies of the General Plan and Area and Specific Plans; 2) protect and enhance riparian functions in balance with agricultural and property development rights; and 3) adopt zoning maps that make it easier to determine and implement existing stream setbacks.

The General Plan's stream protection policies were the result of a lengthy and comprehensive public hearing process where the standards were thoroughly discussed and ultimately adopted by the Board in 2008 as part of the Open Space and Resource Conservation Element of the General Plan (Attachment C). Most of the stream protection policies in the General Plan have been in the zoning code since 1993. The proposed zoning code amendments would update zoning to reflect the changes made in the updated General Plan and clarify interpretations of those policies that have been made over the years in practice. The zoning database would also be updated to reflect the applicable setbacks along all protected streams (all USGS blue line streams) as specified in the General Plan and adopted Area or Specific Plans. The zoning database will also make the riparian corridor setbacks easier for the property owners, realtors, lenders, appraisers and the public to determine and understand.

The proposed zoning code amendments also implement mitigation measures of the Program EIR which was certified for the 2008 General Plan update. Stream protection policies contained in the General Plan are needed to mitigate the potential land use and natural resource impacts of the updated plan. The Board adopted implementation programs to ensure that these stream protection policies would be put into effect, as required by state law.

The County's building code and grading ordinance have already been updated to be consistent with the stream setbacks of the General Plan. The proposed zoning code amendments will complete PRMD's effort to bring internal consistency to the County Code with regard to riparian protection. It also implements the Streamside Conservation Area measures specified in General Plan Programs 11 and 12.

Consistency Required by State Law. The California Government Code (§ 65860) requires that a County's zoning ordinance be consistent with its General Plan. When an inconsistency exists as a result of an amendment to the General Plan, the zoning ordinance must be amended *within a reasonable time* to be consistent with its General Plan as amended. Zoning ordinances are also required to be consistent with adopted area and specific plans.

Stream Setback Categories. The General Plan defined three categories of streams by the setback distance required: 200-foot, 100-foot, and 50-foot. These categories are to be added to the definition section of the zoning code and would be used to identify types of riparian corridor in the zoning database. The zoning database would clearly identify the RC combining zone, along with the standard stream setback distance, followed by the setback for agricultural cultivation. For example, a 50-foot stream would require a 50-foot setback for new construction and a 25-foot setback for agriculture. This would be shown in the zoning data base as RC50/25.

Summary of the Proposed Zoning Code Amendments. The proposed code amendments (Attachment A) include the following components:

- Replace the current Biotic Resource (BR) combining zone with Riparian Corridor (RC) and Biotic Habitat (BH) combining zones to distinguish the applicable special use standards;
- Rename the Rural Commercial (RC) Zone to Commercial Rural (CR) to prevent confusion with Riparian Corridors and match the new zoning code format;
- Add Text to the RC combining zone to reflect changes in GP policies, clarify interpretations and recognize past practices;
- Rezone properties to identify all designated streams and their associated streamside conservation areas followed by the setbacks for agricultural cultivation (e.g. RC-200/100, RC-100/50, RC-50/25, etc.);
- Remove agricultural cultivation setback text from the base zones and place all standards related to Riparian Corridors in the RC combining zone for ease of reference and to conform to the new zoning code format; and
- Amend four Area Plans and repeal eight Area Plans following adoption of the Riparian Corridors standards.

Public Outreach

Public outreach efforts for the proposed zoning changes were extensive and included meetings with key stakeholders, resource agency staff, public workshops and a Planning Commission hearing. Three public workshops and numerous meetings were held in the summer of 2013 to provide information and receive comments from interested parties culminating in a Planning Commission hearing on June 20, 2013. Notices of the proposed ordinance revisions were published in the Press Democrat on five separate occasions. Two press releases were issued and the Press Democrat published two stories, one of which was printed as front page headlines. Stories were also published by the Sonoma West Times and News, the Kenwood Press, the Sonoma Gazette,

and the North Bay Business Journal. Dozens of community groups with diverse views and interests were contacted and staff presentations were made to explain the proposed changes. Informational updates and notices have continued to be emailed to over 200 interested parties.

Following the first hearing of the Planning Commission, the new PRMD director established a Working Group of various stakeholders and resource agencies to review the draft ordinance, identify potential issues, and provide comments or suggestions. Five Working Group meetings were held between April and August 2014 as shown in Attachment F. Most of the changes made to the Revised Draft Ordinance were in response to the comments received from the Working Group. County Counsel also reviewed the Revised Draft Ordinance and made some suggested edits for clarification.

Planning Commission Hearing (June 20, 2013) and Working Group

Issues raised during development of the ordinance focus on: 1) determining the Streamside Conservation Area, 2) uses allowed within the Streamside Conservation Area; and 3) exceptions and non-conforming uses. The primary concerns raised during the Planning Commission hearing on June 20, 2013 included:

- Implementation of Area and Specific Plan setbacks;
- Expanding setbacks to include the drip line of existing riparian trees;
- Turnarounds for agricultural cultivation;
- Timber operations; and
- Vegetation and tree removal.

Additional topics discussed by the Working Group include:

- Uses allowed in the Streamside Conservation Area;
- Agricultural Best Management Practices;
- Roles of the resource agencies and the Agricultural Commissioner; and
- Permitting Thresholds

Each of these issues are discussed in more detail in the sections that follow.

Issue #1: Area/Specific Plans.

The County's sixteen Area and Specific Plans (Area Plans) provide a variety of riparian policies and standards applicable to specified areas of the County which are summarized in Attachment E. Nine Area Plans include riparian setbacks which are greater than those of the General Plan. According to the General Plan, "*In any case where there appears to be a conflict between the General Plan and any Specific Plan or Area Plan, the more restrictive policy or standard shall apply*" (Policy LU-1a). Therefore, the greater setbacks of these nine Area Plans would be implemented in proposed Revised Draft Ordinance. The General Plan requires the repeal of eight Area Plans following

implementation of the Area Plan standards. Of the eight plans to be retained, four have setbacks which are less than the General Plan. These Area Plans are proposed to be updated to meet the minimum standards of the General Plan in accordance with policy OSRC-8h.

The Zoning Code contains an inclusionary provision (Section 26-02-030) which requires that standards of the General and Area Plans be applied to all permits (e.g. building permits, zoning permits, use permits, etc). However, the Area Plan stream setbacks are buried in different sections of these documents and may not be discovered through a typical due diligence zoning query, resulting in unnecessary delay, confusion and often added costs. Incorporation of the Area Plan stream setbacks into the zoning code and database would consolidate the standards in one convenient database, making the requirements clearer and providing the public with consistency and certainty. Once incorporated, the setback standards will be on the PRMD website.

Consolidating the stream setbacks into one location would also increase department efficiency by eliminating the time and cost of searching old hard-copy Plans, reducing the number of project revisions, minimizing errors and providing for straightforward and consistent application of the requirements.

The Area Plan stream setbacks generally apply only to new construction; agricultural cultivation is allowed within these stream setbacks, consistent with the existing base zoning and General Plan setbacks for agricultural cultivation. However, two Area Plans, Petaluma Dairy Belt & West Santa Rosa, apply their stream setbacks to both structures and agriculture, requiring a 30 foot setback from the outer edge of the riparian vegetation. But since one of the objectives of the zoning amendments is to provide consistency and clarity, it is proposed that the standards of all Area Plans be implemented as structural setbacks and that the top of the bank (rather than the outer edge of the riparian vegetation) be used as the reference point to measure the setback for consistency with the General Plan. Setbacks for agricultural cultivation are proposed to remain as currently required by the General Plan.

Policy Options

- a. Recommend implementation of the Area and Specific Plan stream setback standards as provided in the Revised Draft Ordinance.
- b. Recommend that the Board re-evaluate the adequacy of the stream setbacks established by each of the County's Area or Specific Plans and conduct appropriate environmental review and biotic studies in accordance with the California Environmental Quality Act to consider amending Area and Specific Plans as necessary.

Issue #2: Extending Protection to Drip line of Trees

According to findings made in the General Plan EIR, development in the County has resulted in a decrease in the extent and quality of riparian habitat as compared with historic conditions. Ecological function of the riparian zone has greatly diminished as development and agriculture have encroached into the riparian corridor. At the same time, the wildlife corridors created by dense

riparian vegetation are becoming more and more fragmented. The extension of the streamside conservation area to include the outer drip-line of riparian trees is a provision of the draft ordinance added to protect existing contiguous riparian tree stands. Preserving riparian trees which extend beyond the streamside conservation area is currently required for discretionary projects that are subject to CEQA. Preserving riparian vegetation to the outer drip line of the trees would accomplish the intent of the General Plan to preserve riparian vegetation along streams and with it, the valuable functions it provides. Many of the Area Plans also require protection of riparian vegetation to the drip line of trees as summarized in Attachment E. Protection of riparian vegetation to the outer drip line of the trees is regularly required by the Regional Water Quality Control Boards and other permitting agencies and is frequently incorporated into discretionary projects. The drip line provision would not affect agricultural activities which are allowed within the streamside conservation area.

The Working Group discussed the need to protect riparian vegetation and balance the need for use of private property. Some members of the Working Group representing agriculture expressed concerns that extension of the Streamside Conservation Area to the drip line of all contiguous trees is unnecessary because farmers currently plant around mature trees were possible or maintain those trees in such a way as to balance riparian function. Some members recommended that only trees with trunks that are partially within the Streamside Conservation Area, as shown in the zoning database, should be extended to the drip line beyond the Streamside Conservation Area. They warned that an unintended consequence of this requirement may encourage landowners to clear trees before this more restrictive condition occurs. However, extension of the Streamside Conservation Area to the drip line of existing trees would not affect agricultural activities which are allowed within the Streamside Conservation Area. The drip line provision applies only to uses not allowed within the Streamside Conservation Areas.

Policy Options

- a. Recommend extending the Streamside Conservation Areas to the drip line of contiguous riparian trees as proposed in the Revised Draft Ordinance to protect existing ecological functions as described in the General Plan.
- b. Recommend extending the Streamside Conservation Areas only to the drip line of riparian trees with trunks located within or partially within the riparian corridor streamside conservation area, to the outer edge of the drip-line of each of the trees.
- c. Recommend limiting the Streamside Conservation Areas only to the corridor streamside conservation area identified in the General Plan or Area Plans.

Issue #3: Roles of Resource Agencies and Agricultural Commissioner

A major topic of discussion of the Working Group was the role of the Resource Agencies and the Agricultural Commissioner in permitting various uses along streams. The general structure of the existing zoning is to allow uses that are “conducted and maintained in compliance with permits from other agencies”. However, other agencies have limited authority to regulate uses outside the

channel itself. Rather than list all applicable resource agencies for each use listed in the code, it was suggested that a definition of “resource agencies” be added as well as the requirement that projects and activities comply with agency permits. Both of these recommendations have been included in the Revised Draft Ordinance. The requirement for compliance with agency permits can be found at the beginning of section D, *Allowed Land uses, activities and permit requirements*.

Similarly, agricultural uses that are allowed within the Streamside Conservation Area are subject to best management practices developed or endorsed by the Agricultural Commissioner. The Agricultural Commissioner has developed best management practices for permanent crops (vineyards and orchards) and is in the process of developing best management practices for other types of cultivated crops. The Agricultural Commissioner can also endorse the best management practices developed for grazing operations by the Resource Conservation Districts, UC Cooperative Extension or other agencies. There were some concerns regarding the ability to enforce the setbacks and the BMPs particularly for agricultural uses. The Revised Draft Ordinance requires that agricultural activities be conducted and maintained in compliance with the best management practices as determined by the Agricultural Commissioner and allows enforcement through the standard enforcement process defined in Chapter 1 of the County Code.

Issue #4: Uses Allowed within the Streamside Conservation Area

The General Plan lists certain uses as allowed or “consider allowing” but does not specify the level of permitting required. In the zoning code, permit levels are specified in three general ways: 1) planning clearance; 2) ministerial zoning permit; or 3) discretionary use permit. A planning clearance is generally a use by right signed off on a building or grading permit and verifies the use is allowed or in cases where there is no building or grading permits, no permit is required. A zoning permit is another form of planning clearance but is used to document certain standards or limits on the use. A zoning permit or planning clearance do not require notice or environmental review and do not allow conditions to be added other than the standards listed in the code. A use permit is the tool used to permit a use that requires some flexibility in the standards or conditions and discretion on behalf of the decision-making body. A use permit requires notice to neighboring property owners and provides conditioning authority to add conditions to address potential impacts or compatibility issues. A use permit can be issued administratively by staff with a hearing waiver (aka minor use permit) or can be subject to hearing and approval by the Board of Zoning Adjustments. Generally, staff makes the determination on whether to issue a hearing waiver based on the scale of the project and the level of anticipated controversy. It should be noted that, in any case, existing legally established uses are allowed to continue indefinitely. The following discusses the allowed uses and the discussion points raised during the Working Group meetings and the policy options.

1. **Stream and Levee Maintenance.** Some members of the Working Group expressed concerns that stream maintenance could involve extensive work and varying perceptions of acceptable management. Others noted that landowners are required to obtain permits and work closely with a number of resource agencies including the Army Corps of Engineers and Department of

Fish and Wildlife in order to conduct stream maintenance or maintain the levees on their property. However, the authority of these agencies is generally limited to within the channel itself.

The Sonoma County Water Agency has a Stream Maintenance Program and EIR for their stream maintenance activities subject to permitting by Resource Agencies. The Sonoma Resource Conservation District successfully administers a streamlined permit program for levee maintenance in the areas bordering San Pablo Bay. Stream maintenance conducted by the Water Agency is currently allowed with a planning clearance under the current code, but levee maintenance is not specifically mentioned as an allowable use. Stream maintenance conducted by the Water Agency and levee maintenance, was added to the uses allowed in the Streamside Conservation Area because these activities are adequately regulated and monitored by the Resource Agencies. Other stream maintenance activities can be permitted either with a zoning permit or Conservation Plan as noted in #2 below.

Policy Options:

- a. Recommend stream maintenance conducted by the Sonoma County Water Agency or permitted levee maintenance as an allowed use with a planning clearance as proposed in the Revised Draft Ordinance.
 - b. Recommend that stream and levee maintenance require additional review by the County through a zoning permit subject to standards.
 - c. Recommend that stream and levee maintenance require a conservation plan through either a minor or conditional use permit.
2. **Streamside maintenance and riparian habitat restoration.** A minor use permit (aka zoning permit with environmental review) is currently required for streamside maintenance activities involving bank work or grading along streams. The California Environmental Quality Act (CEQA) includes an exemption for the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife for areas less than five acres in size primarily involving hand labor. The Revised Draft Ordinance incorporates the CEQA definition for stream maintenance and habitat restoration as an allowed use with a ministerial zoning permit. Examples of habitat restoration projects include revegetation of disturbed areas with native plant species; habitat restoration carried out with hand labor, stream bank stabilization using native vegetation or bioengineering techniques, and culvert replacement conducted in accordance guidelines of the Department of Fish and Wildlife or NOAA Fisheries. A zoning permit would be required to confirm the project meets the limitations on area and type of work conducted. Restoration projects involving heavy equipment grading or larger areas could be permitted with a Conservation Plan either with a minor or conditional use permit.

Policy Options:

- a. Recommend that streamside maintenance require a zoning permit subject to standards defined in CEQA Exemption 15333 as proposed in the Revised Draft Ordinance.
- b. Recommend streamside maintenance or restoration activities as an allowed use with only a planning clearance.
- c. Recommend that streamside and levee maintenance require a conservation plan through either a minor or conditional use permit.

3. **Road and Utility Crossing.** Some working Group members were concerned that installation of road and utility crossing could result in significant degradation of habitat in these sensitive locations. The Revised Draft Ordinance allows for stream maintenance and riparian restoration projects that are less than 5 acres in area and involve primarily hand labor with a zoning permit. The different permit threshold for road and utility crossing and restoration projects could create an inequity for various types of riparian projects. The requirement for a zoning permit was added to the Revised Draft Ordinance to allow planning staff to confirm that road and utility crossing plans incorporate best management practices as defined in the County's Road Maintenance Standards.

Policy Options:

- a. Recommend road and utility crossings require a zoning permit to ensure best management practices are incorporated as proposed in the Revised Draft Ordinance.
 - b. Recommend road and utility crossings as an allowed use with only a planning clearance.
 - c. Recommend that road and utility crossings require a conservation plan through a minor or conditional use permit.
4. **Maintenance of Existing Landscaped Areas.** The Revised Draft Ordinance was modified to provide assurance to property owners that their existing landscaped yards could continue to be maintained. Vegetation removal to expand landscape areas into the Streamside Conservation Areas would either require an exception documenting no riparian functions or a Conservation Plan to offset any potential impacts.
5. **Grazing.** Some Working Group members expressed concerns that grazing could damage riparian corridors and should not be allowed within Streamside Conservation Areas. Other members pointed out that grazing lands provide groundwater recharge and other valuable riparian functions. The General Plan addressed this concern by referencing conformance with best management practices. Best management practices emphasize the importance of restricting livestock grazing to infrequent, short periods in riparian areas. Fencing is an essential component of successful riparian grazing management as it provides control over livestock. Providing off-stream water so that the animals don't have to enter stream to drink is also essential. The Revised Draft Ordinance permits grazing in riparian areas when best

management practices, developed or endorsed by the Agricultural Commissioner are used. The Revised Draft Ordinance also recognizes the need for livestock controls within the riparian zone in accordance with Ranch Plans approved under waivers of the Regional Water Quality Control Boards.

Policy Options:

- a. Recommend grazing and related fencing and livestock water facilities as an allowed use in compliance with Best Management Practices as proposed in the Revised Draft Ordinance.
 - b. Recommend additional standards for grazing activities in the riparian zones subject to a zoning permit.
 - c. Recommend that grazing activities require a Conservation Plan through either a minor or conditional use permit.
6. **Agricultural Cultivation.** Agricultural cultivation is currently allowed within the Streamside Conservation Area subject to setbacks defined in current zoning and the General Plan of 100 feet along the Russian River; 50 feet along other major streams designated in 1989 or in upland areas and 25 feet along other streams designated in the 2008 General Plan. These setbacks are measured from the top of the higher bank. The setbacks for agricultural cultivation remain the same in the proposed Revised Draft Ordinance. The zoning database will reflect the agricultural setbacks for ease of reference.
7. **Replanting.** When zoning rules change, property owners are allowed to continue a use that lawfully existed prior to the amendments, even if that activity is no longer permitted under the new standards. Under the County Zoning Code Section 26-94 a legal non-conforming use may continue indefinitely until the non-conforming activity ceases for a year or more. However, this time period would penalize farmers that fallow their fields or rotate crops on a routine basis.

The practice of crop rotation and allowing fields to lay fallow is used to improve soil health and manage soil borne diseases. If the ability to continue farming within the stream setback area is jeopardized by leaving a field fallow for a year, the unintended consequence would be to discourage this sustainable farming practice.

The Vineyard and Orchard Erosion and Sediment Control Ordinance (VESCO) allows replanting of orchards and vineyards that have been under active cultivation for the previous five years provided that the footprint does not increase and a minimum 25 feet is maintained from streams. According to the Agricultural Commissioner, a field that has been fallow for up to two years

would still qualify as a replant under VESCO. However, VESCO applies only to vineyards and orchards, not other types of crops.

The Revised Draft Ordinance allows replanting of crops when the area has been in active cultivation. However, the footprint of the area planted may not be increased and the Agricultural Commissioner's Best Management Practices must be used.

While agricultural Best Management Practices are currently available only for vineyards and orchards, the Agricultural Commissioner has indicated that Best Management Practices will be developed for other types of crops, specifically hay/silage and row crops. Similar to VESCO, these Best Management Practices are expected to allow for replants after fallow periods.

8. **Agricultural Turnaround and Access Roads.** A turnaround, more commonly referred to as a headland or turnrow, is the unplowed land at the end of a plowed furrow used for turning farm machinery.

General Plan. The General Plan allows *“equipment turnarounds and access roads associated with agricultural cultivation provided that the affected area is the minimum necessary for these turnaround and access roads and that a minimum 25’ vegetative filter strip is provided and maintained between the affected area and the top of bank.”* Policy OSRC-8d (9)

A vegetative filter strip is an area of grass or other permanent vegetation used to filter sediment, organic nutrients, pesticides and other contaminants from irrigation and storm water runoff before it enters a stream. Filter strips must be maintained in good condition in order to function properly.

VESCO. The Vineyard/Orchard Erosion and Sediment Control Ordinance (VESCO) was adopted on December 9, 2008. VESCO's stream setback requirements apply to new vineyards and orchards “unless stricter requirements are established in the General Plan local coastal plan, or zoning code.”

VESCO Best Management Practices requires a 25-foot “no touch zone” that preserves existing riparian vegetation or, where no vegetation is present, requires that a 25-foot filter strip be installed. VESCO allows grassy avenues and turnarounds within the 25-foot filter strips when the filter strip is maintained for the intended use in compliance with Agricultural Commissioner's Best Management Practice. The intent was to encourage landowners to plant filter strips where there is little vegetation growing in the streamside area. However, traversing the filter strips with farm equipment and vehicles may cause damage if best management practices are not employed. All weather access roads are not permitted within the setback for agricultural cultivation. These standards have been interpreted as consistent with the General Plan since 2008. The Revised Draft Ordinance clarifies that access roads are not allowed within the setbacks for agricultural cultivation and that grassy avenues and turnarounds are allowed when a 25-foot vegetated filter strip is maintained, consistent with VESCO.

Policy Options

- a. Recommend that access roads be excluded from the setbacks from agricultural cultivation and that equipment turnarounds and grassy avenues be allowed within the setback for agricultural cultivation, consistent with VESCO.
 - b. Recommend that the Revised Draft Ordinance incorporate the exact wording of the General Plan which allows turnarounds and access roads within the stream setback, provided that a 25-foot filter strip is maintained between the stream and turnaround area or access road.
9. **Water Wells.** Stream setbacks for water wells are not discussed in either the General Plan or the current zoning code. The General Plan does identify the need to balance land uses, including agricultural irrigation water and wells with riparian habitat values. The County Code does not currently include setbacks from streams for wells, and well drilling is currently permitted in the Streamside Conservation Areas.

Water Resource Element Policy WR-2c and Program 6 require the County to prepare, adopt, and implement a revised well permit ordinance. The General Plan requires that new well standards be developed to improve well data, reduce well interference and drawdown, and ensure sufficient quantity and quality of groundwater. PRMD's Engineering & Water Resources Division handles the permits for water wells and is currently working with stakeholders to revise the water well ordinance (Chapter 25B of the County Code). The Preliminary Draft Well Ordinance suggests a 30-foot setback for wells from streams.

Policy Options

- a. Recommend that water wells be included as a permitted use within Streamside Conservation Areas in compliance with the Chapter 25B as proposed in the Revised Draft Ordinance.
 - b. Recommend that water wells be excluded from the Streamside Conservation Areas, unless no alternative location exists. This would require all new wells be located outside the Streamside Conservation Areas, unless necessary to provide a potable water supply.
10. **Fire Fuel Management.**

Defensible Space. In many areas of the county, property owners are required to modify the vegetation around their buildings to reduce the threat of wildfire. One hundred feet of defensible space is usually required by County Fire Safe Standards. Therefore, even if a building is

located outside of the Streamside Conservation Area, removal of riparian vegetation within the Streamside Conservation Area may be required to comply with fire safe standards.

General Plan. The General Plan addressed this potential need for tree removal by allowing the removal of vegetation within the stream setback area in cases where: 1) there is no other location to build that would avoid the need to remove riparian vegetation for fire protection; 2) the use of fire resistant materials and design does not fully avoid the need to remove riparian vegetation; and 3) removal is limited to the minimum required for fire safety purposes.

Issue. Redwood trees, the most valuable commercial timber species in California, are being removed along rivers and streams under the guise of fire safety. Cal Fire allows the removal of trees within 150 feet of structures under a Fire Hazard Tree Removal Exemption through a ministerial process. A timber operator is required to submit a short form indicating the location of the subject property and type of trees to be removed. A detailed map or plan showing the trees to be removed is not provided. The exemption is ministerial and applies to practically any property, even small residential parcels, provided the trees are to be sold, bartered or traded.

Redwoods are fire resistant trees and can be trimmed and maintained to meet most fire safe standards. The Coast Redwood is the earth's tallest tree and a landmark native species unique to the California/Oregon coastal zone. They have also been listed by zoning as a protected tree.

Resolution. The Revised Draft Ordinance continues to allow removal of vegetation to create a defensible space, but redwoods are not permitted to be removed within the Streamside Conservation Areas, though trimming of ladder fuels is allowed. A redwood could be removed for fire safety purposes with a zoning permit when County Emergency Services validates the appropriateness of the removal based on unique or site specific conditions. Removal of damaged or diseased trees is also allowed under the Revised Draft Ordinance, as specified in section D (16).

11. **Temporary Seasonal Docks.** The zoning code currently prohibits new permanent structures within a floodway; however, temporary non-commercial floating docks which are removed at the end of the season are allowed and may require a use permit. The Revised Draft Ordinance allows "temporary seasonal floating docks" up to 120 square feet in size with a zoning permit and larger temporary docks could be permitted with a use permit and a Conservation Plan.

12. **Timber operations.** The General Plan allows timber harvesting within the Streamside Conservation Areas with a timber harvest plan that has been approved by the California Department of Forestry and Fire Protection (Cal Fire). Timber harvesting is permitted in two zoning districts: TP (Timber Preserve) zone and RRD (Resource and Rural Development).

The previous draft of the ordinance (reviewed by the Planning Commission in June 2013) allowed timber operations only on parcels zoned TP (Timber Preserve). Under that provision, the harvesting of timber within the County's stream setback would not have been allowed on land zoned RRD.

Resolution. The Revised Draft Ordinance eliminates this restriction and allows timber harvesting in the Streamside Conservation Area in the zones where timber harvesting is permitted provided a timber harvest plan has been approved by CalFire for the operation

13. **Hazardous Trees.** The Revised Draft Ordinance has been revised to allow the removal of hazardous trees located within the streamside conservation area with a zoning permit. The permit requirement would allow for review of a hazardous tree assessment report prepared by an arborist or a Registered Professional Forester (RPF) verifying that removal is the only practical means of abating the hazardous condition. The permit may also include the type of replacement tree and confirm that the tree to be removed does not contain active nesting or roosting sites of migratory birds or threatened or listed species. In an emergency situation that involves an imminent hazard to life or property and where an immediate response is required, the hazardous tree may be removed and a post-mortem report submitted.

Issue #5: EXCEPTIONS TO PROHIBITIONS

The General Plan includes five situations in which otherwise prohibited uses are allowed within the streamside conservation area. These exceptions are included in the draft ordinance and outlined below:

1. Parcel would be unbuildable
2. Minor expansion of legal non-conforming structure
3. Maintenance, restoration or reconstruction of existing structure or use.
4. Project site has no substantial value for riparian functions
5. A conservation plan is approved which sets forth measures to off-set the negative effects of use that would not otherwise be allowed. The Revised Draft Ordinance allows any use that does not meet the limitations and standards in the ordinance to be approved with a Conservation Plan. The working group emphasized the importance of developing a simplified process for minor projects. Some jurisdictions have adopted "stewardship plans" as a simple, user friendly method of allowing an exception for minor types of activities such as removing vegetation. In most cases, a Farm or Ranch Plan developed for the Regional Water Quality Control Board TMDL waivers or a restoration plan developed for permitting by other agencies can be approved as the conservation plan.

Issue #6: CEQA Compliance

The Program Environmental Impact report (EIR) for Sonoma County General Plan 2020, certified by the Board of Supervisors in 2008, disclosed, evaluated and mitigated potential environmental impacts of General Plan policies. Potential impacts of riparian protection measures and stream setbacks were analyzed in multiple sections of the EIR. In addition, Mitigation Measure 4.6-2(b) directs the rezoning of all lands within Streamside Conservation Areas to the Biotic Resources combining zoning district, and the adoption of a riparian protection ordinance. The proposed Revised Draft Ordinance would implement Mitigation Measure 4.6-2(b). Riparian protection will be achieved through application of the zoning database and permitting process. The Revised Draft Ordinance would not relax any existing standards or policies in the General Plan or Area Plans.

The Revised Draft Ordinance 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 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. 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/gp2020/gp2020eir/index.htm>

STAFF RECOMMENDATION

Staff recommends that the Planning Commission hold a public hearing on the proposed Revised Draft Ordinance and Database amendments and at the conclusion of the hearing adopt the Draft Resolution recommending that the Board take the following actions:

1. Adopt the Draft Ordinance (Attachment A) approving text amendments to Chapter 26 (Zoning) of the Sonoma County Code to do all of the following:
 - a. Rename Article 38 Commercial Rural (CR) zone and substitute the proposed Commercial Rural (CR) nomenclature for the current Rural Commercial (RC) of all properties zoned as such; and
 - b. Revise Articles 4, 6, 8, 10, 16, 18, 26, 40, and 42 to delete the riparian setbacks related to agricultural cultivation and refer to the requirements of Article 65, Riparian Corridors; and
 - c. Add Article 65 Riparian Corridor Combining Zone as shown in Exhibit A attached to the Draft Ordinance; and
 - d. Replace Article 66 in its entirety with Biotic Habitat (BH) Combining Zone as shown in Exhibit B attached to the Draft Ordinance; and
 - e. Amend the Official Zoning Database to rezone properties to reflect the new zoning classifications for all Riparian Corridors and Biotic Habitat areas and rename Commercial Rural properties as listed in Exhibit C attached to the Draft Ordinance.
2. Adopt a Resolution (Attachment B):

- a. Amending the following Area Plans to conform to General Plan standards:
 - Airport Industrial Specific Plan as shown in Exhibit A attached to the Resolution;
 - Bennett Valley Area Plan as shown in Exhibit B attached to the Resolution;
 - Penngrove Area Plan as shown in Exhibit C attached to the Resolution;
 - Sonoma Mountain Area Plan as shown in Exhibit D attached to the Resolution;
- b. Repealing the following Area Plans, the standards of which have been implemented through zoning:
 - North Santa Rosa Plan
 - West Santa Rosa Specific Plan
 - North Sonoma Valley Plan
 - South Sonoma Areas I and II
 - Lower River Plan
 - Hessel Plan
 - Russian River Plan
 - West Sebastopol Specific Plan

FINDINGS FOR RECOMMENDATION

1. The proposed amendments are consistent with the County's General Plan in that they incorporate into zoning the General Plan's goals, objectives, and policies which provide for the protection of riparian corridors including the establishment of Streamside Conservation Areas as set forth in the Open Space and Resource Conservation Element and as specifically required by Open Space and Resource and Conservation Implementation Programs 11 and 12. The project is also consistent with the County's Area/Specific Plans in that the proposed stream setbacks correspond with the standards of the applicable Area/Specific Plan when those standards are more stringent than the General Plan as required by General Plan Policy LU-1a.
2. The Program Environmental Impact report (EIR) for Sonoma County General Plan 2020, certified by the Board of Supervisors in 2008, disclosed, evaluated and mitigated potential environmental impacts of General Plan policies. Potential impacts of riparian protection measures and stream setbacks were analyzed in multiple sections of the EIR. The General Plan includes a policy (OSCR-8h) and EIR mitigation measure that requires revisions to Area and Specific Plans and considered impacts of equivalent or better riparian protection in these areas. In addition, Mitigation Measure 4.6-2(b) directs the rezoning of all lands within Streamside Conservation Areas to the Biotic Resources combining zoning district, and the adoption of a riparian protection ordinance. This Project would implement Mitigation Measure 4.6-2(b). Riparian protection will be achieved through application of the zoning database and planning process. The proposed Zoning Code amendments would not relax any existing standards or policies in the General Plan or Area/Specific Plans.

The proposed Project 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>.

LIST OF ATTACHMENTS:

1. ATTACHMENT A: Draft Ordinance Amending Chapter 26 of the Zoning Code
 - Exhibit A Article 65 Riparian Corridor (RC) Combining Zone
 - Exhibit B Article 66 Biotic Habitat (BH) Combining Zone
 - Exhibit C Zoning Database Table with Existing and Proposed Zoning (on CD and available online at http://www.sonoma-county.org/prmd/docs/riparian_corridor/index.htm)
2. ATTACHMENT B: Draft Resolution repealing 8 Area Plans and Amending 4 Area Plans
 - Exhibit A Airport Industrial Specific Plan
 - Exhibit B Bennett Valley Area Plan
 - Exhibit C Penngrove Area Plan
 - Exhibit D Sonoma Mountain Area Plan
3. ATTACHMENT C: General Plan Policies for Riparian Corridors and Land Use Policy LU-1a
4. ATTACHMENT D: Comparison of Current and Proposed Stream Protection Standards
5. ATTACHMENT E: Summary of Area Plan Stream Setbacks
6. ATTACHMENT F: Working Group Roster
7. ATTACHMENT G: Planning Commission Minutes of 6-20-2014

Resolution Number #14-015

County of Sonoma
Santa Rosa, California

August 28, 2014
ORD13-0002 Sandi Potter

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING TO THE BOARD OF SUPERVISORS THE ADOPTION OF AN ORDINANCE AMENDING CHAPTER 26 (THE ZONING ORDINANCE) OF THE SONOMA COUNTY CODE TO IMPLEMENT THE GOALS, OBJECTIVES, POLICIES AND PROGRAMS OF THE GENERAL PLAN RELATED TO THE PROTECTION OF RIPARIAN RESOURCES AND APPROVING AN AMENDMENT REVISING STREAM SETBACKS IN THE AIRPORT INDUSTRIAL SPECIFIC PLAN, BENNETT VALLEY AREA PLAN, PENNGROVE AREA PLAN AND THE SONOMA MOUNTAIN AREA PLAN FOR CONSISTENCY WITH THE GENERAL PLAN, AND REPEALING THE HESSEL, LOWER RIVER, NORTH SANTA ROSA, NORTH SONOMA VALLEY, RUSSIAN RIVER, SOUTH SONOMA AREA I, SOUTH SONOMA AREA II, WEST SANTA ROSA AND WEST SEBASTOPOL AREA PLANS.

WHEREAS, the County of Sonoma adopted the Sonoma County General Plan 2020 (GP2020) on September 23, 2008, including an Open Space and Resource Conservation Element which set forth goals, objectives and policies to increase stream protections and the wide range of riparian functions they provide, including groundwater recharge, stream bank stability, water quality, and fish and wildlife habitat; and

WHEREAS, GP2020 requires that the streamside conservation areas and regulations set forth in the Open Space and Resource Conservation Element be implemented through zoning; and

WHEREAS, GP2020 Open Space and Resource Conservation Element policies adopted to increase protection for rivers and streams where identified as mitigating policies in the Environmental Impact Report (EIR) for GP2020 and accordingly, an Open Space and Resource Conservation Program was adopted requiring that properties be rezoned to correspond to the designated Streamside Conservation Areas set forth in the General Plan; and

WHEREAS, the Permit and Resource Management Department has proposed amendments to the Zoning Code to include changes to the zoning text and data base in conformance with the riparian protections set forth in the General Plan and in accordance with Open Space and Resource Conservation Program 11 as well as to satisfy the mitigation requirements of the EIR adopted for GP2020; and

WHEREAS, the County adopted seventeen Area/Specific Plans between 1975 and 1985 which include provisions for the protection of rivers and streams, most of which are identified as mitigating measures in the Environmental Impact Reports adopted for each plan but were never incorporated into zoning; and

WHEREAS, nine of the County's Area/Specific Plans include stream setbacks that exceed those

set forth in Open Space and Resource Conservation Element of the General Plan; and

WHEREAS, the General Plan provides that in any case where there appears to be a conflict between the General Plan and any Specific or Area Plan the more restrictive policy shall apply and therefore the greater stream setbacks of the nine area plans are controlling and applied to discretionary projects; and

WHEREAS, the Permit and Resource Management Department has proposed amendments to the Zoning Code to incorporate the greater riparian setbacks set forth in the nine Area/Specific plans and in doing so satisfy the requirements of the EIR adopted for each plan and realize the intent as set forth in the nine Area/Specific Plans; and

WHEREAS, the General Plan designates the Hessel, Lower River, North Santa Rosa, North Sonoma Valley, Russian River, South Sonoma I, South Sonoma II, West Santa Rosa and West Sebastopol Specific Plans for repeal once the development standards and guidelines have been considered for adoption; and

WHEREAS, of the eight Specific Plans slated for repeal, the Hessel, North Santa Rosa, South Sonoma II, West Santa Rosa, and West Sebastopol Specific Plans include riparian setbacks which are greater than those of the General Plan Open Space and Resource Conservation Element and identified as mitigation measures in the EIR adopted for each plan and may therefore be repealed once the riparian protections are incorporated into zoning and California Environmental Quality Act requirements are satisfied; and

WHEREAS, duly noticed public workshops to introduce the proposed zoning code amendments and receive public input were hosted by PRMD staff on May 22, 2013, June 5, 2013 and September 12, 2013; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a duly noticed public hearing on June 20, 2013 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission continued the hearing to allow staff sufficient time to prepare policy options requested by the Commission; and

WHEREAS, the PRMD Director convened a working group comprised of representatives of various organizations, interest groups and agencies which met on five different occasions between April 9, 2014 and August 13, 2014 to review the draft ordinance and provide the Director with their recommendations; and

WHEREAS, the Director's working group provided numerous comments and suggestions, many of which were incorporated into the draft ordinance; and

WHEREAS, Permit and Resource Management staff prepared a report dated August 28, 2014 for the Planning Commission reviewing the proposed amendments, setting forth the proposed regulatory changes necessary to implement the General Plan goals, objectives and policies; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a second duly noticed public hearing on August 28, 2014 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission, having considered all materials, file information, all

public and agency comments, and all reports from staff, and the proposed Ordinance revisions, does make the following findings:

1. The proposed amendments are consistent with the County's General Plan in that they incorporate into zoning the General Plan's goals, objectives, and policies which provide for the protection of riparian corridors including the establishment of Streamside Conservation Areas as set forth in the Open Space and Resource Conservation Element and as specifically required by Open Space and Resource and Conservation Implementation Programs 11 and 12. The project is also consistent with the County's Area/Specific Plans in that the proposed stream setbacks would correspond with the standards of the applicable Area/Specific Plan when those standards are more stringent than the General Plan as required by General Plan Policy LU-1a.
2. The Program Environmental Impact report (EIR) for Sonoma County General Plan 2020, certified by the Board of Supervisors in 2008, disclosed, evaluated and mitigated potential environmental impacts of General Plan policies. Potential impacts of riparian protection measures and stream setbacks were analyzed in multiple sections of the EIR. In addition, Mitigation Measure 4.6-2(b) directs the rezoning of all lands within Streamside Conservation Areas to the Biotic Resources combining zoning district, and the adoption of a riparian protection ordinance. The proposed Zoning Code amendments would implement Mitigation Measure 4.6-2(b). Riparian protection will be achieved through application of the zoning database and planning process. The proposed zoning amendments would not relax any existing standards or policies in the General Plan or Area Plans.

The proposed code 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/complandiv.htm>.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the ordinance amending Chapter 26 of the Sonoma County Zoning Code as follows:

- a. Rename Article 38 Commercial Rural (CR) zone and revise Articles 4, 6, 8, 10, 16, 18, 26, 40, and 42 to delete the riparian setbacks related to agricultural cultivation and refer to the requirements of Article 65, Riparian Corridors as shown in the ordinance provided in Attachment A; and
- b. Add Article 65 Riparian Corridor Combining Zone as shown in Exhibit A attached to the ordinance; and
- c. Replace Article 66 in its entirety with Biotic Habitat (BH) Combining Zone as shown in Exhibit B; and

- d. Amend the Official Zoning Database to rezone properties to reflect the new zoning classifications for all Riparian Corridors and Biotic Habitat areas and rename Commercial Rural properties as listed in Exhibit C attached to the ordinance.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the amendments to the following Area and Specific Plans to conform the riparian setbacks to the General Plan standards:

- a. Airport Industrial Area Specific Plan
- b. Bennett Valley Area Plan
- c. Penngrove Area Plan
- d. Sonoma Mountain Area Plan

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Commission's 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 Davis, and adopted on roll call by the following vote:

Commissioner	Bennett	Aye
Commissioner	Carr	Aye
Commissioner	Cook	Aye
Commissioner	Liles	No
Commissioner	Davis	Aye

Ayes: 4 Noes: 1 Absent: 0 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.

EXHIBIT A- Airport Industrial Area Specific Plan Amendments

Amend pages 56, 57 and 58 as shown in bold underline text below:

F. OPEN SPACE AND AGRICULTURAL AREAS

1. **Purpose and Objectives.** Open space and conservation areas and policies are established in this plan for the following purposes.
 - a. To preserve existing agricultural values;
 - b. To retain those planning area open space components with particularly high scenic and community separator values;
 - c. To protect planning area native streams from water quality degradation and from alterations or obstructions which might create flood hazards;
 - d. To protect planning area riparian values; and
 - e. To mitigate potential development impacts on rare and endangered plant species.

2. **Open Space Area Designations**
 - a. **Agriculture and Open Space Areas.** Agricultural and Open Space designations on Figure 5 are intended to accommodate and preserve agricultural uses, to provide a distinct open space separation between planning area industrial activity and other developed areas, to maintain rural scenic values along U.S. 101, and to provide general visual relief from urbanization without encroachment by incompatible uses.

 - b. **Critical Community Separator and Scenic Area.** Approval of any industrial or commercial development on an assembly of planning area which includes a portion of the designated Critical Community Separator and Scenic Area (see Figure 5), including parcels 7, 49, 50, and 51 on Figure 4, shall be conditioned upon the following:
 1. Owner dedication to the County of a permanent open space and conservation or agricultural easement encompassing that portion of the subject land assembly which is within the Figure 5 designated Critical Community Separator Boundary;
 2. Establishment of a third-party interest in that dedication with a nonprofit organization involved in the preservation and protection of open space, to ensure that the open space nature of the easement remains in perpetuity;
 3. A developer commitment to fund and, in cooperation with designated third party, install and maintain a 15-foot average width landscaped buffer along the outside edge of the development boundary. (The

buffer area should be landscaped with a combination of Coast redwoods and Valley oaks, placed in natural looking clusters along the northern and eastern edge of the development boundary.)

4. A developer commitment to provide ongoing maintenance of grassland or to establish an agricultural use in the foreground between the development area boundary and the U.S. 101 right-of-way.
5. The posting of notes on the Final Subdivision Proposal for these parcels explaining the permanent nature of the open space easement.

- c. **Mark West Creek.** The planning area segment of Mark West Creek has been designated as a major waterway by the Sonoma County Water Agency and has been identified as a significant riparian habitat by the California Department of Fish and Game. To ensure that these values are not adversely affected by planning area development, the following standards shall apply to those parcels ~~with industrial designations~~ that border Mark West Creek.

Industrial Land Use Designations:

1. Mark West Creek shall be retained as a natural waterway.
2. A permanent open space corridor shall be established along the planning area side of Mark West Creek to provide an adequate buffer zone between industrial development and riparian habitat. The following guidelines and policies shall be applied in establishing the zone:
 - a. The corridor shall include all riparian vegetation as indicated in aerial photographs taken of the creek on or before May 1984 (see Figure 3).
 - b. In addition, the corridor shall include an unobstructed access easement between the riparian growth and the edge of industrial development, to provide a means of controlled public and maintenance access.
 - c. Development of lands bordering the creek shall be made contingent upon erection by the applicant of a continuous 6-foot chainlink fence along the outside edge of the corridor.
 - d. The width of the access easement shall measure at least 10 feet from the outside drip line of the riparian canopy, as indicated by the aerial photography.
 - e. The minimum width of the creek setback shall be 100 feet from the top of the high bank, as defined by Sonoma County Water Agency criteria, and the face of the fence line described above. All riparian vegetation shall be included in the creek setback area.
 - f. The corridor between the creek bank and fence line shall be granted in fee simple to the County of Sonoma or its designee as a permanent riparian conservation and enhancement corridor.

- g. Where such standards are less restrictive than required for General Plan designated riparian corridors, compliance with the General Plan standards is required.¹
3. To protect wildlife habitats, access to the creek shall be restricted.
4. Where warranted, plantings of native species shall be introduced into the open space corridor between the access easement and creek bank to increase cover and enhance the wildlife habitat. The Department of Fish and Game shall be consulted regarding appropriate selection and use of plant materials to ensure successful growth and wildlife adaptation.
5. The access easement shall be kept clear and periodically mowed to allow detection of infringements and controlled public access.

Agricultural and Rural Residential Land Use Designations:

1. **Stream setbacks of 100 feet, measured from the top of the higher bank, shall be provided in accordance with General Plan policies and Zoning Code standards.**
- d. **Airport and Redwood Creeks.** Planning area segments of Airport Creek and Redwood Creek are designated as minor waterways by the Sonoma County Water Agency based on area of their tributary watershed. Vegetation and wildlife values associated with these creek segments are less substantial than those of Mark West Creek. **The policies of the General Plan and Zoning Code standards shall apply to all creeks within the Area Plan boundaries. In addition,** the following standards shall apply to those industrial park designations through which these streams pass:
1. The Sonoma County Water Agency will be responsible for reviewing any projects that would substantially divert or obstruct natural stream flows, or would substantially change the bed channel or bank of either stream. Development plans that propose alterations to either of these stream channels shall be submitted to the SCWA for approval. The types of alterations that are permissible and associated design standards are set forth in the agency's Flood Control Design Criteria.
 2. All proposed development plans that affect these stream channels shall be submitted by the Planning Department to the California Department of Fish and Game, which will review them for possible adverse impacts on wildlife and vegetation, and suggest mitigation measures where indicated.
 3. Flood control improvements to these two creeks shall be designed to maintain or enhance the aesthetic qualities of the channel through preservation of existing vegetation and introduction of new landscaping.

¹ Plan amendment dated March 9, 1993, Resolution No. 93-0337.

EXHIBIT B - Bennett Valley Area Plan Amendments

Amend pages 22 and 23 as shown in bold underline text below:

STANDARDS - APPLICATION

Review of any proposed development should consider each of the standards described below. Each standard should be applied to the maximum extent feasible, recognizing that in some cases these standards when applied to a particular project may be contradictory. General Plan policies shall apply where the development guidelines conflict with the General Plan. The Design Review Committee should consider the total impact of the project in determining the extent to which each standard should be applied.

- (1) It is the policy of this study to preserve the natural state of the land and vegetation.
- (2) Structures shall blend with the existing landscape and vegetation to the maximum feasible extent. Therefore, minimum setbacks shall be consistent with the Sonoma County Subdivision Ordinance, the General Plan, or where applicable, with the adopted Bennett Valley Area Plan, whichever is more restrictive. No new structure shall be sited within visual/scenic corridors, riparian corridors or unique biotic resource areas as designated on **either** the ~~Critical~~ Open Space Plan Maps of the **General Plan or** Bennett Valley Area Plan, ~~where applicable~~, except in the visual/scenic corridor where the entire parcel is included within such designation or except in the visual/scenic corridor where said structure is a fence or agricultural appurtenance. Where the entire parcel is included in a visual/scenic corridor area, or where said structure is an agricultural appurtenance greater than 200 sq. ft., the Bennett Valley/North Sonoma Mountain Design Review Committee shall condition the approval of such structure(s) to mitigate adverse effects to the open space resource. In considering mitigation measures on agricultural appurtenances, the Design Review Committee will give priority to the needs of productive agriculture. A fence or agricultural appurtenance less than 200 square feet is permitted without design review. **All designated riparian corridors shall be subject to all stream protections policies of the General Plan and Zoning Code standards.**
- (3) Site plans shall be presented to the Bennett Valley/North Sonoma Mountain Design Review Committee including:
 - a. An existing topographic map
 - b. An existing vegetation plan
 - c. Photographs of the site from four (4) directions
 - d. A proposed grading plan (if any)
 - e. A proposed landscape plan
 - f. A plan showing siting, bulk, design, color and materials of structures.
- (4) Approval of plans for new structures shall consider the relationships of the site.
- (5) All new structures shall be sited so that they harmonize with the natural surroundings, including but not limited to topography and vegetation; specifically

- a. Roof lines shall follow established lines of land and/or tree forms;
 - b. Existing vegetation and landforms shall be utilized to screen structures from public view.
- (6) New structures should be sited to take advantage of solar energy where that siting does not conflict with the public view.
- (7) Structures shall utilize color, texture and materials that blend harmoniously with surrounding landscape. The following are recommended for harmonious development:
- a. Materials: natural wood siding or shingles and natural stone for exteriors;
 - b. Colors: earth tone;
 - c. Roofing: fire resistant but dark toned if visible;
 - d. Roofline: considered in relationship to the total composition of structure with landscape.
- (8) Utilities shall be placed underground from source point, unless masked by existing vegetation.
- (9) Project outdoor lighting shall comply with the outdoor lighting policies of the General Plan Open Space and Resource Conservation Element.
- (10) Existing structures shall be encouraged to comply with the standards for new structures as they undergo remodeling and maintenance.
- (11) Existing neighborhoods shall be encouraged to undertake tree planting and landscaping programs to screen existing development from public view and to increase the privacy, comfort and habitability of the neighborhood (Chart 1).

Exhibit C - Penngrove Area Plan Amendments

Amend pages 32 and 38 as shown in bold underline text below:

Page 32:

Implementation

(1) Lichau Creek and Willow Brook are designated as major riparian corridors and the four intermittent streams as minor riparian corridors. A ~~building setback of 2 1/2 times the height of the bank plus 50 feet or 50 feet from the top of the higher bank~~ **stream conservation area of 100 feet from the top of the higher bank shall be required along the lower portions of Lichau Creek and 50 feet from the top of the higher bank shall be required along the upper portions of Lichau Creek, Willow Brook** and the intermittent streams. Replacement of existing buildings located within the setback is subject to the approval of the Sonoma County Water Agency and the Planning Director. Where such setback is less than required for General Plan designated riparian corridors, compliance with the General Plan **and standards of the Zoning Code** is required.

(2) All creeks shall be retained as natural waterways.

(3) Restoration and fencing shall be required on all subdivisions, use permits and Design Review applications unless waived by the Planning Director.

Page 38:

Vegetation and Wildlife

A **setback of 100 feet from the top of the higher bank is required along the lower portions of Lichau Creek, and a 50 foot setback is required along the upper portion of Lichau Creek**, Willow Brook and the intermittent streams. Where such setback is less restrictive than required for General Plan designated riparian corridors, compliance with the General Plan **and standards of the Zoning Code** is required. Replacement of existing buildings located within the setback is subject to the approval of the Sonoma County Water Agency and the Planning Director.

- (1) Willow Brook and Lichau Creek shall be retained as natural waterways.
- (2) Require retention of hedgerows and all large specimen trees on all use permits, subdivision design review applications.
- (3) Enforce additional mitigation measures Numbers 4-8 listed in Section 8.40, Summary of Mitigation Measures, Vegetation and Wildlife, as appropriate on use permits, rezonings, subdivisions and design review applications.

Exhibit D Sonoma Mountain Area Plan Amendments

Amend page 21 as shown in bold underline text below:

RIPARIAN CORRIDORS

Portions of Lichau, Copeland, and Crane Creeks are designated as Riparian Corridors in the General Plan. Development along these corridors shall comply with the standards and policies of the General Plan Open Space Element. Several additional smaller streams are designated on this Area Plan Open Space Plan Map.

Development along these corridors is subject to the following policies **in addition to the policies of the General Plan and standards of the Zoning Code.**

Policies

- (1) Review all development proposals in the vicinity of Area Plan riparian corridors with regard to their beneficial and adverse impacts.
- (2) Encourage greater public awareness relative to wildlife and wildlife management programs.
- (3) Encourage the use of Area Plan riparian corridors for educational purposes.
- (4) Enforce ~~County ordinance 1108~~ the **stream protection policies of the General Plan and Zoning Ordinance** ~~provides criteria for stream maintenance and construction encroachments.~~

Sonoma County Agricultural Commissioner's Best Management Practices for Agricultural Cultivation Within The Riparian Corridor

The following Best Management Practices (BMPs) apply to all existing cropland within the Streamside Conservation Area (SCA). The following BMPs apply to agricultural uses within the Streamside Conservation Area, including those areas that undergo *agricultural cultivation* (See the Glossary in *Appendix A*), and associated uses including turn-around areas.

The intent of these BMPs is to prevent controllable sources of sediment, nutrients, pathogens and pesticides from discharging into streams in Sonoma County. Not every BMP will apply to each operation, but should be selected by the grower as necessary to reduce the environmental impact of farming in the setback area. While BMPs must only be implemented within the SCA, good stewardship of upslope areas is critical for riparian protection, and these BMPs may be applied to the upslope areas to good effect.

Note that areas of the SCA not undergoing agricultural cultivation may be subject to other rules and limitations by Sonoma County, Regional Water Quality Control Boards, or other resource agency regulations. It is your responsibility to ensure that your activities in the setback are in compliance with these standards.

1. Farms in the Baylands

Farms in the Baylands Region are affected by an inundation of water from San Pablo Bay (identified by the map provided in *Appendix B*. For more detailed information about delineation of the Baylands contact the Agricultural Commissioner's Office). Given the levee system that is currently in place, and the fact that these are tidally influenced estuarine areas with relatively flat topography, **ONLY** the following BMP will apply in these areas:

- The water table and surface water in the setback area must be managed in such a way that avoids erosion and pollution discharges to waterways. Additionally, any pesticide applications occurring within the setback must be in accordance with the pesticide's registered label and all applicable laws and regulations.

2. Soil disturbance during the non-rainy season (April 16 – October 14)

In the event that a storm likely to produce runoff from the disturbed area is forecast to occur (30 percent or more chance of rain by National Oceanic and Atmosphere Administration and National Weather Service: <http://www.spc.noaa.gov/> within 48 hours),

Growers shall:

- Ensure sufficient vegetative cover such as planted cover-crop, or native recruitment of size and density to prevent erosion, **or**
- Apply straw mulch at a rate of 2 tons per acre, wood chips at 5 to 6 tons per acre, or another non-leaching material (use of pomace not permitted) at a rate protective of water quality over all disturbed soils within the setback. Mulch must be in place prior to any rain event forecast by: NOAA/NWS: <http://www.spc.noaa.gov/> that is likely to produce runoff, **or**
- Construct and maintain perimeter controls sufficient to prevent eroded materials in storm water from entering the waterway.

See attached *Appendix C* for examples of sufficient and correctly installed cover crop, straw mulch application, and perimeter controls.

3. Soil disturbance during the rainy season (October 15 to April 15) is allowed only if:

- Perimeter controls sufficient to prevent eroded materials in storm water from entering the waterway are in place.

Appropriate examples of perimeter control may include, **but are not limited to:**

- Silt fencing
- Straw wattles/ fiber rolls
- Vegetated berms
- Straw bale sediment barriers

OR,

- Sufficient materials are available onsite to apply straw mulch at a rate of 2 tons per acre, wood chips at 5 to 6 tons per acre, or some other non-leaching material (use of pomace not permitted) at a rate protective of water quality over all disturbed soils within the setback. Mulch must be in place prior to any rain event forecast by NOAA/NWS: <http://www.spc.noaa.gov/> that is likely to produce runoff.

See attached *Appendix C* for examples of sufficient and correctly installed cover crop, straw mulch/wood chip application, and perimeter controls.

4. Roads within the setback

All weather roads are **NOT** allowed in the setback. Agricultural setback areas in use as equipment turnarounds are allowed **ONLY** if the following conditions are met:

- Agricultural turnarounds shall be maintained as grassy avenues/ filter strips during the entirety of the rainy season with planted cover-crop sufficient to prevent erosion of the avenue, **and**
- Grassy avenues shall not be tilled except for the infrequent need to reduce compaction or as necessary to re-seed with cover-crop. In this case, promptly cover the soil with 2 tons per acre straw and replant with a cover-crop before the rainy season.

5. Other Applicable BMPs

- a. Check temporary erosion control measures and repair as needed before, during and after storms. Remove sediment as needed from silt fences, sandbags, straw wattles, and sediment traps. Permanent measures, such as seeding, planting, and rocking, are preferred once the source of any runoff problem is corrected.
- b. Use of a no-till drill (or similar equipment approved by the Agricultural Commissioner), will not constitute soil disturbance and may be utilized at all times of the year when soil moisture conditions allow without installing other BMPs.
- c. Manure and compost that is surface applied to disturbed soil must be tilled-in when a storm event is forecast to occur (30 percent or more chance of rain) by NOAA or NWS within 48 hours and is likely to produce runoff from the treated area.
- d. Where storm water runoff is conveyed to the stream by swales, ditches, or piped drainage systems, appropriate erosion and sedimentation controls shall be utilized at the drainage inlets (if applicable) and points of discharge to the stream in addition to any other necessary controls within the setback.

Appropriate erosion and sediment controls may include, **but are not limited to:**

- Vegetated filter strips
- Trash racks and sediment traps at drainage inlets
- Rocked energy dissipaters at drainage outlets
- Vegetated check dams or straw bale sediment barriers along ditches or swales
- Daylighting of underground outlets to rocked ditches or vegetated swales
- Sediment or infiltration basins

Alternatively, drainage pipes may be discharged upslope of riparian areas and stream banks. See attached *Appendix A* for examples of correctly designed and installed drainage controls.

- e. Pesticide storage and applications must be in accordance with the pesticide's registered label and all applicable laws and regulations.
- f. Trimming of trees whose trunks are located partially or wholly within the setback, and whose branches encroach beyond the setback, may occur **ONLY** under the following conditions:
 - Trimming shall not encroach into the agricultural setback, **and**
 - Trimming shall be the minimum necessary to allow equipment to safely operate, **and**
 - The tree roots shall not be cut, uprooted, or in any way destroyed.
- g. Soil amendments, fuel, and motorized equipment must be properly stored to prevent pollution discharge from these sources into streams.

6. Recommended practices

- Conservation Tillage Practices are strongly encouraged especially if slopes are greater than nominal (>5-10%) or if soils are highly erodible. See the referenced document (UC ANR Publication 8364: <http://anrcatalog.ucdavis.edu/pdf/8364.pdf>) for more information on how conservation tillage is protective of soil resources.
- It is recommended to use equipment or specialty tires that minimize soil compaction.
- It is recommended to avoid cultivation of soil that may accelerate erosion of unstable areas.

7. *New agricultural property*

If existing vegetative cover in the setback is in poor condition, the setback area may be improved with a vegetative filter strip for use as an agricultural avenue/turnaround area **ONLY** if the following conditions are met:

- Riparian vegetation is not removed, **and**
- Agricultural turnarounds shall be maintained as grassy avenues/filter strips during the entirety of the rainy season with planted cover-crop sufficient to prevent erosion of the avenue, **and**
- Grassy avenues shall not be tilled except for the infrequent need to reduce compaction or as necessary to re-seed with cover-crop. In this case, promptly cover the soil with 2 tons per acre straw and replant with a cover-crop before the rainy season.

Proposed Fencing BMP:

Agricultural fencing located within the Streamside Conservation Area shall not exceed eight feet in height. Concrete, masonry, and fences composed of all wood are prohibited. Only the minimum number of post holes required to provide structural stability shall be allowed. The minimum amount of trimming of perennial vegetation as necessary to install and maintain fence shall be allowed. The following vegetation shall **not** be removed to install fencing:

- Perennial, woody vegetation with a single trunk greater than 2-inches in diameter (or multi-trunk trees cumulatively greater than 5 inches in diameter) measured at a height of 4.5 feet, **AND**
- Vegetation providing direct shade to any portion of the water course.

Any ground disturbance resulting from the installation shall immediately be seeded with native grass species and mulched.

DRAFT

Appendix A: Glossary of Terms

Actively Farmed: Land that has been consistently utilized for the raising of agricultural crops, including periods of fallowing and cover-cropping.

Agricultural Crop: Any cultivated crop grown and harvested for commercial purposes.

Agricultural Cultivation: The act of preparing the soil for the raising of agricultural crops.

Cropland: Land used for the production of agricultural crops for harvest, alone or in rotation with grasses, legumes, and/or fallowing.

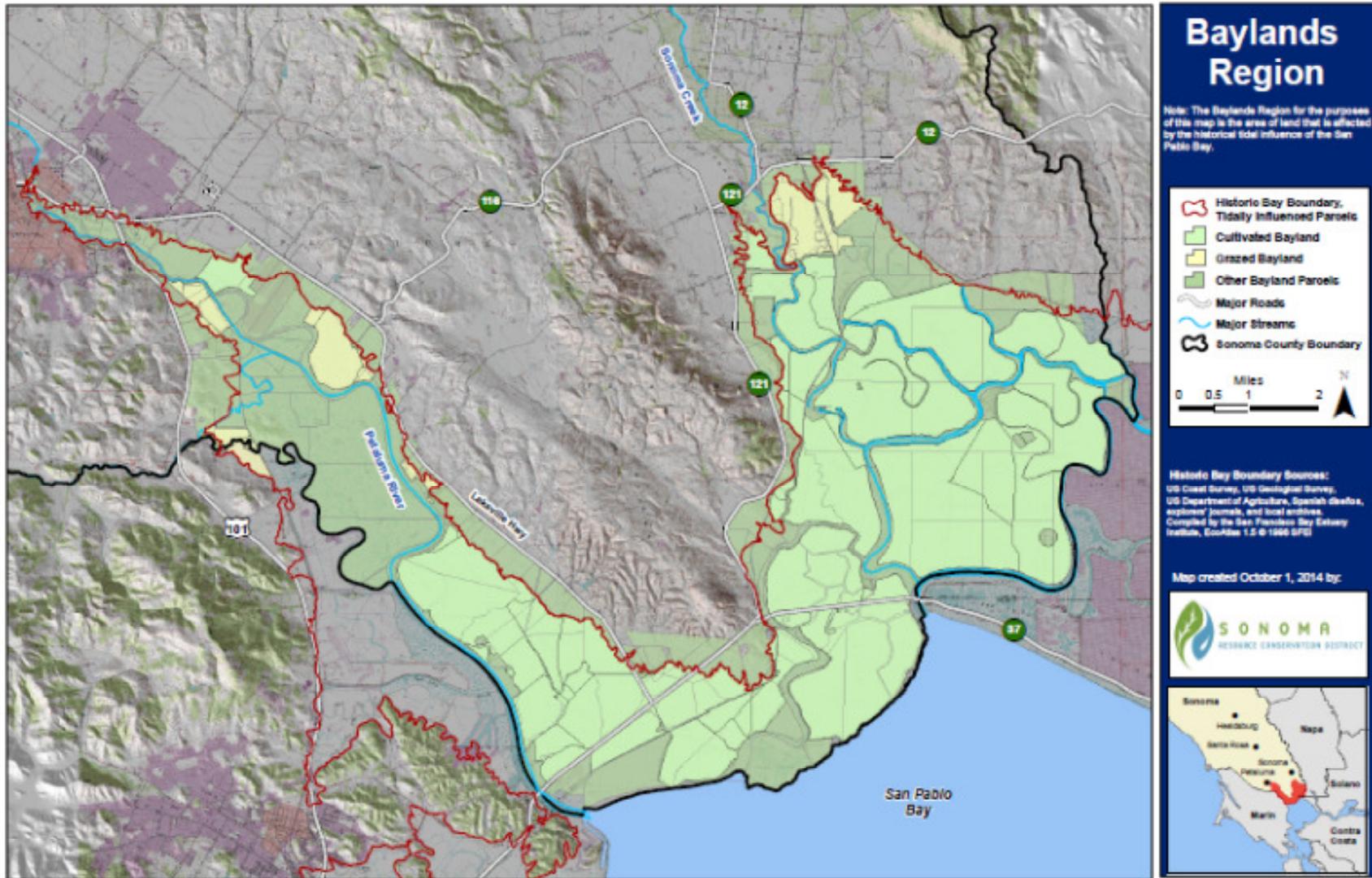
Perimeter Control: Management practice designed to slow down runoff to reduce erosion and/or filter and trap sediment before runoff gets into a watercourse.

Rainy Season: The time of year that most of a region's average rainfall occurs. In Sonoma County, the rainy season is considered to be the period of October 15 through April 15.

Riparian Tree: A woody perennial plant growing in a riparian corridor, typically larger than 14 feet at maturity with a well defined stem and definite crown having a single or multi-trunk structure, with a minimum diameter at breast height of two (2) inches for a single stem or aggregate of multi-trunk stems of five (5) inches, and minimum height of ten (10) feet.

Soil Disturbance: Any alteration to the natural surface of the ground through the use of construction equipment, tractors, and similar equipment.

Appendix B: Map of the Baylands in Sonoma County



Appendix C: BMP Examples and Installation Methods

Cover Crops



Protecting bare soil surfaces is one of the best ways to prevent soil loss. Grasses, depending on the type, provide short-term soil stabilization for disturbed areas during construction of your project and can serve as long-term permanent soil stabilization for disturbed areas. There are many different seed mixtures you can choose from. Here are some key things to consider when choosing and planting a cover crop:

- Most important, be sure that your seed mixture provides overstory (tall fast growing plants like rye grass, or barley) and understory (low growing broadleaf plants like clover) protection. For example, a mixture of oats and barley will only provide overstory protection and will only be slightly more effective than if you did nothing. The raindrops can still fall down between the tall plant stalks and dislodge soil particles. If you mix in some clover and blando brome or zorro fescue, you will get understory protection and the soil will have better protection.
- The amount of seed you will need depends on the mix you choose. It can range from 30 lbs per acre for a more permanent type of cover crop to 90 lbs per acre for a quick erosion control soil builder mix. Your seed company will be able to help you determine what mix is best for your project and give you the recommended seed rate.
- Broadcast your seed in the fall. In order to have adequate protection by the start of the rainy season (October 15), the seed should be planted by mid-September. Initial irrigation will be required for most grasses with follow-up irrigation and fertilization. The cover crop should look like a lawn by October 15 (for new

plantings and November 15 for existing operations) in order to provide adequate protection for the soil during the first heavy rains. If you cannot plant by mid-September and irrigate the seed, then you may plant your seed in October **and** cover it with straw mulch applied at the rate of two tons per acre.

The following section will give you guidelines on seed mixes for cover crops and application rates.

Example Cover Crop Seed Mix



**Hillside- Shallow Soils
"Erosion Control"**

"Zorro" annual fescue	40%
"Blando" brome	27%
"Hykon" rose clover	23%
(seeding rate: 25lbs. per acre)	

**Hillside Soils
-Frequent Mowing-**

"Zorro" annual fescue	40%
Subterranean clover	35%
"Hykon" rose clover	25%
(seeding rate: 30 lbs. per acre)	

**Hillside Quick Erosion Control
"Soil Builder"**

Red Oats	65%
Crimson clover	13%
Austrian winter pea	22%
(seeding rate: 90 lbs. per acre)	

**Quick Erosion Control
-Cold Soils-**

Cereal rye	83%
Crimson clover	17%
(seeding rate: 90 lbs. per acre)	

**Vineyard Terrace
"Slope Stabilizer"**

"Blando" brome	45%
"Molate" red fescue	55%
(seeding rate: 25 lbs. per acre)	

**Native, No-till Blend
(Mature vineyards)**

California meadow barley	36%
"Molate" red fescue	38%
California brome	26%
(seeding rate: 39 lbs. per acre)	



**Emergency Winter Mix
"Quick Cover"**

Common barley	85%
Annual ryegrass	15%

(seeding rate: 100 lbs. per acre)

**Heavy Use Areas
-Vineyard Headlands-**

Bluebunch wildrye	40%
Cal.meadow barley	27%
California brome	33%

(seeding rate: 45 lbs. per acre)

Grassed Waterways**

Meadow Barley	41%
California brome	33%
"Blando" brome	26%

(seeding rate: 39 lbs. per acre)

** *straw mulch and irrigate to germinate before fall rains.*

"Showboat"

Crimson clover	44%
"Hykon rose clover	44%
Wildflower blend-	12%
Yarrow	
Calif. Poppy	
Paper poppy	
Tidy tips	

(seeding rate: 27 lbs. per acre)

Straw Mulch





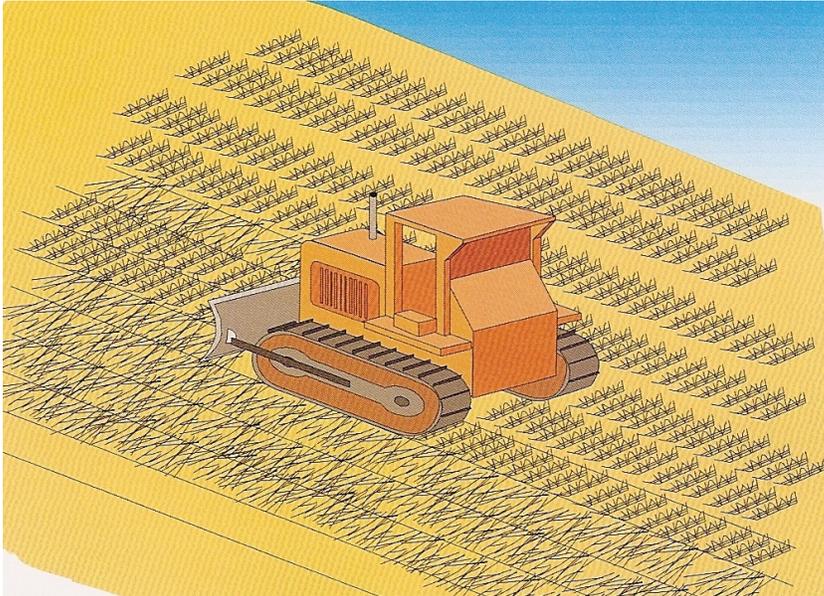
The most effective erosion control practice (both in terms of protection and cost) is the use of cover crop and straw mulch. Straw provides a cushion between the disturbed soil and the velocity of the raindrop. It's the best insurance for **protection** from the early rains if you cannot plant your cover crop in mid-September and irrigate it.

- In order for straw to be effective, you must apply it at the rate of two tons per acre (about 42 bales per acre). You should not be able to see any soil once the straw is applied.
- Rice straw is the cleanest straw in terms of other weed seeds, but it is a coarse straw and therefore takes longer to degrade. Any straw or grass hay will work provided it's applied at the rate of two tons per acre.
- If you are in an area that has high winds in the fall you must anchor your straw into the ground. You can do this by tracking it in (see example) or by crimping it. Otherwise, be prepared to replace the straw that gets blown away.
- Keep extra straw bales stored for emergency erosion control repairs. If you have an area that starts to gully you can stuff the gully with straw. You can also build emergency dikes to control drainage (see sediment barrier example).

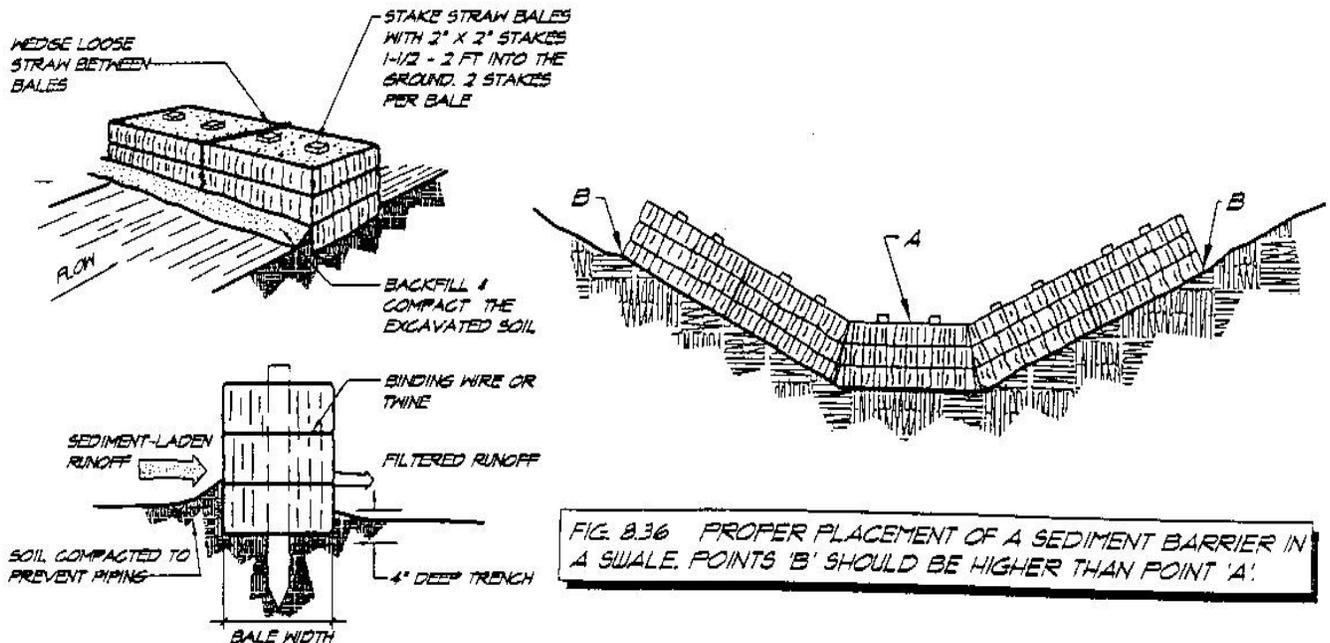
Example Tracking In Straw Mulch

Notes:

1. Roughen slope with bulldozer.
2. Broadcast seed and fertilizer.
3. Spread straw mulch 3" thick (2 tons/acre).
4. Punch straw mulch into slope by running bulldozer up and down the slope.
5. Tracking with machinery on sandy soil provides roughening without undue compaction.



Example Straw Bale Sediment Barrier



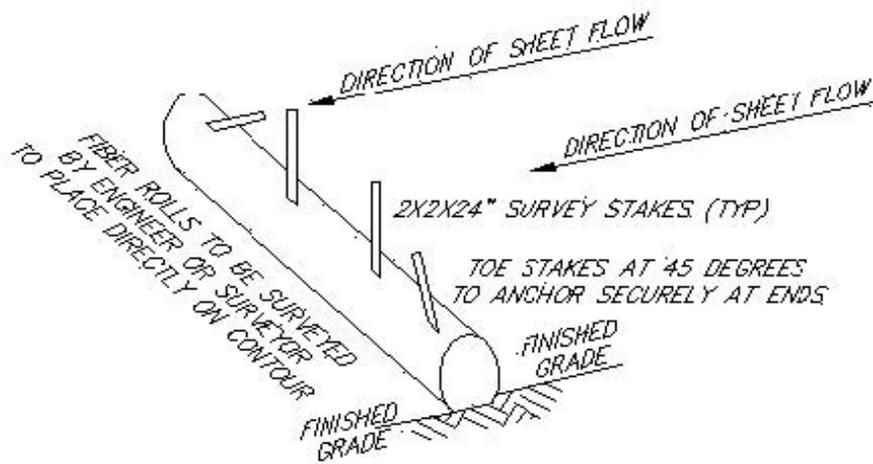
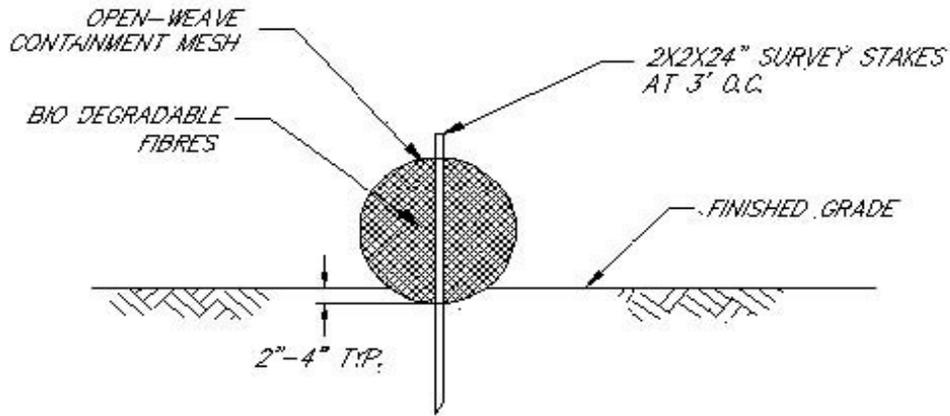
Straw Wattles



Straw wattles or fiber rolls are designed to slow down runoff, filter and trap sediment before the runoff gets into watercourses. Straw wattles are porous and allow water to filter through fibers and trap sediment. They also slow down runoff thereby reducing sheet and rill erosion.

- Straw wattles are effective on slopes to shorten the slope length. They are designed for short slopes or slopes flatter than 3:1 and low surface flows not to exceed 1 c.f.s. for small areas.
- Straw wattles can also be used along stream banks for extra protection.
- They come in several sizes ranging from 8 to 20 inches in diameter.
- It's very important that straw wattles are installed properly. If they're not installed properly, they will not work. Straw wattles must be installed on contour. You may need to have a surveyor help you to be sure you find the contours of your area.
- A good rule of thumb for vertical spacing is: 3:1 slopes = 30 feet apart, 4:1 slopes = 40 feet apart, or as the project engineer dictates.
- Cover Crop should be seeded prior to installation. You will then need to dig a concave key trench 2 to 4 inches deep along the contour. Place the roll in the trench and stake (see example). You must backfill the trench on the uphill or flow side of the roll to prevent water from undercutting the roll. When more than one fiber roll is placed in a row, the roll should be abutted securely to one another with stakes to provide a tight joint. **Do not overlap the joint.**
- After your fiber rolls are in place, the straw mulch can be applied at the rate of 2 tons per acre. Do not drive over the straw wattles.

Example Straw Wattle

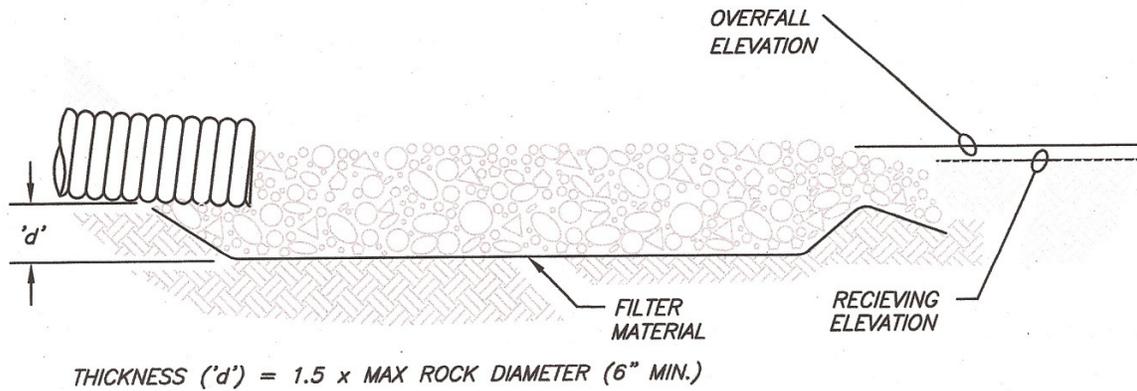


FIBER ROLL INSTALLATION

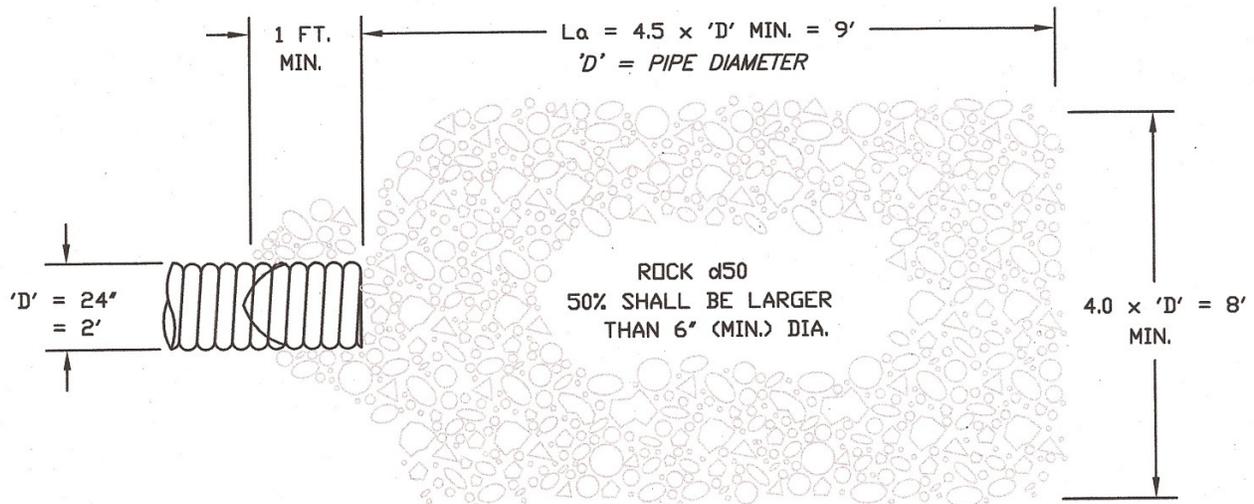
NO SCALE

Example of Rock Outlet for Storm Drains

All pipe outfalls should have scour protection to minimize sediment delivery downstream. The size of the dissipater is dependent on the size of the pipe. Rock protection can be easily added to existing pipe outfalls. Do not outfall the pipe directly into a creek.



SECTION



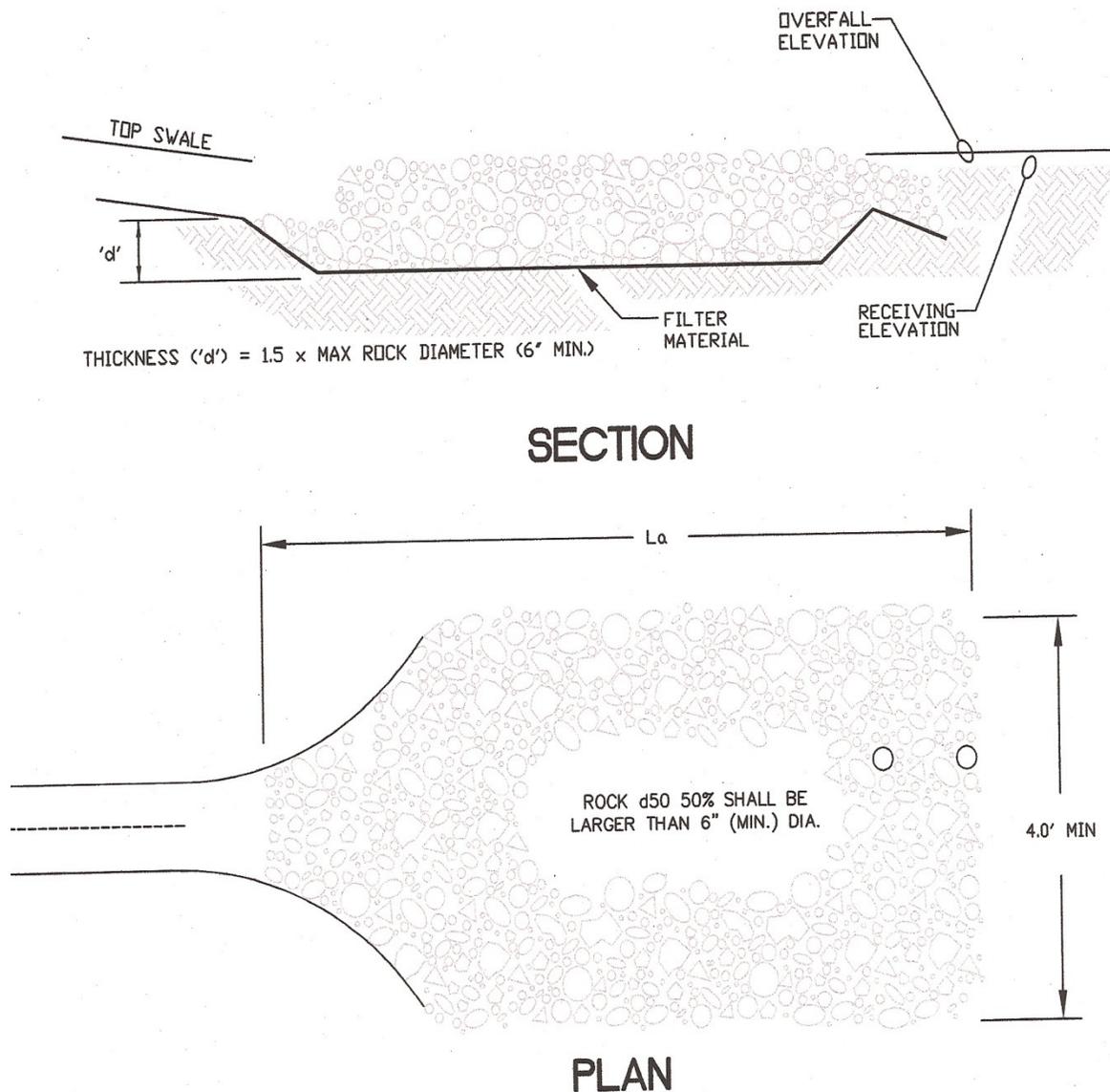
PLAN

NOTES:

1. 'La' = LENGTH OF APRON. DISTANCE 'La' SHALL BE OF SUFFICIENT LENGTH TO DISSIPATE ENERGY.
2. APRON SHALL BE SET AT A ZERO GRADE AND ALIGNED STRAIGHT.
3. FILTER MATERIAL SHALL BE FILTER FABRIC OR 6" THICK (MIN.) GRADED GRAVEL LAYER.

Example of Rock Outlet for Swales

All swale outfalls should have scour protection to minimize sediment delivery downstream. Rock protection can be easily added to existing swales.



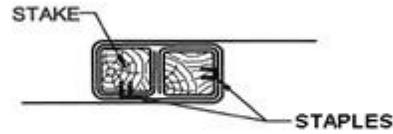
NOTES:

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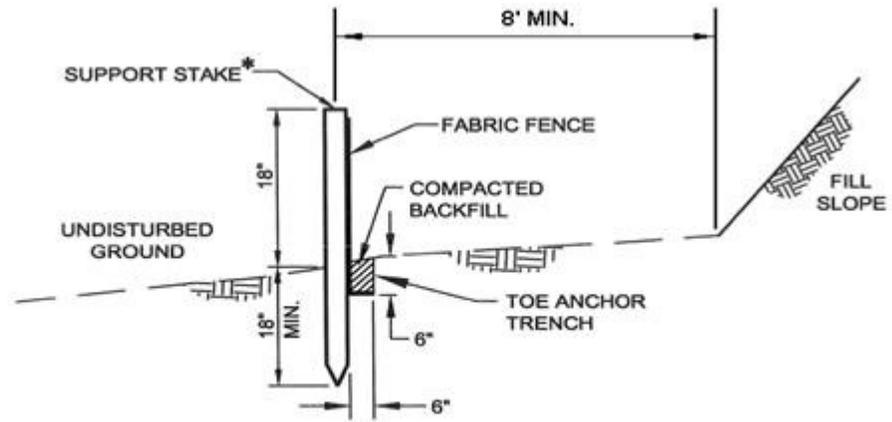
Example Silt Fence

STANDARD CONSTRUCTION DETAIL #4-7 Standard Filter Fabric Fence (18" High)

*STAKES SPACED @ 8' MAX.
USE 2" x 2" ($\pm 3/8$ ") WOOD
OR EQUIVALENT STEEL
(U OR T) STAKES



JOINING FENCE SECTIONS



ELEVATION VIEW

CALIFORNIA CATTLEMEN'S ASSOCIATION

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November 19, 2014

David Rabbitt
Chair, Sonoma County Board of Supervisors
575 Administration Drive
Room 100 A
Santa Rosa, CA 95403

Dear Chair Rabbitt:

The California Cattlemen's Association (CCA) is aware that the Sonoma County Board of Supervisors will soon be considering a new land use ordinance that will significantly impact agricultural activities on and adjacent to riparian areas. CCA members in Sonoma County have actively followed the proposed Zoning Code amendment, ORD13-0002, and have requested that CCA convey our members' significant concerns with the proposed ordinance to the Board of Supervisors. CCA is a statewide trade organization representing ranchers throughout California, including ranchers in Sonoma County who will be affected by the proposed zoning code amendments. We greatly appreciate the opportunity to address the Board on behalf of our members.

CCA has reviewed the proposed ordinance, and we respectfully request that the Board consider substantial amendments to the ordinance, specifically to provisions impacting grazing and prohibiting the removal of vegetation.

Prohibition on vegetation removal

CCA objects to the broad, general inclusion of "vegetation removal" as a prohibited use of riparian corridors under the proposed amendment to Article 65(C). As defined in the proposed amendments to 26-020-140 Definitions, vegetation would include "*all* natural, non-cultivated plant life..." (emphasis added). Troublingly, this broad definition of vegetation would include non-native invasive plants within its definition.

According to the California Invasive Plant Council, invasive plant species in California have significant impacts upon riparian areas, including reducing the habitat for game species and fish. Furthermore, research into invasive species such as the Himalayan Blackberry, which is particularly abundant in riparian areas, demonstrates that such weeds tend to dominate sites where they are present and consequently displace and shade out native species, significantly reducing plant diversity in riparian areas.

Additionally, the prohibition of vegetation removal without a permit would prohibit the removal of a fallen tree or other vegetation which could impede stream flow and/or the movement of

TIM KOOPMANN
PRESIDENT
SUNOL

JACK HANSON
TREASURER
SUSANVILLE

FRED CHAMBERLIN
SECOND VICE PRESIDENT
LOS OLIVOS

DAVE DALEY
SECOND VICE PRESIDENT
CHICO

BILLY FLOURNOY
FIRST VICE PRESIDENT
LIKELY

BILL BRANDENBERG
FEEDER COUNCIL CHAIR
EL CENTRO

BILLY GATLIN
EXECUTIVE VICE PRESIDENT
HERALD

RICH ROSS
SECOND VICE PRESIDENT
LINCOLN

MIKE SMITH
FEEDER COUNCIL VICECHAIR
SELMA

ATTACHMENT I

aquatic species. It would also prohibit the removal of a sick or dead tree which threatens to fall and destroy a rancher's property.

Given all of the above, the proposed ordinance's broad prohibition of vegetation removal is particularly alarming because it actually *impedes* the County's stated goal of "protection of biotic resources, wildlife and aquatic habitat, fisheries, enhancement of water quality and quantity, floodplain management, channel stability, and other riparian functions."

Though there are exceptions to the prohibition of vegetation removal laid out in Article 65(C)(1) and (2), these exceptions do little to address the concerns of farmers and ranchers. Both of these exceptions require a zoning permit with the approval of the Director. This is troublesome for a number of reasons. Firstly, the permit fee is an additional drain on the financial resources of agriculturalists already working on paper-thin profit margins. Many of these farmers and ranchers also live and work in remote areas a significant distance from the Permit and Resource Management Department offices, and the requirement of obtaining a permit represents additional fuel costs, as well as the opportunity costs associated with travelling and engaging with government bureaucracy in order to obtain a permit. This is actually a *disincentive* to proper riparian management, and may deter farmers and ranchers otherwise practicing good stewardship for the benefit of riparian areas from doing so in the future.

We ask that the Board consider omitting the prohibition of vegetation removal from the proposed ordinance, or that the definition of "vegetation" (set out in the ordinance's definition of "vegetation removal") be significantly narrowed in order to allow the removal—without a permit—of harmful weed species, sick or dead trees which pose dangers to property or streamflow, and other problem vegetation.

Best Management Practices for Grazing

CCA is also concerned with the requirements set forth in the proposed amendment to Article 65(D): "Allowed land uses, activities and permit requirements." Specifically, CCA is concerned about the requirement that landowners graze their livestock according to "agricultural best management practices" (BMPs) to be determined and administered by the County Agricultural Commissioner.

To be clear, CCA does not object to the development of BMPs, but rather objects to such best management practices becoming a *foundational requirement* for livestock grazing near riparian habitats.

Typically, as is the case with BMPs developed by the National Resource Conservation Service (NRCS) and other agencies, BMPs are *voluntary* conservation practices and they are often rewarded with some sort of financial assistance. BMPs are typically a "carrot" encouraging good stewardship, rather than a "stick" punishing failure to adhere to strict regulatory requirements. They present a ceiling to aspire to, rather than a foundation upon which a rancher must build.

Indeed, ranchers typically prefer voluntary, incentive-based programs to regulations detailing prohibitions and penalties. As a result, voluntary, incentive-based programs tend to be better

received by ranchers and tend to result in improved land stewardship and improved relations between government and ranchers.

We join the Sonoma County Landrights Coalition in calling for a county-wide stewardship program with incentives for ranchers to implement practices improving the health of riparian corridors. We also believe that a stewardship program which provides educational and financial assistance and support for ranchers would best ensure the County's goals of riparian habitat conservation while minimizing hardships to ranchers.

Thus, we do not object to the development of BMPs in Sonoma County, but we *do* object to BMPs becoming a prerequisite to grazing activity under Article 65(D). Rather, the appropriate role for such BMPs are as a component in a county-wide voluntary stewardship program.

Conclusion

Again, CCA and its members appreciate the opportunity to comment on the proposed ordinance 13-0002. Our members pride themselves upon being good stewards of the land, and we ask that in further considering these amendments, the Board of Supervisors and other relevant County agencies consider how to best encourage continued stewardship. We are concerned that certain provisions of the proposed ordinance, specifically broad prohibitions of vegetation removal, might have the unintended consequence of *detering* responsible stewardship of riparian areas.

Given the concerns we have expressed regarding the proposed ordinance, **we respectfully request that the Board of Supervisors not approve the ordinance as currently written.** It is clear that the ordinance needs further careful consideration and amendment, and we ask that the Board of Supervisors **delay approval of the ordinance until such changes occur.**

Sincerely,



Kirk Wilbur
Director of Government Relations
California Cattlemen's Association

Yolanda Solano

Sent: November 18, 2014 12:55 PM
To: Don McEnhill; Larry & Kim Hansen; West County Gazette; Yolanda Solano; Susan Upchurch
Subject: Fwd: Clear cut on River 11/17/14
Attachments: Attached Message.eml

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

This shows a clear cut on a very steep river bank. The river is just below image. It occurred yesterday Monday 11/17/14 at 12418 Westside Road. It's the second house going upstream from Hacienda Bridge intersection of River Road and Westside Road and is clearly visible from Hacienda Bridge when traveling west. In fact a bird's eye view as picture and others taken from bridge.

Fish and Wildlife responded and ordered the owner to "cease and desist" cutting. Per phone message F & G are having one of their biologists come to the scene to assess damage. This is very encouraging compared to other responses from F & W but certainly deserves follow up.

Please travel west across Hacienda Bridge and look right to see this horrendous clear cut and exposed dirt eyesore. Worse yet just before winter rains wash into our sediment impaired Russian River. Take photos great evidence of counties need for riparian protections from ignorant river front property owners.

Please share any thoughts about this ongoing problem.
Sincerely, David Herr

ATTACHMENT I



This email has been checked for viruses by Avast antivirus software.

<http://www.avast.com>

Yolanda Solano

From: Kimberly [kimlarry2@comcast.net]
Sent: November 10, 2014 2:52 PM
To: rabbitt@sonoma-county.org; Andrea Krout
Cc: Mike McGuire; Kelly Burns; Susan Gorin; Pat Gilardi; Shirlee Zane; Michelle Whitman; Efen Carrillo; Susan Upchurch; Tennis Wick; Sandi Potter; Yolanda Solano; Matt St. John; Bryan@Waterboards McFadin; Rick Rogers - NOAA Federal; Jennifer Barrett; Gail Davis; Andy Casarez; Stephanie@Wildlife Buss
Subject: Riparian Ordinance - Comments - Sonoma County

November 10, 2014

Dear Chairman Rabbitt:

I am encouraged by the County's effort to bring its policies into alignment with the goals of the General Plan with respect to development in riparian zones. Fortunately or unfortunately, the time is upon us to act to avoid additional harm to anadromous salmonids. And adequate protection of riparian buffer zones is important to avoid potential impacts and to aid in their recovery.

Critical Habitat

County land use planning is an important component of both survival and recovery efforts. As you know, the River basin is critical habitat. The Federal Register as it relates to protection of listed species states that, "[c]ritical habitat designation serves to identify important areas and essential features within those areas, thus alerting both Federal and **non-Federal** entities to the importance of the area for listed salmonids." (emphasis added; <http://www.nmfs.noaa.gov/pr/pdfs/fr/fr64-24049.pdf>)

As a long time restoration volunteer on Green Valley Creek, I have seen the impact that the loss of riparian vegetation has had on this important coho and steelhead stream. The loss of flows in addition to increased solar radiation on this critical habitat area continues to be lethal to the listed salmonids. Furthermore, although this valley often naturally floods in the winter, the winter rains move increasingly quickly in the denuded flood plains and do not soak in as they used to. The lack of settling time does not allow for adequate recharge of the groundwater or the springs that we all need during the long dry summer period.

The species struggling to survive in our creeks and rivers are suffering from a long history of liberal issuance of land use permits and unregulated activities in these biologically important buffer areas. The policy the County is considering adopting needs to account for both future development and the cumulative loss of riparian functions and structures that have occurred over the past 50-100 years.

Conservative Approach

ATTACHMENT I

Along with the important fishery, insectivores, pollinators, raptors, and other species that provide vital services to humans are a part of the riverine ecosystem. Recreation, pure drinking water, and many other benefits flow from healthy river systems. Now especially, a conservative approach to riparian development is indicated. Riparian buffers help recharge ground water, cool the streams, and allow for the network of species to continue to exist and carry out their functions. By requiring that functioning riparian buffers be left intact and degraded areas be restored, the County will go a long way towards reversing on-going problems and preventing future harm to listed species.

Science Indicates that Riparian Health is a Function of Distance from a Channel

The science on riparian health is not new. Castelle in 1994 and Johnson & Reba in 1992 among many others discuss the riparian processes as a function of distance from stream channels. The science tells us, that the larger the riparian buffer the more likely salmonids and the other worker species will be protected from erosion, high temperatures, shelter, loss of food sources, and low flows.

Because riparian buffer areas are so important to a healthy stream system, independent scientists recommend 98-foot (30-meters) buffer zones. This distance is a minimum in some cases and is needed to ensure that riparian areas actually function and provide the critical habitat certain species struggling to survive require, like settling time, good water quality, low turbidity, cold water temperatures, year round flows, food, migration, and shelter.

The independent scientific community recommends generous riparian buffers, restoration, and continuity in order to avoid impacts to listed species. Permitting schemes must not contribute to the loss of what is left of the functioning riparian areas and should work to repair and connect riparian vegetation and structure.

I am concerned that 25 and 50 foot buffers are not supported by the science, and the County must be able to protect greater widths in certain situations. Such small buffers are in most cases, especially in the current situation, going to be inadequate to catch up with the what is needed to prevent further harms. Pesticides, vehicle turn arounds, building, and cultivation must be phased out of these areas, and the County policy will then begin to promote healthy watersheds, sustainable agriculture, and communities.

Well Development in the Riparian Buffer Zone

A policy that seeks to properly manage the riparian buffer zone cannot be silent on well development activities insofar as the areas near creeks supply underflows to the creeks year round. The County must be aware of any proposals to sink wells in broadly defined riparian areas in order to protect these areas from further harm.

In large part because the anadromous salmonids have been reduced to severely low levels, all wells proposed in the riparian buffer zone must be fully vetted. It would be difficult to imagine groundwater pumping in the critically important riparian buffer zone that would not pose potential harm to a water course. The existing diversions and stream side wells are already taking water from the streams and the rivers in huge amounts. Now all potential impacts to stream systems must be anticipated, analyzed, and avoided. The baseline for determining impacts must be a healthy system and not the degraded conditions we see in most of the water courses in the County.

Conclusion

The rivers, their tributaries, and feeder drainages are the arteries and veins of a bountiful County, and they warrant a clear and wise policy going forward. Such a policy will provide certainty for developers, provide more certainty for future water supplies, and contribute to sustaining the natural bounty that we are so fortunate to have around us.

Thank you for your kind consideration of these comments.

Kimberly Burr

P.O. Box 1246
Forestville, CA 95436

cc: Director Wick, PRMD
Jennifer Barrett, Deputy Director, PRMD
Sandi Potter, Planning Manager
Yolanda Solano, Planner III
Rick Rogers, NOAA Fisheries
Bryan McFadin, NCRWQCB
Matt St.John, E.O. NCRWQCB
Tony Linegar, Director - ACO
Gail Davis, ACO
Andy Casarez, ACO
Stephanie Buss, DFW



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-4731

October 24, 2014

Mr. David Rabbitt
Chairman, Board of Supervisors
County of Sonoma
575 Administration Drive, Room 100A
Santa Rosa, California 95403

Dear Mr. Rabbitt:

Sonoma County's Permit and Resource Management Department (hereafter referred to as "PRMD") has recently modified both their well ordinance and riparian corridor ordinance, and plan to present these ordinances to the Board of Supervisors for review and adoption in November 2014. The National Marine Fisheries Service (NMFS) is keenly interested in both ordinances and their potential for minimizing future impacts to salmon and steelhead populations listed under the federal Endangered Species Act (ESA), and commends Sonoma County on their progressive environmental ethic toward land development permitting. However, upon review of the draft ordinances, NMFS is concerned that several provisions fall short of protecting instream and riparian habitat essential to the survival and recovery of salmon and steelhead in Sonoma County. The proposals also fail to meet the basic goals of the County General Plan Open Space and Resource Conservation and Water Resource Elements to protect and enhance riparian corridor form and function, including protecting water resources, fisheries, water quality, channel stability, and groundwater recharge. Listed below are NMFS comments regarding the draft well ordinance and draft riparian corridor ordinance.

Well Ordinance:

- A continuing concern with PRMD's proposed well ordinance is its failure to support Sonoma County's pursuit toward groundwater sustainability, a goal mandated by groundwater management legislation recently signed by Governor Brown. That legislation specifies local control of groundwater management, with the goal of sustainable groundwater resources by the year 2040 (the state will act as a backdrop if local control is missing or unsuccessful). The Sonoma County Water Agency (SCWA) has been working for several years in anticipation of this legislation, and has recently finalized a Groundwater Management Plan designed to satisfy the requirements of the Governor's plan. However, the SCWA GMP has little chance of achieving groundwater sustainability if the current well approval process remains ministerial, perpetuating unregulated and uninformed groundwater development (which is largely the reason California is currently in a groundwater crisis).

ATTACHMENT I



Achieving a sustainable groundwater resource first requires initial studies to assess the existing condition of the aquifer, combined with long-term monitoring to ensure groundwater extraction is balanced with aquifer recharge. The proposed monitoring within SCWA's GMP appears to adequately address this point. However, an important component of balancing extraction with recharge (*i.e.*, achieving sustainability) is analyzing groundwater availability prior to authorizing any new well drilling. Stated another way, if groundwater extraction currently meets or exceeds projected recharge in a given groundwater basin, meeting sustainability goals will require PRMD to deny any new extraction proposed within the basin unless offsetting recharge can take place. However, Sonoma County's proposed groundwater permitting and management scheme is presently silent on how this critically important factor will be considered, or which department will perform the required analysis as part of their permitting process. As currently crafted, the well ordinance concerns only the engineering and technical aspects of drilling the well, and does not consider groundwater availability or potential environmental impacts from pumping. Furthermore, during GMP development, SCWA made it abundantly clear that the plan was "non-regulatory" by design, and would not deal with individual well permitting. Thus, Sonoma County currently lacks a mechanism by which it can control future groundwater extraction.¹ We believe attempting to balance extraction with recharge will prove futile unless Sonoma County can quantify and control both processes. Given the choices, the well ordinance remains the most logical mechanism through which sustainable groundwater extraction should be managed, because everyone wishing to drill a well in Sonoma County must obtain a well drilling permit first. NMFS recommends the well ordinance and permitting process be the mechanism through which the County regulates and manages groundwater extraction, utilizing research and monitoring data provided through the GMP.

- The proposed well ordinance also fails to achieve congruence with an important, recent California Superior Court decision on the Scott River finding that public trust resources, such as ESA-listed salmonids, must be protected from harm caused by extracting groundwater (*Environmental Law Foundation, et al. v. State Water Resources Control Bd., et al.*, Case No. 34-2010-80000583, July 14, 2014). The court also determined that Siskiyou County, as a subdivision of the State, must consider public trust resources when issuing groundwater well drilling permits. The ministerial well permitting process proposed by Sonoma County fails to consider public trust resources when issuing drilling permits.
- Section 25B-4(a)(2) of the well ordinance states "...Repair or replacement of a well within a stream is prohibited unless it is serving an existing, legally constructed, habitable structure or existing, legal land use." Locating a well within a stream channel is problematic for several reasons, not the least of which are the potential impacts to stream morphology caused by having a structure located in the active channel, and the likely damage to the well head itself when the structure is struck by floating debris during winter storms. However, the greater concern to NMFS is where the pump is drawing water from

¹ PRMD's current code WR-2c requires groundwater analysis for development within identified "water scarce" areas, but that analysis only requires "pump tests" to determine well production, and does not analyze proposed cumulative extraction in relation to estimated groundwater recharge.

and the environmental consequences of that groundwater extraction. Wells located within a stream channel are typically shallow, given the short distance to extractable water, and pumping from this hyporheic zone where shallow groundwater and streamflow mix can directly dewater streams (an impact repeatedly noted in past letters to the County, most recently on August 26, 2014). NMFS suggests PRMD require that all rebuilt wells be relocated outside the stream channel and riparian zone, far enough to minimize any direct, significant impacts to surface flows resulting from groundwater pumping. The analysis to inform the preferred well location would result from the GMP and well permitting process.

- In Table 25B-2, the well ordinance lists 30 feet as the minimum distance between a well and an adjacent stream bank, although no analysis is presented to justify this arbitrary distance. The correct distance required to minimize the impact a near-stream well may have on streamflow and aquatic resources is inherently dependent on site-specific conditions, such as local geology and aquifer dynamics, well depth and the anticipated pumping rate. Enacting a “one-size-fits-all” setback between wells and any stream channel will not ensure groundwater extraction impacts are appropriately minimized. NMFS urges PRMD to incorporate analysis concerning minimum stream set-backs for wells as part of a discretionary permitting process as described earlier in this letter, where site specific considerations can better inform PRMD’s decisions and achieve the goals of the General Plan and the Governor’s groundwater legislation noted earlier in this letter.
- Section 25B-6(d) states “...Class II wells may be located closer than the minimum distances set forth in Table 25B-2.” There is no reasoning provided as to why this exception exists, and NMFS suggests the County remove it for the same reasons as outlined in the point directly above.

Riparian Corridor Ordinance

NMFS has previously commented on an earlier version of the Riparian Corridor Ordinance through a letter to PRMD dated August 27, 2014. NMFS continues to support several provisions of the proposed Riparian Corridor Ordinance, including the County’s proposals for Issue #1 (Area/Specific Plans), Issue #2 (Drip Lines of Riparian Trees) and Issue #3 (Roles of Resource Agencies).

However, regarding portions of Issue #4, many of the concerns we previously highlighted remain unaddressed in the final version to be presented to the Board of Supervisors. Most troubling is the inclusion of riparian zone well development within the list of “Allowed Land Uses, Activities, and Permit Requirements” (sub header “D” within the ordinance), as long as well development adheres to Sonoma County Code 25B (*i.e.*, the aforementioned well permitting ordinance discussed earlier). Well development was not previously included as an allowed land use in this section of the General Plan, yet the number of wells within the riparian zones of Sonoma County waterways has proliferated in recent years. Requiring that riparian wells adhere to Sonoma County Code 25B does little to minimize environmental impacts or advance the County’s sustainable groundwater efforts, since the proposed well permitting ordinance lacks environmental analysis.

As part of the riparian ordinance, NMFS continues to recommend selection of policy option B. This option would remove well development as an allowed activity within the riparian zone. This simple, common-sense change would protect riparian zone form and function along the critical waterways in Sonoma County.

NMFS also has concern regarding the portion of the ordinance allowing agricultural turnarounds and access roads within the riparian setback areas [excluding the narrow exception provided by the County's proposal for issue #2 (drip lines)]. In streams with only a 50' designated riparian setback, the setback is already cut in half to 25' for agricultural properties. Allowing turnarounds and access roads within this last 25' effectively eliminates the riparian zone form and function.

NMFS staff has participated in drafting Best Management Practices (BMPs) as part of this ordinance development process. Consistently applying these BMPs in areas without woody riparian vegetation (*i.e.*, trees and bushes) should prevent discharge of fine sediments to the County's waterways. However, monitoring or spot checking the BMPs will be essential, especially in the early years of implementation by a property owner. Without this regulatory assurance, it is difficult to rely upon BMP implementation to sufficiently protect riparian resources and function. NMFS recommends Sonoma County commit to funding additional staff dedicated to this work load as the highest priority during the rainy season. Without this augmentation, NMFS recommends retaining the current language in the General Plan (Policy Option B in the proposed ordinance), as it is more protective than the proposal and more likely to achieve the goals of Sonoma County's General Plan.

NMFS appreciates the opportunity to assist the County in amending the riparian corridor and well ordinances in a manner that protects listed species and their habitat while balancing the need for agricultural production, urban development and other land uses. Please contact Rick Rogers at 707-578-8552 or rick.rogers@noaa.gov for questions concerning the well ordinance, or Joe Dillon at 707-575-6093 or Joseph.J.Dillon@noaa.gov if you have any questions about the riparian ordinance portion of this letter.

Sincerely,



Lisa Van Atta, Supervisor
North Central Coast Office

cc: Supervisors, County of Sonoma
Tennis Wick, Sonoma County PRMD
Scott Wilson, DFG Yountville
Eric Larson, DFG Yountville
Matt St. John, North Coast RWQCB
Nathan Quarles, Sonoma County PRMD
Yolanda Solano, Sonoma County PRMD

Yolanda Solano

From: Don McEnhill [don@russianriverkeeper.org]
Sent: November 18, 2014 2:54 PM
To: Yolanda Solano; Jennifer Barrett; Sandi Potter
Cc: Mike McGuire; Shirlee Zane; Susan Gorin; Efren Carrillo
Subject: Property owners clearing creeks to prepare for Riparian Ordinance - Cut it out before it's illegal!

Good Afternoon PRMD RCO Team and Mike, Susan, Shirlee & Efren (don't have David's E-mail)

I wanted to share a couple of pictures of creek vegetation clearing just in the last five days as the riparian ordinance draws nearer to a decision - this follows dozens of creek and river vegetation clearing projects across the Russian River in Sonoma County.

I would like us to remember why we are consering this Ordinance - because we have people who just do not care about the health of our waterways - we need the RCO for the hard hearted - all the vineyard and property owners doing the right thing have nothing to fear as the RCO has exceptions for most reasonable uses.

The first picutre is a creek with 90% of vegetation cut to make sure it never gets near this vineyard - this creek was routinely butchered every year and was incising/downcutting and eroding in a big way. 7-8 years ago someone at DFW talked to propertu owner and they stopped and the creek stopping eroding and vegetation and habitat came back. Now DFW does not enforce on these types of violations so we need the county - this is a land use issue as much as habitat - to enforce against this type of clearing that will increase erosion on the downstream neighbors and eliminate the tiny bit of salmon habitat that was emerging.

The scond picture where they cut the veg and tosed it in the creek channel is even more stupid and bad for other property owners and bad for the creek. One of the Gallo ranches is next door to number 2 and when we contacted John Nagle to make sure it wasn't their property, he was pretty disgusted with this neighbor. This behavior isn't even OK with other vineyards or property owners so hope this helps you see whay we need this ordinance to constrain the bad guys so we can spend our time working with good guys on incentives to do even better!

Thanks
Don

ATTACHMENT I





IMG_6640

San Francisco Bay Regional Water Quality Control Board

August 27, 2014

Sent via electronic mail: No hard copy to follow

County of Sonoma Permit and Resource Management District
2550 Ventura Avenue
Santa Rosa, California 95403
Attn: Jennifer Barrett
Jennifer.Barrett@sonoma-county.org

Subject: Comments on the Proposed Sonoma County Riparian Corridors Zoning Code Amendment (ORD13-0002)

Dear Ms. Barrett:

The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) staff (Staff) have reviewed the proposed Sonoma County Riparian Corridors Zoning Code Amendment ORD13-0002 (Ordinance) developed by the County of Sonoma Permit and Resource Management District (County). Staff also attended the County's Riparian Corridor Ordinance Working Group meetings.

The Ordinance covers the allowed and prohibited uses within the Streamside Conservation Area (SCA) and the exceptions to the prohibited uses. Our primary concerns are that some of the allowed uses and exceptions would adversely impact the SCA and that the Ordinance does not cover all streams within the County. The County should be protecting the functions and beneficial uses of all streams, riparian corridors, and floodplains within its jurisdictional boundaries. These three features are part of a healthy and dynamic stream ecosystem and are defined as a "stream system" for the sake of this letter. Our comments on this issue and others are provided below. Staff also reviewed the comment letter from the North Coast Regional Water Quality Control Board (NCRWQCB) and we concur with their comments and have attached their letter for reference.

Channels Not Covered Under the Ordinance – This Ordinance is based on the County's General Plan 2020 and therefore only covers streams that are the solid blue and dashed lined streams identified by the 2003 United States Geological Society (USGS) survey. This results in the Ordinance only including the lower watershed streams and riparian corridors which means that Sonoma County is only protecting approximately 20- 40%¹ of its stream channels and not its headwater streams. In

¹ This article in the JAWRA notes that headwater streams comprise 60-80 percent of the cumulative length of river networks. Benda, L., Hassan, M. A., Church, M. and May, C. L. (2005), GEOMORPHOLOGY OF STEEPLAND HEADWATERS: THE TRANSITION

general, headwater streams are important because they provide the biological building blocks for aquatic life in the lower watershed. As noted in the 2006 and 2007 General Plan 2020 SFRWQCB comment letters, the County should be protecting all streams with a defined bed and bank and the Ordinance should apply the SCA protections to all stream systems within the County. The SFRWQCB's previous comments letters are attached for your review.

Protection of Form and Function of the Stream System – Numerous studies have found that stream system functions can be protected by various setback widths (see Riparian Width Summary which is attached). Below is a list of stream system functions identified in these studies and accepted by the SFRWQCB. The County should assure that the Ordinance protects these functions.

Stream System Functions Associated with Water Quality

- Sediment transport and storage
- Contaminant filtration
- Chemical transformation
- Filtration and purification of surface water
- Large woody debris input to water body
- Leaf litter input to water body
- Nutrient and organic matter cycling
- Bank or shoreline stabilization
- Temperature and microclimate control
- Surface water supply and replenishment
- Groundwater recharge and discharge
- Flood peak attenuation and flood water storage

Stream System Functions Associated with Habitat

- Riparian plants and animals
- Wetland and upland vegetation
- Wildlife
- Fish
- Aquatic life

Stream System Functions Associated with Natural Stream Processes and Dynamic Equilibrium

- Public Health and Safety
- Channel-floodplain connection
- Regeneration of riparian vegetation
- Channel movement and meanderbelt
- Maintenance of plant and animal communities

Development of Performance Standards to Protect Form and Function of the Stream System – The Ordinance should base its setback widths on meeting performance standards that are designed to protect the form and function and the beneficial uses of the stream system. The Ordinance should direct the County Planning Director to develop these standards using a team of hydrologists, geomorphologists, and biologists. The finalized performance standards should be incorporated into or referenced in the Ordinance and should be used by County staff and the team of experts to determine the width of setbacks based on existing conditions and land use. Staff will work with the County to develop the applicable performance standards. A few sample performance standards are noted below. The function is underlined and the performance standard follows.

- 1) Channel-floodplain Connection – Setback enough adjacent space along the stream corridor to protect future options to re-establish a new floodplain, reconnecting it with a currently disconnected entrenched channel.
- 2) Channel movement and meander belt – Compute a stream corridor width accounting for the width needed for an active channel meander belt, terrace slopes, riparian protection zone, and stormwater filter. Strategies can include establishing a minimum stream meanderbelt based on regional hydraulic geometry relations such as channel meander lengths associated with channel widths and or meander sequences typically found in the reach of the watershed where the stream is located. Set aside room to re-stabilize a terrace bank at the stable angle of repose at a 2:1 slope. Allow a minimum of 25 feet on each side of the stream terrace along a protected riparian corridor for infiltration of stormwater. Wider corridors are needed to protect multi-thread stream channels.

Setbacks – An important component of this Ordinance should be to require effective setback distances from all waters of the State and their associated habitats when landowners come in for project review. This is consistent with the Ordinance since its stated purpose is “to protect biotic resource communities including critical habitat areas within and along riparian corridors for their habitat and environmental value”. Staff has also reviewed the Sonoma Creek and Petaluma River Enhancement Plans that have the stated purposes “to identify ways in which to protect, conserve, and enhance the watershed” and “to maintain streams to maximize beneficial uses”. Requiring adequate setbacks would allow the County to meet these purposes and the Ordinance is the perfect tool to require landowners to implement protective setbacks.

Requiring setbacks and correctly sizing those setbacks is the most effective way for the County to protect its stream systems. The width of the setbacks should be adequate to protect the functions and beneficial uses of the entire stream system. For example, setbacks should be wide enough to protect any impaired waters and to allow for; natural channel movement, regeneration of the riparian zone, and connection of the stream channel to its floodplain. The Ordinance should also prohibit any future encroachment into the designated SCA.

In addition to providing the correct setback width, the uses allowed in the setback should not result in impacting water quality or disturbing the ground and/or existing vegetation. And as stated in the NCRWQCB's comment letter, any projects that could impact water quality should be submitted to the appropriate Regional Water Board to determine if a permit is needed.

Role of the Director and Agricultural Commissioner – The Ordinance often relies on the Director and Agricultural Commissioner to determine what the width of the SCA should be and what uses should be allowed within the SCA. As noted later under definitions, the word “Director” needs to be defined. But more important is assigning the appropriate person to perform this task and forming a team of experts including fish biologists, stream system assessment and water quality experts, and plant ecologists to work with the Director and/or the Agricultural Commissioner. Determining the actual width and use of the SCA should be based on meeting performance standards.

Allowed Uses – The Ordinance notes a number of uses that are allowed within the SCA. Our comments on allowed uses are noted below.

Article 65 – Section D – Item #4 – Stream Dams and Water Storage Systems -

The Water Board does not allow construction of new in-stream dams or in-stream water storage ponds. All systems that are needed to collect and store water should be built outside of the riparian zone and in an upland area that will not impact the stream system.

Section D – Item #7a – Grazing – The Ordinance allows for grazing within the SCA. These types of activities should either not be allowed within the SCA or managed in a way that would prevent soil compaction, erosion, and the discharge of livestock related pollutants into waters of the State. The SFRWQCB regulates dairy and grazing operations and has two existing permitting mechanisms that require protecting stream systems from the impacts of livestock. Therefore the County should work with landowners to avoid grazing within the SCA or have them develop a grazing management plan to manage livestock numbers and grazing duration. The two permitting mechanisms are detailed below.

The SFRWQCB has a permit and a conditional waiver that regulates impacts to stream systems from livestock. These include the General Waste Discharge Requirements for Confined Animal Facilities (CAFs), Order No. R2-2003-0093 (CAFs General WDR) and the Conditional Waiver of Waste Discharge Requirements for Grazing Operations in the Napa River and Sonoma Creek Watersheds, Resolution No. R2-2011-0060 (Grazing Waiver). The CAFs General WDR notes that “all confined animals shall be fenced or excluded from creeks or perennial streams passing through the confined area. Creek crossings shall be bridged in a manner that prevents animal waste from entering the waterway”. The Grazing Waiver Ranch Water Quality Plan, Compliance Monitoring and Annual Certification (Ranch Plan) templates contain a stream assessment checklist and require the permittee to 1) identify areas that could be sources for

nutrients, sediment, and pathogens (i.e. areas where livestock have access to the creek) and 2) identify activities that impact the riparian areas (i.e. allowing livestock to access, trample, or congregate in the riparian area). The CAFs General WDR, Grazing Waiver, and Ranch Plan are attached for your review.

In addition, both the Petaluma River and Sonoma Creek are either listed as impaired and/or have a Total Maximum Daily Load (TMDL) developed. The Petaluma River is listed on the 303(d) list as being impaired for diazinon, nutrients, pathogens, sedimentation, siltation, and trash. In its tidal portion it is listed for nickel, nutrients, and pathogens. Sonoma Creek is listed for sediments and pathogens and TMDLs have already been developed for both of these pollutants. Encouraging landowners to manage grazing within the SCA is an effective way for the County to reduce these types of pollutant loads into the Petaluma River and Sonoma Creek watersheds.

Section D – Item #7b – Agricultural Setbacks – This item notes that the following uses are allowed within the SCA - “Agricultural cultivation and related drainage, planting, seeding, fertilizing, weeding, irrigation, and harvesting, provided that it is located no closer than 100 feet or 50 feet from the top of the bank depending on the zoning. As stated above for grazing, the County should not be simply allowing these types of agricultural activities adjacent to the stream system. Instead the County should base the setback width on meeting performance standards. The County should work with landowners to find alternatives and/or develop a comprehensive list of best management practices (BMPs) (including the agricultural best management practices developed by the Agricultural Commissioner) to ensure that any agricultural related activity will not adversely impact the form and function of the stream system and/or water quality. Staff is available to work with the County to develop performance standards, find alternatives and/or help the County develop a comprehensive list of BMPs.

In general, agricultural activities should be setback from the stream system or appropriately managed regardless of where the stream is located or how it is designated in the General Plan 2020. The County should also prohibit future crop planting within the SCA and require landowners at the time of replanting to meet the existing SCA requirements.

Article 65 – Section D – Item #7c – Replanting - This item allows replanting within the SCA if the area has been in active agricultural cultivation and the planting area is not increased. As noted above, the County should prohibit future planting within the SCA and require landowners at the time of replanting to meet the existing SCA requirements.

Article 65 – Section D – Item #10 – Fire Fuel Management – This item notes that “new development located within 100 feet of any riparian corridor shall be allowed... only where there are no feasible alternative development locations that do not require vegetation removal for fire protection and fire resistive construction materials are used to avoid or minimize the need for vegetation removal in the

riparian corridor”. The County should remove the word “within” from this item since it allows for new development adjacent to the riparian corridor and instead note “located 100 feet away from”.

Article 65 – Section D – Item #12 – Docks – The Ordinance allows the construction of temporary gangways and floating docks within the SCA. If a gangway or a dock is constructed within a navigable water the Corps would permit it under Section 10 of the Rivers and Harbors Act and the developer or homeowner would have to apply for 401 Water Quality Certification. If the gangway or dock was constructed in a non-navigable water (isolated waters), then the Water Board would permit it under our General Waste Discharge Requirements for Dredge or Fill Discharges to Waters Deemed By the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction, Order No. 2004-0004-DWQ. The developer or homeowner would need to contact us to construct any type of dock whether it was temporary or permanent and whether it was floating versus anchored. Please make this explicit in the Ordinance and include this permitting information in any informational items that the County is going to give to developers and/or homeowners.

Article 65 – Section D – Item #13 – Timber Operations – This item allows timber operations within the SCA as long as the operations are in compliance with timber harvest plans. Does the County require timber removal operators to not remove trees from the riparian corridor? The County should require setbacks for all timber harvest activities to both protect the riparian corridor and prevent erosion and sedimentation of the stream from the trees being removed from the general area. The County should remove this allowed use and instead prohibit timber operations within the SCA.

Article 65 – Section D – Item #15 – Mining Operations – The Ordinance allows mining operations within the SCA as long as the mining activities are compliance with the Chapter 26A of the County Code. Any mining operations would require a permit from the Corps and/or the Water Board. Please make this explicit in the Ordinance and include this permitting information in any informational items that the County is going to give to developers and/or homeowners.

Exceptions to the SCA Use Prohibition (Prohibition) - The Ordinance notes a number of exceptions to the Prohibition that is defined in Subsection C. The Prohibition is as follows “grading, vegetation removal, agricultural cultivation, structures, roads, utility lines, and parking lots shall be prohibited within any stream channel or streamside conservation area. ...An exception to this prohibition may be approved by the Director with a Zoning Permit if...”. The “if” applies to the five exceptions noted in Section C. Staff’s comments on two of the five exceptions to the Prohibition are noted below.

Article 65 – Section C – Item #1c. – Existing Structures –This exception notes that “maintenance, restoration, or reconstruction of an existing legally established structure” is exempt from the Prohibition. Even though maintenance and restoration of an existing structure is exempt from the Prohibition, the County

should develop a list of BMPs that should be implemented when property owners/renters do any maintenance or restoration work within the SCA. The BMPs should prevent any hazardous materials or other pollutants from impacting the water quality of the stream.

Article 65 – Section C – Item #1d. – Affected Area Has No Value – This exception notes that if “The Director determines that the affected area has no substantial value for riparian functions” then the prohibited uses can be conducted within the SCA. What would the Director’s determination be based on? Assessment of the value of the SCA should only be done by someone who is impartial and is an expert in floodplains, groundwater recharge, riparian habitat ecosystems, and water quality.

In addition, the SFRWQCB’s Basin Plan protects both existing and potential beneficial uses including potential habitat (even if the habitat is denuded) for potential future restoration and/or natural colonization by riparian plants. Also, the States’ Antidegradation Policy calls for maintaining the existing high quality of State waters. Allowing Prohibited uses within the SCA for degraded areas would be in conflict with both our Basin Plan and the State’s Antidegradation Policy.

All stream systems whether or not they are vegetated, support important stream functions and are still valuable even if no habitat is present. Denuded stream systems should still be protected and be allowed to naturally or actively re-vegetate. This exception should be removed especially since determining a stream system’s ecological value could vary greatly depending on whose doing the assessment or making the determination, and their level of objectivity.

Clarifications – In reviewing the Ordinance, there were a number of issues that were not clear or needed further explanation. Items that need to be clarified are detailed below.

Article 65 – Section C – Item #1b. – Projects Requiring Minimal Vegetation Removal are Exempt from the Prohibition – The Ordinance notes that expansion of an existing structure would be exempt “where it is demonstrated that the expansion will be accomplished with minimum vegetation removal or damage to riparian functions”. Does the County have thresholds and/or an operational definition for what is considered “minimum” vegetation removal?

Article 65 – Section D – Item #8 – Vegetation Removal – This item allows vegetation to be removed from the SCA if it is part of an integrated pest management (IPM) program administered by the Agricultural Commissioner. What type of IPM activities would require removing vegetation from a SCA? For example, would vegetation have to be removed to prevent the sharpshooter insect from infesting grape vines?

Article 65 – Section D – Item #9 – Wells - In this section it notes that wells that are in compliance with County regulations are allowed within the SCA. Does the

County have any requirements for new or refurbished wells to be setback from the stream system? As noted above, all systems that are needed to collect and store water should be built outside of the riparian zone and in an upland area that will not impact the stream system.

Definitions – The Amendment includes a number of definitions that will be used to specify what Ordinance requirements will apply to what stream systems. Therefore it is important to make the definitions detailed and comprehensive.

Riparian Tree - In the Ordinance a riparian tree is noted as follows – “A woody perennial plant growing in a riparian corridor, typically larger than 14 feet at maturity with a well-defined stem and definite crown having a single or multi-trunk structure, with a minimum diameter at breast height of two (2) inches for a single stem or aggregate of multi-trunk stems of five (5) inches, and a minimum height of ten (10) feet”. This definition should not be so specific. Different riparian trees have different diameters at breast height and many riparian trees don’t grow to 10 feet tall. Overall, younger, shorter, and smaller diameter trees that exist in the riparian corridor should not be excluded from this definition.

Riparian Vegetation - The County should provide a definition for riparian vegetation and base it on the United States Fish and Wildlife Service’s (USFWS) definition that is noted in the NCRWQCB’s comment letter and included for reference below. This detailed definition should include all riparian vegetation such as trees, shrubs, herbaceous plants, and emergent vegetation on all types of stream systems.

The USFWS has defined Riparian Vegetation as: “Plant communities contiguous to and affected by surface and subsurface hydrologic features of perennial, intermittent, and ephemeral streams, wetlands, lakes, and estuarine-marine shorelines, or that is not directly supported by the hydrology of these waterbodies but affects water quality such as by providing shade and microclimate control, filtration and purification of surface water, stream bank stabilization, or input of large woody debris. Riparian vegetation frequently has one or both of the following characteristics: 1) distinctively different vegetative species than adjacent areas, and 2) species similar to adjacent areas but exhibiting more vigorous or robust growth forms”²

Riparian Corridor – The Ordinance defines the riparian corridor as “The area occupied by rivers or streams designated on USGS topographic maps and related plant and animal communities” This definition should be based on the type of vegetation and not based on the stream type or designation. In addition, by basing this definition on the USGS topographic maps the County is only covering a small subset of the riparian corridors within the County. Instead this

² Adapted from p. 3 of Dall, D., C. Elliott, and D. Peters. 1997. A System for Mapping Riparian Areas in the Western United States. U.S. Fish and Wildlife Service, National Wetlands Inventory. 15 pp.

definition should be based on the USFWS definition of riparian vegetation noted in the NCRWQCB's comment letter and included above. In addition, all riparian corridors and riparian vegetation should be included in the riparian corridor definition regardless of their designation (flatland versus upland versus other riparian corridor) and where they occur.

Vegetation Definition Included in the Vegetation Removal Definition – The Ordinance notes the following – “For the purposes of this chapter, vegetation means all natural, non-cultivated growth of plant life including the root system, stem, trunk, crown or branches or leaves or blades”. Existing cultivated or ornamental vegetation not associated with crop plantings should also be included in this definition because this type of vegetation could be part of the riparian corridor and may provide habitat.

Director – In a number of places the Ordinance notes that the “Director” is going to make the determinations about the condition of the SCA and whether a use can be allowed within the SCA. The role of the Director is important in the Ordinance and therefore requires defining who the “Director” is and requiring that this role be filled by a person who has the expertise to make the above decisions.

Flatland – The Ordinance doesn't define the word “flatland” but includes it as a zoning designation. The word “flatland” needs to be defined and specifically described by noting the slope thresholds that would be used to classify land as a flatland.

Upland – The Ordinance utilizes the word “upland” and defines it as “an area with predominately sloped land”. The word “upland” needs to be specifically defined by noting the slope thresholds that would be used to classify land as an upland.

SCA – The Ordinance refers to the SCA numerous times but the area is never defined. Please provide an operational definition of what a SCA is. The SCA should include the entire stream system.

Resources – Staff has identified a number of resources that would be helpful to the County in revising its Ordinance and working on developing performance standards.

Riparian Area Mapping Tool – The San Francisco Estuary Institute (SFEI) has developed a Riparian Area Mapping Tool (Mapping Tool). Information can be found at <http://www.sfei.org/baari/ramt>. The Mapping Tool addresses the riparian width needed to protect a selected riparian function. At this time the Mapping Tool can only be accessed by getting the file from SFEI and installing the file on a computer that has ArcGIS software.

SFRWQCB Stream and Wetlands Systems Protection Policy – While this policy is in the process of being developed, there are many important resources listed on the website related to the identification of stream system functions and how to protect them. This information can be found at

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/streamandwetlands.shtml

References for Stream Functions – This is a list of stream system related resources that was developed by the SFRWQCB during the development of our Stream and Wetlands Protection Policy. This document is attached.

Primer on Stream and River Protection for the Regulator and Program Manager – This document is an important guide to how streams work and how development, land use, and maintenance activities impact the form and function of a stream system. This document can be found at http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/streamwetland/streamprotectioncircular.pdf

Riparian Width Summary – This document includes a number of different agencies' setback requirements based on protecting specific stream system functions. This document is attached.

Miscellaneous

Existing Permits - The following SFRWQCB permitting mechanisms should be referenced in the Ordinance including; the Grazing Waiver and the CAFs General WDR.

Parcel Specific Determination - Earlier versions of the Ordinance had the requirement that the parcel specific determination of the SCA should be based upon a "detailed analysis of the parcel topography and vegetation" . This language should not have been removed from the later versions of the Ordinance. Instead the County should require County staff to better understand the existing conditions of the property related to the proposed uses and the presence of water resources.

Article 65 – Section D – Item #13 – Timber Operations – In the earlier version of the Ordinance, this item only allowed timber operations on land within the Timber Production Zone. This requirement was taken out in the later versions. The County should limit timber operations to land within the Timber Production Zone and prohibit timber harvesting within the SCA.

Revision of Ordinance and Fact Sheets – The County should ensure that any changes that are made to the Ordinance are also made to the Fact Sheet as appropriate.

Comment Letters on Sonoma Creek Watershed and Petaluma River Watershed Enhancement Plans – Staff reviewed both of these plans and has attached them here for your review.

Overall, Staff supports the County's efforts to balance the competing needs of agriculture and urban uses, and stream protection in developing and amending this Ordinance. However, we are concerned that the Ordinance does not adequately protect the stream systems within the County because the Ordinance only applies to USGS designated streams and allows some uses and exceptions to prohibitions that could adversely impact the stream system. As stated above, the width of the SCA should be based on protecting the stream system form and function and should apply to all stream systems within the County. Both the Petaluma River and Sonoma Creek watersheds would be better protected by including all of the first through third order streams including the streams that connect the headwater streams to the main channel. And by requiring effective setbacks based on performance standards, the County would be able to address many stream related problems including erosion, sedimentation, bank failure and discharge of pollutants into waters of the State. The County would not only be able to address these problems but would also be able to mitigate the impacts of climate change by preserving floodplains to reduce flooding and infiltrate stormwater, and by allowing riparian vegetation to naturally regenerate.

If you have any questions, please contact me at (510) 622-2413 or by e-mail at abigail.smith@waterboards.ca.gov.

Sincerely,



Abigail Smith
Environmental Scientist

- Enclosed:
- 1) Riparian Area Buffer Width Summary
 - 2) References for Stream Functions
 - 3) Comment Letter from NCRWQCB
 - 4) Comments on SC General Plan 2020 – WR & OSRC Elements - September 2007
 - 5) Comments on SC General Plan 2020 – Draft EIR – April 2007
 - 6) CAFs General WDR
 - 7) Grazing Waiver
 - 8) Ranch WQ Plan
 - 9) Comments on Sonoma Creek Watershed Enhancement Plan
 - 10) Comments on Petaluma River Watershed Enhancement Plan

Cc: SWRCB, DWQ, stateboard401@waterboards.ca.gov
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SONOMA ECOLOGY CENTER

Protecting the beauty and biodiversity of Sonoma Valley

Sonoma County Supervisor Susan Gorin
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

Re: Riparian Corridor Ordinance

November 18, 2014

Dear Supervisor Gorin,

Sonoma Ecology Center has been active in Sonoma Valley and beyond for almost 25 years, and much of our work has focused on stream health. Keeping certain land uses away from streams is essential for sustaining water supply, public safety, regulatory compliance, and Sonoma County's scenic beauty. We've been working on the issue of stream protection policy for several years, starting with the General Plan 2020 subcommittee and ending with the recent stakeholder work group. Here's why we ask you to vote for the strongest protective language in the Riparian Corridor Ordinance on November 24.

Issue #1: Area/Specific Plans.

Recommendation: Vote for option "a. Recommend implementation of the Area and Specific Plan stream setback standards as provided in the Revised Draft Ordinance."

Rationale: This option maximizes the protected width, which maximizes the ability of streams to provide the benefits that Sonoma County needs: flood protection, clean water, water supply and groundwater recharge, recreational amenities, threatened species protection, scenic beauty, and refuge from extreme heat, for people and wildlife. The proposed widths are already a compromise. Studies¹ show that protecting these functions requires setback widths quite a bit larger than those proposed.

Issue #2: Extending Protection to Drip line of Trees

Recommendation: Vote for option "a. Recommend extending the Streamside Conservation Areas to the drip line of contiguous riparian trees as proposed in the Revised Draft Ordinance to protect existing ecological functions as described in the General Plan."

Rationale: As NOAA and other resource agencies have written in their letters, the continuous cover of riparian forest is what provides many of the functions associated with streams and riparian areas. Due to the politics of land use, the proposed Riparian Corridor widths are smaller than those that would actually provide full potential benefits¹, so expanding the width in those locations where contiguous forest still exists will recover more of the many functions of riparian areas.

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ATTACHMENT I

Issue #3: Roles of Resource Agencies and Agricultural Commissioner

While we agree that the Ag Commissioner is the right entity to enforce setbacks and BMPs for agricultural uses, we are concerned that staffing levels at the Ag Commissioner's office may be insufficient to take on this role.

Issue #4: Uses Allowed within the Streamside Conservation Area

1. Stream and Levee Maintenance (Subsection 26-65-040.A)

Recommendation: Vote for option "a. Recommend stream maintenance conducted by the Sonoma County Water Agency or permitted levee maintenance as an allowed use with a planning clearance as proposed in the Revised Draft Ordinance."

Rationale: We concur with staff.

2. Streamside maintenance and riparian habitat restoration (Subsection 26-65-040.D)

Recommendation: Delete "Streamside maintenance and". Vote for option "a. Recommend that streamside maintenance require a zoning permit subject to standards defined in CEQA Exemption 15333 as proposed in the Revised Draft Ordinance."

Rationale: The phrase "Streamside maintenance" is confusing, and should be removed from this subsection. Many people interpret it to mean clearing vegetation, which is generally not permitted by this Ordinance within the Streamside Conservation Area. We recommend sticking with "riparian habitat restoration."

3. Road and Utility Crossings (Subsection 26-65-040.F)

Recommendation: Vote for option "a. Recommend road and utility crossings require a zoning permit to ensure best management practices are incorporated as proposed in the Revised Draft Ordinance. "

Rationale: Stream crossings fragment habitat, preventing aquatic animals from moving to find food, shelter, and mates. Crossings also increase water temperatures and degrade water quality. They should be carefully screened.

5. Grazing (Subsection 26-65-040.H.1)

Recommendation: Vote for option "a. Recommend grazing and related fencing and livestock water facilities as an allowed use in compliance with Best Management Practices as proposed in the Revised Draft Ordinance."

Rationale: Best Management Practices for grazing operations, such as those distributed by Resource Conservation Districts, generally preclude grazing near streams, so this option would allow very little grazing inside Streamside Conservation Areas. We are concerned that staffing levels at the Ag Commissioner's office may be insufficient to take on this role.

6. Agricultural Cultivation (Subsection 26-65-040.H.2)

Allowing half the Streamside Conservation Area to be cultivated means this Ordinance will be far less effective at providing stream functions to Sonoma County¹.

7. Replanting (Subsection 26-65-040.H.3)

Recommendation: Staff did not provide options. Replanted agricultural areas should conform to the same rules as new agricultural cultivation, which are more than generous. Therefore, in this Subsection, after “that are”, replace the current language with a., b., and c. as they appear in 26-65-040.H.2.

Rationale: In the draft ordinance as currently written, this Sub-section 26-65-040.H.3 would only apply when a field is being replanted closer than 25, 50, or 100 feet to a stream, depending on which type of stream is affected. These distances are already too small to provide the functions that Sonoma County needs from its streams¹, especially in the era of climate change.

8. Agricultural Turnaround and Access Roads (Subsection 26-65-040.H.4)

Recommendation: Neither option provided by staff is protective. Option A is marginally better.

Rationale: Neither option provided by staff is protective, because both options allow barren areas within the Streamside Conservation Area. In practice, there is often little difference between an access road, a turnaround, or an area called a grassy avenue or filter strip. These areas are often barren of plants, because the wheels and treads of vehicles compact and scratch the ground surface. Without plants, these areas do not function to protect water quality or habitat. They erode whenever they are wet. In fact, streams need protected riparian corridors precisely to counteract the effects of such bare surfaces.

9. Water Wells (Subsection 26-65-040.J)

Recommendation: Vote for option “b. Recommend that water wells be excluded from the Streamside Conservation Areas, unless no alternative location exists.”

Rationale: Most of Sonoma County’s stream miles support species of fish and wildlife that are imperiled in part because of decreased streamflows. When streamflows are reduced, the stream’s water is warmer, there is less volume of aquatic habitat, protective streamside trees and other plants are harmed and can die, and pollutants are more concentrated. When streamflows are quickly reduced by groundwater pumping during critical periods such as spawning or during late summer when flows are naturally at their lowest, fish can die and spawning can fail. Locating wells farther from streams will eliminate vegetation clearing within the Streamside Conservation Area associated with well construction and maintenance, and will affect streamflow in a more muted manner.

10. Fire Fuel Management (Subsection 26-65-040.K)

Recommendation: Replace “redwood trees” with “mature native trees or shrubs”.

Rationale: Native riparian vegetation provides substantial benefits, and resists fire. The fire-resistant qualities of native vegetation are reflected in other counties’ policies. San Diego County’s [list of fire-resistant plants allowed within defensible space](#) includes many common native riparian tree and shrub species, and no native species are on its do-not-plant list. Santa Cruz County’s [defensible space rules](#) prohibit removal of “mature vegetation” within 50’ of perennial streams or 25’ of seasonal streams because “riparian vegetation retains moisture, which minimizes combustion.”

Additional recommendation

Recommendation: Delete Subsection 26-65-040.E, which would allow new dams in streams.

Rationale: Dams prevent migrating salmon and steelhead from reproducing, prevent aquatic species from moving to find adequate habitat, and often cause streambank and streambed erosion. Resource agencies rarely permit new dams, so allowing this use could create a conflict between county and resource agency policies, with landowners in the middle.

Conclusion

Even if the most protective options are approved, you should know that this ordinance will not be strong enough to assure reliable clean water, flood protection, recreational opportunities, or resilient wildlife populations for future generations. The heat, drought, and flood impacts of climate change, plus the water demands of a growing population, call for more. On this point, we agree with Tito Sasaki: what's needed is a science-based, risk-management approach to determining rational setbacks that are location-specific. In the meanwhile, making this proposed Riparian Corridor Ordinance as strong as possible is our best next step toward a safer, more climate-resilient Sonoma County.

Thank you for all you do for Sonoma County.

Sincerely,

A handwritten signature in cursive script that reads "Caitlin Cornwall". The signature is written in black ink on a white background.

Caitlin Cornwall, Biologist, Research Program Manager
(707) 996-0712 x105
caitlin@sonomaecologycenter.org

¹ See the excellent summary of findings about how varying riparian corridor widths provide different stream and riparian functions, submitted by Abigail Smith of the San Francisco Bay Regional Water Quality Board for the 8/24/2014 Planning Commission hearing.