



**SONOMA COUNTY OPEN SPACE AUTHORITY**  
**Minutes of December 20, 2007**

5:08 p.m. Jean Kapolchok called the regular meeting of the Open Space Authority to order at 747 Mendocino Avenue, Santa Rosa.

Directors Present: Al Alys, Bob Anderson, Paul Hammond, Jean Kapolchok, Liza Prunuske, Mike Sangiacomo

Directors Absent: None.

District Staff: Andrea Mackenzie, District General Manager; Maria Cipriani, Assistant General Manager; Jim Botz, District Counsel; Paul Rowan, Land Acquisition Specialist, Misti Arias, Associate Open Space Planner; DeAnna Kamber, Open Space Technician; Melanie Barassa, Open Space Technician; Marta Puente, Open Space Planner.

Nina Donofrio, Deputy Clerk/Recorder; Jonathan Kadlec, Bookkeeper

Public Attendees: Sheri Emerson, City of Santa Rosa; Colleen Ferguson, City of Santa Rosa; Susan Kirks, P.L.A.N.; Elizabeth Tyree, Sonoma County Regional Parks; Rich Houden, City of Santa Rosa; Josh Moreska, City of Santa Rosa; Marc Richardson, City of Santa Rosa; Mike Wagner, Sonoma County General Services/Real Estate.

**1. Agenda Items to be Held or Taken Out of Order; Off Agenda Items.**

Chair Kapolchok called for items to be held, taken out of order, or off the agenda. Ms. Mackenzie requested that Item 6(a), the Lease/Sublease Amendment, be addressed next.

**6. Report from General Manager of the Agricultural Preservation and Open Space District**

a) **Lease/Sublease Amendment.**

*Resolution No. 2007-027*

Ms. Mackenzie presented an Amendment to Office Lease between the Authority and Papeete, LLC. This resolution expresses the intent of the Authority to amend the office lease to include an additional 1,263 sq. ft. to the premises, to add option terms, specify rental payments, and provide for additional work of improvement subject to execution by the District of an amendment to the sublease to redefine the premises, add option terms, specify rental payments and provide for additional work of improvement. She explained that a tenant, Sam Salmon, had vacated his office. Ms. Mackenzie stressed the importance of acting promptly in order to take advantage of this opportunity. She added that more space is needed for administrative staff and for storage.

Mr. Rowan added that this would provide needed storage and file space and space for administrative staff.

Mike Wagner of the Sonoma County General Services/Real Estate Department confirmed that the current lease could be terminated on short notice. Based on the location of the additional space, current rental rates, he recommended that the District lease the additional space in the building. He stressed that, as the main tenant in the building, the District is in a good bargaining position.

Director Alys moved, and Director Prunuske seconded, a motion adopting the resolution to amend the current office lease to include an additional 1,263 sq. ft. The motion passed unanimously.

5 Ayes 0 Noes 0 Abstain 0 Absent

**2. General Announcements Not Requiring Deliberation or Decision.**

Ms. Mackenzie announced that on December 21 the District will close escrow on the Roche Ranch property. The District has just surpassed its 150<sup>th</sup> project. An event is being planned for January 8, 2008 to mark this milestone.

Ms. Mackenzie then introduced two new staff; DeAnna Kamber, who has assisted with matching grant programs; and Melanie Barassa, who is doing intake on new projects.

Ms. Mackenzie then reported that a court case is in process that has implications for the District, and introduced Jim Botz, District Counsel.

Mr. Botz explained that the District operates under State law that allows the Board of Directors of the District to decide whether or not to dedicate acquisitions for open space. A court of appeals has ruled that the dedication occurs automatically with no discretion on the part of the Board of Directors. This significantly impacts the District in terms of flexibility to hold real property. This decision has faced controversy statewide, and Supreme Court is going to be petitioned for a hearing. If the District does not get review and does not get de-publication it will have to join other Districts in the legislature to resolve this issue and retain their current flexibility. He explained that care must be taken to determine in advance those acquisitions that the District would not want to dedicate and determine how to deal with these cases.

**3. Public Comment.**

Chair Kapolchok called for public comment. Hearing none, the agenda moved on to Item 4.

**4. Bookkeeper's Report and Approval of Claims *Resolution No. 2007-026***

*Action Item:* Jonathan Kadlec presented itemized expenses with receipts for expenses incurred during the previous reporting period. He explained that an additional page has been included to provide a report on the bond procedures and what the remaining balance is. This shows the bonds and expenditures that have taken place thus far. He pointed out highlights of the bond transaction and referred to a brief report on the benefits of the bond issue.

Motion by Director Alys and second by Director Anderson to approve a Resolution acknowledging the bookkeeper's report and approving claims for services and supplies. Motion carried.

5      Ayes            0      Noes            0      Abstain        0      Absent

**5. Approval of Authority Minutes.**

*Action Item:* Minutes of September 20, 2007, were approved as submitted.

Director Alys moved, and Director Prunuske seconded, a motion to approve the minutes. Motion carried.

5      Ayes            0      Noes            0      Abstain        0      Absent

Minutes of November 8, 2007, were approved as submitted.

Director Anderson moved, and Director Sangiacomo, seconded, a motion to approve the minutes. Motion carried, with one abstention by Director Alys.

4      Ayes            0      Noes            1      Abstain        0      Absent

**6. Report from General Manager of the Agricultural Preservation and Open Space District (cont.)**

**b) Sebastopol Skate Park and Community Garden Improvements Project.**

Misti Arias, District, Associate Open Space Planner, introduced three matching grant projects: The Sebastopol Skate Park and Community Garden Improvements Project, the West County Regional Trail, and the Colgan Creek Park and Preserve.

Ms. Arias introduced Deanna Kamber, who presented a slideshow of the Sebastopol Skate Park and Community Gardens improvements project. The funding requested for this project is \$529, 575. The park is centrally located and is in close proximity to the West County Regional Trail. She pointed out planned features of the site, including pathways and fencing. The total match with other cities matching funds is \$1,895,991.

After some discussion, it was determined that this item be continued to the next meeting to see more detail about how the funds will be expended.

c) **West County Regional Trail**

*Resolution No. 2007-028*

Ms. Arias presented a slideshow of property that has been operated under County Regional Parks as a transportation corridor for pedestrian and bicycle use. This now completed segment adds to the existing West County Regional Trail, which, in turn, connects to the Prince Memorial Greenway via the Joe Rodota Trail, constituting a 13-mile multi-use trail from Santa Rosa to Forestville. The project consists of trailhead construction of an approximately 3,850 sq. ft. portion of County property (formerly the railroad right-of-way). The Ross Station trailhead site offers an opportunity for improved public access to the West County Regional Trail, and is the only County-owned parcel adjacent to the trail that is large enough for such a development.

In response to Director Anderson's question regarding status of the engineering design, Elizabeth Tyree of County Regional Parks explained that the preliminary design review has been completed, and the next step is to complete more detailed design work, hopefully in February. It will then be brought to the Board of Directors.

Chair Kapolchok called for public comment.

Jonathan Kadlec identified safety considerations on the site, specifically the significant number of vehicles that park on Green Valley Road.

Ms. Tyree explained further that the outlined breakdown of funding between the County and District is a means of distributing the cost among the funding sources. Typically the County seeks reimbursement after each phase of the project.

Director Anderson confirmed operations and calculations as outlined. Ms. Tyree confirmed that this is a budgeted item for the County, and includes trash collection, removal of graffiti, etc.

Director Prunuske moved, and Director Sangiacomo seconded, a motion approving the resolution finding the expenditure to be consistent with the Authority's Expenditure Plan and approving expenditure of sales tax revenue for improvements to the West County Regional Trail-Ross Station Road Trailhead through a matching grant agreement with the County of Sonoma. The motion carried unanimously.

5 Ayes 0 Noes 0 Abstain 0 Absent

d) Colgan Creek Park and Preserve

*Resolution No. 2007-029*

Chair Kapolchok and Director Prunuske abstained from this item. Director Anderson chaired the meeting for this item.

Marta Puente presented a proposal to acquire the 1.61-acre Burbank Housing Development Corporation property as part of the Colgan Creek Park and Preserve through a matching grant agreement with the City of Santa Rosa. Colgan Creek originates in the Taylor Mountain foothills and flows westward into the Laguna de Santa Rosa. This will connect to the existing regional trail system. A bicycle and pedestrian path would be constructed along the northwest side of the creek. The trail would continue across Santa Rosa Avenue and connect to the existing trail. The purchase price is \$511,500. The grant request is \$336,940.

Director Anderson called for public comment.

Jonathan Kadlec identified language to be stricken from the resolution; specifically, Item 5, because this project is utilizing a bond procedure.

In response to questions from Director Anderson, Colleen Ferguson and Josh Moreska of the City of Santa Rosa provided further information regarding funding for improvements. Sheri Emerson expressed the City's support of the project.

Director Hammond moved to adopt the resolution acquiring the said Burbank property and authorizing expenditure for the acquisition through a matching grant agreement with the City of Santa Rosa. The motion was seconded by Director Sangiacomo. Chair Kapolchok and Director Prunuske recused themselves from voting on this item. Motion passed.

3 Ayes 0 Noes 0 Abstain 2 Absent

Chair Kapolchok resumed the chair for the remainder of the meeting.

7. **Suggested Next Meeting.** January 10 or January 17, 2008.

8. **Adjournment.** Meeting adjourned at 6:15 p.m.

Nina Donofrio  
Deputy Clerk/Recorder  
Open Space Authority