

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: DAVID M. GUHIN, DIRECTOR  
PLANNING AND ECONOMIC DEVELOPMENT  
SUBJECT: MEMORANDUM OF UNDERSTANDING REGARDING SANTA  
ROSA CHARTER SCHOOL, 815 BROOKWOOD DRIVE,  
SONOMA COUNTY FAIRGROUNDS

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by Resolution, approve and ratify a Memorandum of Understanding between the Sonoma County Permit and Resource Management Department and the City of Santa Rosa Community Development Department for the Santa Rosa Charter School, 815 Brookwood Drive, Santa Rosa, for the County to assume plan check, permitting, and inspection authority for the 2015-2016 school year.

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EXECUTIVE SUMMARY

The Sonoma County Fair and Exposition, Inc. (Fairgrounds) entered into a lease agreement with the Redwood Empire Schools Insurance Group JPA/Santa Rosa Charter School (SRCS) to use certain facilities at the Sonoma County Fair Grounds (Fair) for use of the Garrett and Kraft Buildings, and adjacent grounds as a school for children in grades preschool through grade 8 for the 2015-2016 school year. Due to the very short notice to the City of Santa Rosa Fire and Community Development Departments of the need and intent to operate a school starting Monday, August 24, 2015, the City Manager executed a Memorandum of Understanding (MOU) with the County of Sonoma to allow for permitting and inspection for SRCS to be completed by the County with the understanding of ratification by the County Board of Supervisors and the Santa Rosa City Council to follow.

BACKGROUND

On August 16, 2015, Sonoma County Fair and Exposition, Inc. (Fairgrounds) executed a lease (Attachment 1) with Redwood Empire Schools Insurance Group JPA/Santa Rosa Charter School (SRCS) for use of the Garrett and Kraft Buildings, and adjacent grounds as a school for children in grades preschool through grade 8 for the 2015-2016

school year. The lease was executed by the Fair Manager and is consistent with the County-Fair Memorandum of Understanding.

On the same day, Fair Staff alerted the City of Santa Rosa Fire Department to the impending school occupancy starting August 24, 2015. Typically governmental uses on Fair property are not subject to City General Plan and Zoning Ordinance but do have to comply with City Building and Fire Codes. City General Plan and Zoning Ordinances, however, do apply to proprietary or nongovernmental use of County owned property, often requiring a Use Permit or Special Event Permit for businesses located at the Fairgrounds. As a public charter school, SRCS may exempt instructional facilities from City Zoning, but would still be subject to permitting and inspection requirements.

Given the short time frame of two working days to submit, analyze and issue permits for SRCS before the school start date, City and County officials worked together to fashion and execute a Memorandum of Understanding (Attachment 2) delegating permitting, plan review and inspection authority to the County for this specific occasion. County staff found that SRCS did not require a Use Permit because the charter school is a public school with a Temporary Occupancy of the Fairgrounds (Attachment 3). The County assumed plan check, permitting and inspection authority for the 2015-2016 school year as set forth in the MOU, at the end of which the delegated authority will end and the City will reassume its standard authority.

The Sonoma County Board of Supervisors ratified the MOU on September 22, 2015.

#### PRIOR CITY COUNCIL REVIEW

Not applicable.

#### ANALYSIS

Given the need to open the school within a very short time frame, the City negotiated a MOU delegating plan check, permitting and inspection authority for the proposed SRCS operations at the Fairgrounds for the 2015-16 school year, with the understanding that the County Board of Supervisors and the Santa Rosa City Council would be asked to ratify the MOU at a later date. Enabling the school to open on time was the result of an effective collaboration between the County and the City.

#### FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

#### ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the

environment, pursuant to CEQA Guideline section 15378. To the extent the action would be considered as having any potential for resulting in physical change in the environment, it would be a project using existing facilities and thus exempt for CEQA analysis pursuant to CEQA Guideline section 15301.

#### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

#### NOTIFICATION

Not applicable.

#### ATTACHMENTS

- Attachment 1 – Agreement between Fair and Santa Rosa Education Cooperative
- Attachment 2 – MOU between County of Sonoma and City of Santa Rosa
- Attachment 3 – County Temporary Occupancy Permit
- Resolution

#### CONTACT

David M. Guhin, [dguhin@srcity.org](mailto:dguhin@srcity.org), 543-4299