

## **Minutes For January 7, 2003**

The Solano County Board of Supervisors met in regular session on this day at 8:57 a.m. The meeting was called to order by Chairman Carroll followed by the Pledge of Allegiance and a moment of silence. All members were present.

### **OATH OF OFFICE FOR NEW TERM OF OFFICE OF ELECTED OFFICIALS**

Solano County Retired Judge Walt Weir administered the Oath of Office for new term of office to John M. Vasquez, Board of Supervisors, District 4.

Judge Scott L. Kays, Presiding Judge, Superior Court of California, County of Solano administered the Oath of Office for new term of office to Duane Kromm, Board of Supervisors, District 3, William A. Eldridge, Auditor-Controller, Charles Lomeli, Treasurer/Tax Collector/

County Clerk, David Paulson, District Attorney, Gary R. Stanton, Sheriff/Coroner, and Skip Thomson, Assessor/Recorder.

### **REORGANIZATION OF THE BOARD OF SUPERVISORS**

#### **SUPERVISOR DUANE KROMM DESIGNATED AS CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2003**

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board acted to designate Duane Kromm as the Chairman for the Board of Supervisors for 2003. So ordered by a vote of 4-0.

#### **SUPERVISOR JOHN SILVA DESIGNATED AS VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2003**

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to designate John Silva as Vice-Chairman for the Board of Supervisors for 2003. So ordered by a vote of 4-0.

#### **(Item 8e) COMMITTEE ASSIGNMENTS TO BE REVIEWED**

Chairman Kromm requested the Board members review the committee assignments for consideration of appointment at the meeting of January 14, 2003, and requested appointments are considered for the Solano County Water Agency and the Yolo-Solano Air Quality Management District for Board representation prior to January 14, 2003.

#### **APPOINTMENT OF ALL MEMBERS OF THE BOARD OF SUPERVISORS TO THE SOLANO COUNTY WATER AGENCY, APPROVED**

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Supervisor Kondylis, Supervisor Silva, Supervisor Vasquez, and Chairman Kromm as representatives on the Solano County Water Agency

for 2003. So ordered by a vote of 4-0.

**SUPERVISOR SILVA, SUPERVISOR VASQUEZ AND CHAIRMAN KROMM APPOINTED TO THE YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT**

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Supervisor Silva, Supervisor Vasquez and Chairman Kromm as representatives on the Yolo-Solano Air Quality Management District for 2003. So ordered by a vote of 4-0.

**PRESENTATIONS**

(Item 9A)       **RESOLUTION NO. 2003-001 RECOGNIZING WILLIAM J. CARROLL FOR HIS SERVICE TO SOLANO COUNTY REPRESENTING DISTRICT 4 AS A MEMBER OF THE BOARD OF SUPERVISORS AND PLAQUE AND GAVEL OF APPRECIATION, APPROVED**

On motion of Supervisor Silva and seconded by Supervisor Vasquez, the Board acted to adopt Resolution No. 2003-001 Recognizing William J. Carroll for His Service to Solano County Representing District 4 as a Member of the Board of Supervisors, and a Plaque and Gavel of appreciation. So ordered by a vote of 4-0. (see Resolution Book)

On behalf of the Board, Supervisor Silva presented Supervisor Carroll with Resolution No. 2003-001 honoring him for his twelve years of service as Supervisor representing District 4.

Supervisor Carroll thanked his family, friends, and County staff for all their support.

Chairman Kromm presented Supervisor Carroll with a Plaque and Gavel of Appreciation in recognition of his years of leadership as Chairman of the Board of Supervisors in 1994, 1998, and 2002.

(Item 9B)       **RESOLUTION NO. 2003-002 RECOGNIZING SKIP THOMSON FOR HIS DEDICATED SERVICE TO THE CITIZENS OF SOLANO COUNTY, ADOPTED**

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2003-002 Recognizing Skip Thomson for His Dedicated Service to the Citizens of Solano County. So ordered by a vote of 4-0. (see Resolution Book)

On behalf of the Board, Supervisor Kondylis presented Supervisor Thomson with Resolution No. 2003-002 and wished him well in taking the office of Assessor/Recorder.

Supervisor Thomson thanked his wife, Gail, Administrative Assistant Kathy Marianno, staff, and colleagues for their support.

(Item 9C)       **RESOLUTION NO. 2003-003 RECOGNIZING PATRICIA RENFRO UPON HER RETIREMENT FOR HER MANY YEARS OF SERVICE TO SOLANO**

## COUNTY, AND PLAQUE OF APPRECIATION, APPROVED

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2003-003. The Board further acted to authorize a Plaque of Appreciation for Patricia Renfro. So ordered by a vote of 4-0. (see Resolution Book)

On behalf of the Board, Supervisor Silva presented Ms. Renfro with Resolution No. 2003-003 and a Plaque of Appreciation honoring her upon her retirement after 33 years of service to Solano County as an employee in Health and Social Services Department.

## ITEMS FROM THE FLOOR

### INTRODUCTION OF CHRISTINA L. LINVILLE AS THE EXECUTIVE DIRECTOR OF THE CHILDREN AND FAMILIES COMMISSION

County Administrator Michael Johnson introduced Christina L. Linville as the new Executive Director for the Children and Families Commission.

### APPEARANCE BY MONICA BROWN RE SURFACE STREET CONGESTION IN THE AREA OF THE I-680/I-80 INTERCHANGE

Monica Brown, Fairfield, voiced her frustration and concern with transportation and traffic problems on surface streets in the area of Cordelia Village, Old Town Cordelia, and the area surrounding the I-680/I-80 interchange. Ms. Brown suggested several remedies that could help control some of the traffic, and requested that something be done to help the residents in the area.

### APPEARANCE BY DONALD TIPTON, VALLEJO RE EXPEDITING FOCUS ON HOMEACRES

Donald Tipton, Vallejo, voiced his concerns regarding the long time neglect and blight in the Homeacres area, and requested actions to improve the area be put on a fast track.

## APPROVAL OF AGENDA

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to approve the submitted Agenda, incorporated herein by reference So ordered by a vote of 4-0.

## CONSENT CALENDAR

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to approve the following Consent Calendar items by a vote of 4-0.

(Item 14) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF NOVEMBER 12, 2002; RURAL NORTH VACAVILLE WATER DISTRICT NOVEMBER 12, 2002, as outlined in the Agenda Submittal from the Clerk of the Board dated January 7, 2003, incorporated herein by reference, approved.

(Item 15) AMENDMENT TO JOINT POWERS AGREEMENT WITH YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT, as outlined in an Agenda Submittal from the Board of Supervisors dated January 7, 2003, approved and Chairman authorized to sign said amendment on behalf of Solano County.

(Item 16) RESOLUTION NO. 2003-004 AUTHORIZING THE OFFICE OF FAMILY VIOLENCE PREVENTION TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF JUSTICE PLANNING TO SUPPORT DEVELOPMENT OF A COUNTYWIDE FAMILY VIOLENCE RESPONSE TEAM, adopted. (see Resolution Book)

(Item 17A) RESOLUTION NO. 2003-005 AMENDING THE ALPHABETICAL LISTING OF CLASSES AND SALARIES (COUNTY COUNSEL), adopted. (see Resolution Book)

(Item 17B) RESOLUTION NO. 2003-006 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS (HUMAN RESOURCES), adopted. (see Resolution Book)

(Item 18) AGREEMENT WITH VACAVILLE POLICE DEPARTMENT RE FAMILY RESOURCE CENTER IN VACAVILLE, as outlined in the Agenda Submittal from Health and Social Services dated January 7, 2003, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

CONTRACT AMENDMENT WITH CITY OF VALLEJO, FIGHTING BACK PARTNERSHIP, RE FAMILY RESOURCE CENTER IN VALLEJO, as outlined in the Agenda Submittal from Health and Social Services dated January 7, 2003, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

(Item 19) RELEASE FROM RESPONSIBILITY FOR UNACCOUNTED FOR FIXED ASSETS, as outlined in the Agenda Submittal from the District Attorney dated January 7, 2003, incorporated herein by reference, approved.

(Item 20) SOLANO COUNTY HOUSING AUTHORITY ADMINISTRATIVE PLAN, as outlined in the Agenda Submittal from the Department of Environmental Management dated January 7, 2003, incorporated herein by reference, approved.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

Rural North Vacaville Water District

(Item 21) Minutes regarding this matter are contained in the Rural North Vacaville Water District Minutes Book.

## ORDERS

(Item 23) ORDINANCE REGARDING DISCLOSURE OF CONFIDENTIAL CONSUMER INFORMATION BY FINANCIAL INSTITUTIONS ADOPTED ON FIRST READING; SECOND READING SET FOR JANUARY 28, 2003

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board directed that the proposed ordinance be read by title only. So ordered by a vote of 4-0.

Kathy Gibson, County Administrator's Office, reviewed the information contained in the Agenda Submittal from her department dated January 7, 2003, incorporated herein by reference, regarding consideration of an ordinance relating to the disclosure of confidential consumer information by financial institutions, and discussed the request from Bank of America to delay any decision on the ordinance until pending litigation is resolved.

Supervisor Silva presented a brief background and outline of the ordinance, which began at the State level.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopted the proposed Ordinance. So ordered by a vote of 4-0.

(Item 24A) PROCLAMATION TERMINATING LOCAL EMERGENCY, ADOPTED

The Board was provided with an Agenda Submittal from County Counsel dated January 7, 2003, incorporated herein by reference, reviewing the Proclamation of Local Emergency adopted by the Board December 23, 2002 to determine if the proclamation should remain in effect or if the proclamation should be discontinued.

County Administrator Michael Johnson suggested that the current proclamation be allowed to expire at the end of the 21-day term.

Following a brief discussion, County Counsel Dennis Bunting suggested approval of the Proclamation Terminating the Local Emergency to become effective January 13, 2003.

Donald Tipton, Vallejo, expressed concern with the repeated flooding of the Solano County Hall of Justice, and feels a permanent solution to the problem is needed.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to approve the Proclamation Terminating Local Emergency. So ordered by a vote of 4-0.

(Item 24B) SUPERVISOR KROMM AND SUPERVISOR VASQUEZ TO COVER DISTRICT 5 UNTIL GOVERNOR APPOINTS A SUCCESSOR TO DISTRICT 5

The Board was provided with an Agenda Submittal from County Counsel dated January 7, 2003, incorporated herein by reference, relative to providing

representation to the citizens of District 5.

Chairman Kromm outlined the proposed split of District 5 to ensure constituent representation during the vacancy that was created when Supervisor Skip Thomson assumed the position of Assessor/Recorder, and the retention of Administrative Assistant Kathy Marianno to assist with District 5.

Donald Tipton, Vallejo, voiced concern with splitting District 5 and with the increase in the number of constituents Supervisor Vasquez and Chairman Kromm would be representing. Mr. Tipton suggested the area be split equally between the four remaining districts to ensure equal representation.

Supervisor Vasquez noted this action is to allow them to go out and meet with citizens in the district to better assist the constituents, and when the appointment is made the new Supervisor would fully represent District 5.

On motion of Supervisor Vasquez and seconded by Chairman Kromm, the Board acted to approve the allocation of representative services to District 5's constituents between District 3 and District 4 Supervisors, and to authorize the retention of a part-time aide for District 5. So ordered by a vote of 4-0.

(Item 24C)        CONSIDERATION OF ADOPTION OF DIXON FIRE PROTECTION ORDINANCE, CONTINUED

The Board was provided with an Agenda Submittal from County Counsel dated January 7, 2003, incorporated herein by reference, regarding ratifying Ordinance No. 02-01 of the Dixon Fire Protection District that establishes standards more stringent than the State Fire Code.

Ric Dorris, Dixon Fire Protection District (DFPD), reviewed the request from the DFPD for approval of amended fire code in that district.

Supervisor Silva expressed concern the lack of a consolidated fire district in the County, the lack of a definition of a building of 2,500 square feet, potential County wide effects if the ordinance is adopted, and with some of the language contained in the ordinance.

Mr. Dorris noted the amendments would be relative to the DFPD only, the State Fire Code provides the uniform code, and outlined the four changes proposed by the DFPD. Buildings that are particular to farming operations are exempt from the sprinkler ordinance, the concern is with large buildings that are processing facilities, and under the Building Code buildings over 3,000 square feet are classified as commercial. The DFPD is defenseless in protecting large buildings without a sprinkler system. The proposed fire code modifications were a result of the lack of funds and the wide area that the DFPD must protect. The people in the DFPD feel business impacting the existing fire service should share the burden of cost for fire protection.

Supervisor Silva feels the matter should be referred to the Ag Commission and the Land Use and Transportation Subcommittee for further review.

Responding to questions posed by Supervisor Kondylis regarding referral of the matter to the Ag Commission and the Land Use and Transportation Subcommittee, Mr. Dorris noted any community input is welcomed and discussed public hearings that were held relative to the original proposal,

emphasized the ordinance was crafted specifically for the DFPD, but would like Dixon area people to help with any determinations. The biggest concern of the district is with delays and the impacts to fire protection until something is adopted.

Supervisor Vasquez noted the need for some language changes, agrees with referring the matter to the Ag Commission and the Land Use and Transportation Subcommittee, and would like some of the meetings to be held in the Dixon area.

Don Pippo, Solano County Farm Bureau, noted the Farm Bureau Board of Directors and in a letter from Solano County Farm Bureau President Paul Lum dated January 7, 2003, incorporated herein by reference, requesting the matter be referred to the Ag Advisory Board for further study.

Donna Harr, Solano County Land Alliance, voiced concern with broad definitions that could create problems for the ag community, and suggested referring the matter to the Ag Commission.

Jeff Dittmer, Suisun, noted opposition for this action, voiced concern regarding the interests of agriculture, and feels the matter should be referred to the Ag Commission and the Land Use and Transportation Subcommittee. There are problems with definitions, the sprinkler issue and the permitting process need to be reviewed, and the matter needs to be expedited.

Responding to questions posed by Chairman Kromm regarding the code that is in effect, Mr. Dorris noted the State Fire Code is in effect only the DFPD Sprinkler Code amendment is missing. Mr. Dorris voiced concern that operations with large commercial buildings would come in without the necessary sprinkler protection, and with permit application deceptions.

Responding to questions posed by Chairman Kromm regarding when the Ag Advisory Committee could address this matter, Susan Cohen, County Ag Commission, noted the Ag Committee meets bimonthly, discussed the possibility of a subcommittee addressing the issue, and the challenge of getting a quorum to meet other than at a regular scheduled meeting.

There was a brief discussion regarding coordination of the committees to address the matter.

Director of Environmental Management Birgitta Corsello noted the adoption of the State Fire Code by the Board., which contains sprinkler requirements that are based on occupancy. The Department of Environmental Management will continue to work with the fire districts regarding definitions of occupancy and the triggers requiring sprinklers, and permit applicants are being advised regarding sprinklers. Ms. Corsello suggested working with a subcommittee of the Ag Advisory Commission to expedite the matter, and noted the additional staff time needed.

Lewis Broschard, Volunteer Fire Chief Cordelia Fire Protection District, read a prepared statement outlining the benefits of sprinklers and fire notification systems and urging support as a first step in creating a common local ordinance to assist in saving lives and property.

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to refer the issue to the Ag Advisory Committee and the Land Use and Transportation Subcommittee for further review. So ordered by a vote

of 4-0.

(Item 25) ORDINANCE TO REZONE 7.5 ACRES AT 4724 GREEN VALLEY LANE, CONTINUED TO FEBRUARY 11, 2003

Scheduled on the agenda for this day was consideration of a proposed ordinance which would Rezone 7.5 Acres Located at 4724 Green Valley Lane, from A-20 Exclusive Agriculture to RR21/2, Rural Residential.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board directed that the proposed ordinance be read by title only. So ordered by a vote of 4-0.

Chairman Kromm noted a letter from Merle Hunter, agent for Ethel Benthien, dated January 6, 2003, incorporated herein by reference, requested the subdivision be withdrawn at this time, and to proceed with a lot line adjustment of a 2.5 acre parcel.

Mike Yankovich, Department of Environmental Management, outlined several conditions in the Negative Declaration for the subdivision as outlined in the letter from Mr. Hunter that are of concern. Mr. Yankovich briefly reviewed maps of the area, and discussed the mitigation measures resulting in the conditions of approval for the subdivision. Mr. Hunter has proposed doing a lot line adjustment at this time in a section of the property that is away from any areas with any potential impact. Mr. Yankovich noted the lot line adjustment could be done, and suggested bringing the matter back February 11, 2003 for Board consideration.

Mr. Hunter noted the problem is time, the lot line adjustment can be done faster, and may come back at a later date to address the mitigation measures for the subdivision.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to continue the matter to February 11, 2003. So ordered by a vote of 4-0.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

Solano County Facilities Corporation Meeting:

(Item 26) Minutes regarding this matter are contained in the Solano County Facilities Corporation Minutes Book.

Solano County Building Corporation:

(Item 27) Minutes regarding this matter are contained in the Solano County Building Corporation Minutes Book.

(Item 28A) DAPHNE NIXON APPOINTED TO THE SOLANO COUNTY ARTS COUNCIL

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Daphne Nixon to the Solano County Arts Council for

a term to expire February 1, 2004. So ordered by a vote of 4-0.

(Item 28B) RONALD LANZA APPOINTED TO THE SOLANO COUNTY AGRICULTURAL COMMITTEE

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Ronald Lanza to the Solano County Agricultural Committee for a term to expire January 2007. So ordered by a vote of 4-0.

(Item 28C) BILL RUTH APPOINTED TO THE VACAVILLE-ELMIRA CEMETERY DISTRICT

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Bill Ruth to the Vacaville-Elmira Cemetery District for a term to expire May 23, 2005. So ordered by a vote of 4-0.

(Item 28D) CARMEN WARD, GARY ELLIOTT, AND VIOLET BARTON-BERMUDEZ APPOINTED TO THE ELDER ABUSE PREVENTION COUNCIL

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Carmen Ward, Gary Elliott, and Violet Barton-Bermudez to the Elder Abuse Prevention Council. So ordered by a vote of 4-0.

(Item 28E) RICHARD POWELL AND LOIS BUTLER APPOINTED TO THE NORTHERN SOLANO HUMAN SERVICES ADVISORY BOARD

RESIGNATIONS OF RIGO FINO, TONY SUMMER, AND KELLI NANCE FROM THE ADVISORY BOARD, ACCEPTED

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Richard Powell and Lois Butler to the Northern Solano Human Services Advisory Board, and to accept the resignations of Rigo Fino, Tony Summer, and Kelli Nance from the Advisory Board So ordered by a vote of 4-0.

(Item 28F) MARY CHALMERS APPOINTED TO THE LOCAL CHILD CARE PLANNING COUNCIL

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Mary Chalmers to the Local Child Care Planning Council. So ordered by a vote of 4-0.

(Item 28G) JACKIE CARR, EARL JENKINS, AND AL DA SILVA APPOINTED TO THE WORKFORCE INVESTMENT BOARD OF SOLANO COUNTY

Donald Tipton, Vallejo, opposed the appointment of Al Da Silva to this committee.

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to appoint Jackie Carr, Earl Jenkins, and Al Da Silva to the

Workforce Investment Board of Solano County. So ordered by a vote of 4-0.

ADJOURN - This meeting of the Board of Supervisors adjourned in memory of 97-year Solano County resident Frank A. Marianno, Sr., and Allan Witt at 11:24 a.m.

---

Duane Kromm, Chairman

---

Maggie Jimenez  
Clerk to the Board of Supervisors