

Minutes For July 26, 2005

SOLANO COUNTY BOARD OF SUPERVISORS

July 26, 2005

MINUTES

The Solano County Board of Supervisors met on the 26th day of July, 2005 in regular session in the Chambers of the Board of Supervisors of the County of Solano in the Solano County Administrative Center, 675 Texas Street, Fairfield, California at 8:35 A.M. pursuant to County Code Section 2-1.103. Present were Supervisors Kromm, Reagan, and Chairwoman Kondylis. Supervisor Vasquez arrived at 8:37 A.M. Supervisor Silva was excused. Also present were Michael D. Johnson, County Administrator and Dennis Bunting, County Counsel.

Agenda Item No. 3 Closed Session

The Board of Supervisors recessed this meeting at 8:30 a.m. to convene in Closed Session on the following matters:

- A. Potential Litigation: 1 case.
- B. Existing Litigation: Chevron Energy Solutions Company v Solano County
- C. Existing Litigation: Boler/Veterans Association v. County of Solano
- D. Labor Negotiations: Public Authority/IHSS: Chief Negotiator: Steve Janice: SEIU – Local 1280

Agenda Item No. 4 Open Session

The Board of Supervisors reconvened in Open Session at 9:25 a.m. Present were Supervisors Kromm, Reagan, Vasquez, and Chairwoman Kondylis. Supervisor Silva was excused. Chairwoman Kondylis presided.

Agenda Item No. 5 Report of Action in Closed Session

County Counsel Dennis Bunting noted that there were no reports from Closed Session.

Agenda Item No. 6 Salute to the Flag and Moment of Silence

Gary L. Spangler led all in the Pledge of Allegiance to the Flag and a Moment of Silence.

Agenda Item No. 7 Presentations

The Board of Supervisors made the following presentations:

- A. Adopted Resolution No. 2005-172 and presented certificates of appreciation recognizing Court Appointed Special Advocates in the CASA Program. (see Resolution Book)

MOTION: Vasquez. SECOND: Reagan.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva

B. Adopted Resolution No. 2005-171 and presented plaque of appreciation to Gary L. Spangler for his 30 years and 9 months of service to Solano County and congratulating him on his retirement. (see Resolution Book)

MOTION: Reagan. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

C. Adopted and presented Resolution No. 2005-170 proclaiming August 2005 as "Child Support Awareness Month" in Solano County. (see Resolution Book)

MOTION: Kromm. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Agenda Item No. 8 Items From the Public

The Chairwoman invited individuals of the public to make statements on matters relating to the business of the Solano County Board of Supervisors. The following individuals made public comments:

A) Donald Tipton, Vallejo, expressed his concern regarding the lack of time to review and discuss the FY 2005/06 budget documents and noted that if he had been aware of the proposed allocation of proceeds from securitization of Vehicle License Fees (VLF) that he would have requested that improvements to the Homeacres Area in the unincorporated area of Vallejo be added to the project list. Mr. Tipton also noted that he had been informed that the City of Vallejo was not proceeding with the installation of new waterlines and fire hydrants in the Homeacres Area due to the cost of the project. Mr. Tipton reiterated his request for a Code Compliance Officer and reviewed the list of violations that have been placed on a list but not confirmed. Mr. Tipton expressed his concern regarding 2 hour parking in the County Parking Garage for the County Administrative Center.

B) Chairwoman Kondylis noted that the County will be holding the Solano County Parks Tour 2005 on Wednesday, July 27, 2005. The Board will tour Lake Solano Park in Winters, Belden's Landing Facility at Montezuma Slough, and Sandy Beach Park in Rio Vista.

C) County Administrator Michael D. Johnson, introduced newly appointed Agricultural Commissioner/Sealer of Weights and Measures Jearl (Jerry) Howard.

D) Supervisor Reagan requested that this meeting of the Board of Supervisors be adjourned today in memory of Michael Freese.

E) Supervisor Vasquez requested that this meeting of the Board of Supervisors be adjourned in memory of William Orr.

F) Supervisor Kromm requested that this meeting of the Board of Supervisors be adjourned in memory of Ruth Fleeman.

Agenda Item No. 9 Approval of Agenda

Approved the Solano County Board of Supervisors' agenda as submitted with the following amendment:

Item No. 14B – Proposed amended County of Solano Policy on Harassment removed from the Consent Calendar.

MOTION: Kromm. SECOND: Vasquez
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Agenda Item No. 10
 Public Comment on Consent Calendar

The Chairwoman invited individuals of the public to make public comment on Consent Calendar Items. There was no public comment.

Consent Calendar

Acted on the following Consent Calendar items:

13. Approved the minutes of the following Board of Supervisors' meetings:

Board of Supervisors: May 24, 2005 and June 7, 2005
 Solano County Road Tour 2005 – May 17, 2005
 Tri-City and County Cooperative Planning Group – May 31, 2005
 In-Home Supportive Services Public Authority – May 24, 2005
 Rural North Vacaville Water District – May 24, 2005 and June 28, 2005

14A Approved alternative meeting schedule for the Board of Supervisors' Meeting on August 9, 2005 commencing at 1:00 p.m. to 4:00 p.m. Reconvene at 6:00 p.m. to consider an appeal of the Planning Commission's decision regarding the Potrero Hills Landfill.

14C. Approved and authorized Chairwoman Kondylis to sign agreement with CASA of Solano County in the amount of \$150,000 for July 1, 2005 - June 30, 2006 and use of County office space in the Hall of Justice from July 1, 2005 – June 30, 2007.

15. Approved by a unanimous vote biennial audits for the Dixon Unified School District Library District commencing with FY 2004/2005.

16A. Approved and authorized Chairwoman Kondylis to sign a 5-year Lease Amendment to extend an existing Lease Agreement with Orchard Professional Center Partners for approximately 3,000 square feet of office space at 2300 Boynton Avenue, Fairfield, California from November 1, 2005 through October 31, 2010 for First Five Solano. Authorized the County Administrator to sign any future options, amendments, or extensions.

16B. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-173, Resolution of Intention setting August 23, 2005 as a public hearing for acquiring real property and improvements located at 420 Admiral Callaghan Lane in Vallejo, California (Assessor's Parcel Number 0069-042-100) for \$1,300,000 plus closing costs. (see Resolution Book)

17A. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-174 to authorize the Chairwoman to sign a Declaration of Intent to Apply for Rural Health Services Program funding, the Rural Health Services Application, and upon receipt, the resulting agreement for Fiscal Year 2005-2006. (see Resolution Book)

17B. Authorized the Solano County Director of the Department of Health and Social Services or designee to sign Service Authorization Letters for 13 contracts, which were approved by the Board of Supervisors under a Master Agreement for Substance Abuse Services.

17C. Approved and authorized Chairwoman Kondylis to sign contracts with the City of Dixon of \$76,615, the City of Suisun of \$81,510, and the City of Rio Vista of \$70,968 to conduct Alcohol, Tobacco and Other Drug use reduction activities related to Tobacco Master Settlement Agreement (MSA) Health Improvement Initiatives for the period of August 1, 2005 through June 30, 2006. Approved and authorized Chairwoman Kondylis to sign contract with Raley's Corporation of \$206,250 to provide pharmaceuticals for low income and uninsured Family Health Services and Mental Health

Patients for the period August 1, 2005 through June 30, 2006.

18A. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-175 approving the application for participation in the United States Department of Justice's Office of Community Oriented Policing Services (COPS) 2005 Technology Initiative. Approved and authorized Chairwoman Kondylis to sign the 2005 Technology Initiative Application granting funding to Solano County in the amount of \$98,664. Authorized the Sheriff, Undersheriff and Director of Administrative Services to sign forms necessary to implement and facilitate this grant.

18B. Approved and authorized Chairwoman Kondylis to sign a contract in the amount of \$80,000 with Legal Research Associates, Inc. for the period October 1, 2005 through September 30, 2006 to provide legal research services for inmates in the Solano County Jail Facilities and authorized the Sheriff to approve and sign amendments limited to service levels. (see subsequent votes to reconsider and approved this matter)

19. Took the following action:

A) Approved a contract of \$39,350 with Russell Associates for contracted services to monitor implementation of required mitigation measures and for construction oversight for the Shiloh I Wind Plan project, and delegated authority to the Director of Resource Management to sign said contract and all future amendments, as may be necessary, to complete the project.

B) Approved contract amendment with Ken Solomon for professional contract planning services in the amount of \$5,233 for building permit plan check services, \$7,870 to manage the implementation of required mitigation measures for the Shiloh I Wind Plant project, and \$3,200 to process the Dove Creek Ranch project for a total of \$16,303, and delegated authority to the Director of Resource Management to sign this contract amendment and all future amendments, as may be necessary, to complete the project.

C) Approved an appropriations increase for Other Professional Services Revenue of \$55,653 to offset an increase in the Department's FY2005/06 Budget of \$39,350 in Contracted Services and \$16,303 in Other Professional Services.

20. Approved and authorized the Workforce Investment Board of Solano County to submit an application due July 31, 2005, to the State of California – Employment Development Department for Rapid Response Special Project, in an amount not to exceed \$250,000 and authorized the President/Executive Director of the Workforce Investment Board of Solano County to sign an original application upon its completion.

MOTION: Reagan. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva

Item No. 14B
 Solano County Policy on Harassment

Approved the amended County of Solano Policy On Harassment. Directed staff to review and expand the language in the policy to provide greater detail relating to the process of complaints against public officials.

MOTION: Kromm. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

The Board of Supervisors recessed this meeting at 10:20 a.m. and attended a reception to welcome Jearl (Jerry) Howard, newly appointed County Agricultural Commissioner/Sealer of Weights and Measures, in the County Administration Center Lobby.

The Board of Supervisors reconvened this meeting at 10:50 a.m. Present were Supervisors Kromm, Vasquez, and Chairwoman Kondylis. Supervisor Reagan arrived at 10:55 a.m. Silva was excused. Chairwoman Kondylis presided.

Agenda Item No. 18B
Legal Research Services for Inmates

Chairwoman Kondylis noted that a Art Grubel, Executive Director of SEIU – Local 1280 had requested to speak on this matter earlier in the meeting. In order to allow Mr. Grubel to make comments, the Board acted to reconsidered contract in the amount of \$80,000 with Legal Research Associates, Inc. for the period October 1, 2005 through September 30, 2006 to provide legal research services for inmates in the Solano County Jail Facilities.

MOTION: Vasquez. SECOND: Kromm
AYES: Kromm, Vasquez, Kondylis.
EXCUSED: Silva.

At the conclusion of comments provided by Art Grubel, Executive Director of SEIU – Local 1280, regarding his concern that the contracting out of library services by the Sheriff would impact employees at the Library, the Board took the following action:

Approved and authorized Chairwoman Kondylis to sign a contract in the amount of \$80,000 with Legal Research Associates, Inc. for the period October 1, 2005 through September 30, 2006 to provide legal research services for inmates in the Solano County Jail Facilities and authorized the Sheriff to approve and sign amendments limited to service levels.

MOTION: Kromm. SECOND: Reagan.
AYES: Kromm, Reagan, Vasquez.
NOES: Kondylis.
EXCUSED: Silva.

Agenda Item No. 23
Federal Legislative Advocate

Received a brief legislative and federal budget update from David Turch, Solano County's federal legislative advocate, regarding the status of legislative issues and County appropriations request for federal fiscal year 2006. Mr. Turch presented the Board with the outlook for the reauthorization of TEA-21.

The Agenda Submittal dated July 26, 2005, incorporated herein by reference, outlined the County project and program funding requests which included Nut Tree Airport Expansion, Fouts Springs Juvenile Ranch Water System, Vallejo Veterans Memorial Building, Fairfield/Suisun, Vacaville and Dixon Veterans Memorial Building, Rio Vista Veterans Memorial Building, Enhanced Supervision of Domestic Violence Offender, Vanden Road Improvement, Peabody Road Improvement, Sandy Beach County Park Trail Connection, Solano County Library Literacy Program, Emergency Operations Center Improvements, GPS Tracking of Criminal Offenders, and Marijuana Eradication Program.

Donald Tipton, unincorporated Vallejo, requested that funding be requested for a Code Enforcement Officer in the Homeacres Area for health and safety and for fire hydrants.

Supervisor Reagan outlined areas of interest to Solano County which included transportation projects, Base Realignment and Closure (BRAC), Veterans' Bills, and C-17 expansion at Travis Air Force Base.

Mr. Turch noted that he would follow-up on those items and provide feedback to Solano County.

Agenda Item No. 24
Public Facilities Fees - Collection

Received and accepted follow-up review of the Public Facilities Fees-Collection and directed corrective action as outlined in the Agenda Submittal dated July 26, 2005, incorporated herein by reference, on the following unresolved conditions:

City of Benicia – 1) Land use categories are inconsistently used upon the issuance of non-residential building permits. Land use categories identified on the building permit differed from the land use

categories used to determine the fee; 2) Supporting documents are not submitted with the Public Facilities Fees form; and 3) Formal policies and procedures to govern the collection and remittance of fees do not exist.

Environmental Management – Formal policies and procedures to govern the collection and remittance of fees do not exist.

City of Rio Vista – 1) Fees were not remitted in the amount of \$36,480 for the quarter ending June 30, 2003; and 2) Formal policies and procedures to govern the collection and remittance of fees do not exist.

MOTION: Kromm. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Agenda Item No. 25A
 Mandatory Garbage Collection, Disposal, and Recycling
 Unincorporated Areas of Vallejo

Held a public hearing regarding account delinquency for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Vallejo. There was no one present who wished to speak on this matter and the public hearing was closed.

At the conclusion of a public hearing, the Board took the following action:

- A) Received the Report of Account Delinquency.
- B) Approved a \$50 processing fee as a lien for each confirmed delinquent account.
- C) Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-176, confirming delinquent accounts for garbage collection, disposal and recycling services in the unincorporated areas of Vallejo and authorization to assess real property liens. (see Resolution Book)
- D) Authorized the Clerk of the Board to file a certified copy of the Resolution with the County Auditor and to record a certified copy of the resolution to create a lien against the affected delinquent owner's real property.

MOTION: Kromm. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Agenda Item No. 25B
 Notice of Completion
 Solano County Government Center Project

Approved and authorized Chairwoman Kondylis to sign the Notice of Completion for the Solano County Government Center Project, located at 675 Texas Street and 475 Union Avenue, Fairfield, California and authorized the Clerk of the Board to record the executed document.

MOTION: Kromm. SECOND: Vasquez.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Agenda Item No. 25C
 County Administrative Center
 Meeting Rooms Policies and Procedures

Received a report on the use of the common conference rooms, the Board of Supervisors Chambers and the break rooms within the County Administrative Center and approved policies and

procedures related to use of common conference rooms to include use of the Board of Supervisors Chambers by the Parks and Recreation Committee, In-Home Supportive Services, Airport Land Use Commission, Health & Social Services Subcommittee, Suisun Resource Conservation District, Democratic Central Committee, Republican Central Committee and the Animal Care Advisory Commission.

Directed staff to further review and return to the Board with a general policy of allowing agencies to use the Board Chambers for governmental related purposes.

MOTION: Kromm. SECOND: Reagan.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

The Board of Supervisors recessed this meeting at 12:05 p.m. and reconvened at 2:00 p.m. Present were Supervisors Kromm, Reagan, Vasquez and Chairwoman Kondylis. Supervisor Silva was excused.

Agenda Item No. 26
 Financial Abuse Specialist Team

Received presentation from the Area Agency on Aging serving Napa and Solano Counties describing the concept of a Financial Abuse Specialist Team (FAST) to investigate and prosecute elder and/or dependent adult financial abuse. Directed the Department of Health and Social Services to study the creation of a Financial Abuse Specialist Team in Solano County.

MOTION: Vasquez. SECOND: Kondylis.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Supervisor Kromm expressed his conflict on interest in the following matter due to his spouse's position as Executive Director of the Solano Land Trust and excused himself from discussion.

Agenda Item No. 27
 Green Valley Open Space Maintenance District

At the conclusion of a public hearing to consider the Green Valley Open Space Maintenance District Assessment for FY 2005-2006, the Board adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-177 approving Engineer's Report, confirming diagram and assessment and ordering levy of assessment for Landscape and Lighting Maintenance Assessment District

MOTION: Vasquez. SECOND: Kondylis.
 AYES: Reagan, Vasquez, Kondylis.
 EXCUSED: Silva, Kromm.

Agenda Item No. 28A
 Minor Subdivision Application – James Coppel

At the conclusion of a public hearing to consider approval of Minor Subdivision Application No. MS-05-05 of James Coppel to subdivide a 517 acre parcel into twelve parcels of 43 acres each, the Board took the following action:

- A) Adopted a Negative Declaration of Environmental Impact.
- B) Approved Minor Subdivision Application MS-05-05 to subdivide a 517 acre parcel into twelve parcels of 43 acres each.
- C) Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-178 adopting

Findings and approving Minor Subdivision Application No. MS-05-05 of James Coppel, subject to the conditions of approval. (see Resolution Book)

D) Approved the applicant's request to waive the minor subdivision and environmental review fees.

MOTION: Reagan. SECOND: Vasquez.

AYES: Reagan, Vasquez, Kondylis.

NOES: Kromm (Supervisor Kromm voted no as there was no guarantee that the land would remain in agriculture)

EXCUSED: Silva.

Agenda Item No. 28B

Rezoning Petition – John Collet

The Board introduced and waived full reading of an Ordinance amending Chapter 28, Section 28-15 of the Solano County Code to rezone 15 acres of property located on Patrick Lane, approximately five miles north of the City of Vacaville, from Exclusive Agriculture (A-40) to Rural Residential (RR-5).

MOTION: Vasquez. SECOND: Kromm.

AYES: Kromm, Reagan, Vasquez, Kondylis.

EXCUSED: Silva.

At the conclusion of a public hearing to consider approval of Rezoning Petition No. Z-04-04 of John Collet to rezone 15 acres of land located on Patrick Lane, from Exclusive Agriculture (A-40) to Rural Residential (RR-5), the Board took the following action:

A) Approved Rezoning Petition No. Z-04-04 of John Collet to rezone 15 acres of land located on Patrick Lane, from Exclusive Agriculture (A-40) to Rural Residential (RR-5) in order to facilitate a minor subdivision application.

B) Adopted and authorized Chairwoman Kondylis to sign Ordinance No. 1664, an Ordinance amending Chapter 28, Section 28-15 of the Solano County Code to rezone 15 acres of property located on Patrick Lane, approximately five miles north of the City of Vacaville, from Exclusive Agriculture (A-40) to Rural Residential (RR-5).

MOTION: Vasquez. SECOND: Reagan.

AYES: Kromm, Reagan, Vasquez, Kondylis.

EXCUSED: Silva.

Agenda Item No. 29

Appointment Authority

A) Established and appointed Supervisor Reagan and Supervisor Vasquez to a Board of Supervisors Economic Development and Tourism Subcommittee.

MOTION: Vasquez. SECOND: Reagan.

AYES: Kromm, Reagan, Vasquez, Kondylis.

B) Appointed Supervisor Silva to replace Supervisor Kromm on the Tri-City and County Cooperative Planning Group.

MOTION: Kromm. SECOND: Kondylis.

AYES: Kromm, Reagan, Vasquez, Kondylis.

Appointed Chairwoman Kondylis to serve as an alternate to Supervisor Silva on the Tri-City and County Cooperative Planning Group.

MOTION: Kondylis. SECOND: Kromm.
 AYES: Kromm, Reagan, Vasquez, Kondylis.

- C) Appointed Gabriella Melendez to the Area 4 Developmental Disabilities Board, for a term to expire December 31, 2008.
- D) Appointed the following as trustees of Reclamation District No. 2134:
- 1) J. Marcus Boman (legal counsel) – term to expire November 30, 2007
 - 2) Doug Collmer (part-time employee) – term to expire November 30, 2007
 - 3) Gary H. Bechtel (director) – term to expire November 27, 2009
- E) Appointed Norma Placido and Ray Bell to the Solano County Fair Board of Directors for terms to expire August 1, 2009.
- F) Reappointed Louis Burgelin to the Tobacco Master Settlement Agreement Advisory Committee for a term to expire July 26, 2008.
- G) Appointed Stephanie Gomes to the Solano County Planning Commission for a term to expire January 31, 2009.
- H) Appointed Eva Kristina Laevastu to the Solano County Park and Recreation Commission to fill an unexpired term due to expire January 1, 2008.
- I) Appointed Ed Campbell to the vacant At-Large position on the Solano County Animal Care Advisory Commission for a term to expire February 22, 2006.

MOTION: Kromm. SECOND: Reagan.
 AYES: Kromm, Reagan, Vasquez, Kondylis.
 EXCUSED: Silva.

Agenda Item No. 30
 Adjournment

The Board of Supervisors adjourned this meeting at 3:07 p.m. in memory of the following:

- A) Michael Freese
- B) William Orr
- C) Ruth Fleeman

This meeting was recessed to July 27, 2005 at 11:00 a.m. for the Solano County Parks Tour 2005.

The next meeting of the Board of Supervisors will be August 2, 2005 at 8:30 A.M.

BARBARA R. KONDYLIS, Chairwoman
 Solano County Board of Supervisors

MICHAEL D. JOHNSON, Clerk of the
 Solano County Board of Supervisors

By
Patty Crittenden, Chief Deputy Clerk