

Minutes For October 14, 2003

The Solano County Board of Supervisors met in regular session on this day at 8:32 a.m. Chairman Kromm called the meeting to order. Present were Supervisors Forney, Kondylis, Silva, and Chairman Kromm, Supervisor Vasquez arrived at 8:35 a.m.

CLOSED SESSION: The Board moved into Closed Session at 8:33 a.m. to discuss Meet and Confer: Deputy Sheriff's Association Units 3 & 4 with Craig Jory Chief Negotiator; Meet and Confer: All Bargaining Units with Yolanda Irigon, Chief Negotiator; Meet and Confer: SEIU Local 1280 with Jim Ferguson, Agency Negotiator; Potential Litigation: 2 cases. The Board moved out of Closed Session at 9:37 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:40 a.m. with the Pledge of Allegiance and a moment of silence.

PRESENTATIONS

(Item 7A) PLAQUE OF APPRECIATION PRESENTED TO JANET L. HOLMES, CORRECTIONAL CARE NURSE

On motion of Supervisor Vasquez and seconded by Supervisor Silva, the Board acted to approve a Plaque of Appreciation for Janet L. Holmes, for over 12 years of service to Solano County. So ordered by a vote of 4-0, Supervisor Forney excused. (see Resolution Book)

On behalf of the Board, Chairman Kromm presented the plaque to Ms. Holmes.

(Item 7B) PLAQUE OF APPRECIATION PRESENTED TO LENORA E. TROJANOWSKI, CORRECTIONAL OFFICER

On motion of Supervisor Vasquez and seconded by Supervisor Silva, the Board acted to approve a Plaque of Appreciation for Lenora E. Trojanowski, Correctional Officer, for over 15 years of service to Solano County. So ordered by a vote of 4-0, Supervisor Forney excused. (see Resolution Book)

On behalf of the Board, Supervisor Vasquez presented the plaque to Ms. Trojanowski.

(Item 7C) PRESENTATION OF AWARDS TO THE POSTER AND ESSAY CONTEST WINNERS FOR MULTI-CULTURAL AWARENESS MONTH

Marilynn Brown, Solano Equal Employment Opportunity Compliance Officer, noted the importance of education, and the importance of listening to young people.

On behalf of the Solano Equal Employment Opportunity Committee Elda Finnigan presented each of the contest winners with a plaque, a United States

Savings Bond, and a copy of their winning drawing and/or essay. The Poster Contest winners are: 3rd Grade Yasmin Quintqano, and Gianna Nardone; 4th grade Tahara Reynolds and Ellaine M. Laureta; 5th grade Channing Elliott and Amanda Peck. The Essay Contest winners are: 7th to 9th Grade Erin Guzman, Stefanie Ju; 10th to 12th Grade Noello Bueno and Maria Alejandria.

Ms. Guzman and Ms. Bueno read their first prize-winning essays.

(Item 7D) RESOLUTION NO. 2003-223 PROCLAIMING THE WEEK OF OCTOBER 19-25, 2003 AS CHILDHOOD LEAD POISONING PREVENTION WEEK, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to adopt Resolution No. 2003-223 Proclaiming October 19-25, 2003 as Childhood Lead Poisoning Prevention Week. So ordered by a vote of 5-0. (see Resolution Book)

M. Elena Villalpando, Health Education Specialist, presented a brief visual presentation outlining what you need to know, education and prevention in collaborative efforts, and common sources of lead.

Anne Shapiro, Program Coordinator Public Health Nurse, discussed a case study and followup on a ten-month old child.

On behalf of the Board, Supervisor Kondylis presented the resolution to Ms. Villalpando, Ms. Shapiro and Nursing Supervisor Barbara Navolanic.

ITEMS FROM THE FLOOR

APPEARANCES BY SABINE GOERKE-SHRODE AND MAGGIE HALLS RE A COUNTY MUSEUM

Sabine Goerke-Shrode, Solano Historical Society and the Committee for a County Museum, outlined her professional experience regarding museums, the importance of museums, various museums in the County, other historical programs in the County, the lack of a museum in the Fairfield/Suisun area and for an overall County museum. Ms. Goerke-Shrode outlined points for the vision for a Solano County Heritage Museum.

Maggie Halls, Solano County Historical Society and Committee for a County Museum, outlined her areas of talent and expertise along with the vision for a County museum located in Fairfield. Mrs. Halls noted a plan has been in the works for several years for the development of a County museum. Funding has been the challenge, but now projects and fundraisers are in the works as well as donations are being taken. A New Year's Eve Gala will be held with all proceeds going to the museum project, and \$11,000 has been raised. Mrs. Halls discussed the collaborative development of a plan, and requested consideration by the Board for the use of the Old County Library or the Old County Court House for a museum.

A discussion followed regarding a study for possible use of the Old County Court House by Solano County Superior Court or another County use, upgrading requirements if the use of the buildings are changed, timing for the

project, support by the community, and the need for support by the Board of Supervisors. There was consensus for a formal presentation in early December.

RON WHITFIELD, ANIMAL CARE MANAGER, INTRODUCED

Director of General Services Veronica Ferguson introduced Ron Whitfield as the new Animal Care Manager. Ms. Ferguson briefly outlined Mr. Whitfield's qualifications, and provided a resumé incorporated herein by reference.

PASSING OF SUPERVISOR WILLIAM "BILL" CARROLL

Supervisor Vasquez noted that Supervisor Bill Carroll had passed away earlier this day, discussed the numerous contributions Supervisor Carroll had made to the City of Vacaville and the entire County. Supervisor Vasquez publicly thanked Supervisor Carroll for his guidance and his friendship over the years.

PUBLIC COMMENT ON CONSENT CALENDAR

(Item 19B) Approval of an appropriation transfer in the amount of \$95,000 from Road Fund contingencies for the purchase of software upgrades, local workstations, and a network server

Donald Tipton, Vallejo expressed concern with the use of Road Funds to purchase computer software, and feels these costs should come from the General Fund.

Charlie Jones, Director of Transportation, noted the Road Fund pays for roads, staff time, and the proper equipment to design the roads. The equipment that we have been using is outdated and needs to be upgraded, and this is an appropriate expenditure of Road Funds.

(Item 18B) Approval of a contract with California State University Sacramento in the amount of \$80,170 for the period October 21, 2003 through June 30, 2004 to provide staff development training

Supervisor Silva expressed concern with this staff development, responding Director of Health and Social Services Patrick Duterte discussed a personnel study of the analyst positions and recommendations to improve the knowledge, skills and abilities of the staff analysts, noted the training is to ensure staff have the skills, knowledge, and ability to perform their duties.

Responding to questions posed by Chairman Kromm if the employee evaluation process will include skill improvements due to these classes, Mr. Duterte noted he wanted to ensure due diligence was done to ensure staff that their training provided is at a certain level. Expectations are set at a very high level for the staff analysts, and they are expected to perform at that level.

(Item 18D) Approval of amendments to agreements with Solano Family Resource Centers and the Children's Network for Federal FY 2002/03 to utilize

additional Federal funding as outlined in the staff report

Supervisor Silva questioned if these are new agreements or updates to current agreements, Director of Health and Social Services Patrick Duterte noted these are adjustments to the current programs. Future contracts will include outcomes and financial accounting.

Supervisor Silva noted the need for staff to have the skills to monitor agreements such as this.

APPROVAL OF AGENDA

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to approve the submitted Agenda, incorporated herein by reference. So ordered by a vote of 5-0.

CONSENT CALENDAR

On motion of Supervisor Vasquez and seconded by Supervisor Silva, the Board acted to approve the following Consent Calendar items by a vote of 5-0.

(Item 14) PROCLAMATIONS HONORING THE AMERICAN LEGION POST 165 AND AMERICAN LEGION AUXILIARY UNIT 165 BOYS STATE/GIRLS STATE CITIZENS FOR 2003; FROM VACAVILLE HIGH SCHOOL DANIEL VAN KIRK AND MONICA BELL, VANDEN HIGH SCHOOL QUINTIN (TREY) HART III AND JAMIE CASE, AND WILL C. WOOD HIGH SCHOOL JACOB PEREZ AND TIFFANY SMITH, approved.

(Item 15A) ACCEPTANCE OF GRANT FUNDING FROM U.S. DEPARTMENT OF JUSTICE RE OFFICE OF FAMILY VIOLENCE PREVENTION (OFVP) RESPONSE TEAM, as outlined in the Agenda Submittal from the County Administrator's Office dated October 14, 2003, incorporated herein by reference, approved and County Administrator authorized to sign said grant contract on behalf of Solano County.

RESOLUTION NO. 2003-224 AMENDING THE ALLOCATION LIST (VICTIM WITNESS ASSISTANT POSITION-LIMITED TERM), adopted. (see Resolution Book)

RESOLUTION NO. 2003-225 AMENDING THE ALLOCATION LIST (SOCIAL WORKER III - LIMITED TERM), adopted. (see Resolution Book)

APPROPRIATION TRANSFER IN THE AMOUNT OF \$175,000 OF UNANTICIPATED REVENUE, as outlined in the Agenda Submittal from the County Administrator's Office dated October 14, 2003, incorporated herein by reference, approved.

(Item 15B) RESOLUTION NO. 2003-226 AUTHORIZING THE LOAN OF FUNDS TO THE CORDELIA FIRE PROTECTION DISTRICT PURSUANT TO

GOVERNMENT CODE SECTIONS 23010 AND 23010.1, adopted. (see Resolution Book)

(Item 16) AGREEMENT WITH LEGG, INC. RE SOLANO COUNTY JAIL SECURITY UPGRADE, as outlined in the Agenda Submittal from General Services dated October 14, 2003, incorporated herein by reference, approved and County Administrator authorized to sign said contract on behalf of Solano County and General Services Director to sign any amendments to the agreement.

APPROPRIATION TRANSFER IN THE AMOUNT OF \$2,876,848 IN PROCEEDS FROM SALE OF WEST TEXAS PROPERTY TO ACCUMULATED CAPITAL OUTLAY BUDGET, \$192,574 TO BE USED RE INCREASED PROJECT COSTS, as outlined in the Agenda Submittal from General Services dated October 14, 2003, incorporated herein by reference, approved.

(Item 17) RESOLUTION 2003-227 ADOPTING THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL #1280, AFL-CIO, UNIT #12 PROBATION EMPLOYEES FOR 2003-2004, adopted. (see Resolution Book)

(Item 18A) APPROVAL OF SUBSTANCE ABUSE TREATMENT AGREEMENTS WITH BI-BETT, INC., CA HISPANIC COMMISSION, GENESIS HOUSE, INC., HEALTHY PARTNERSHIPS, INC., HOUSE OF ACTS, PHOENIX PROGRAMS, INC., RIO VISTA CARE, AND YOUTH AND FAMILY SERVICES, as outlined in the Agenda Submittal from Health and Social Services dated October 14, 2003, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

(Item 18B) AGREEMENT WITH CALIFORNIA STATE UNIVERSITY SACRAMENTO RE STAFF DEVELOPMENT TRAINING, as outlined in the Agenda Submittal from Health and Social Services dated October 14, 2003, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

(Item 18C) LETTER TO STATE SUPPORTING LICENSURE APPLICATION FOR A DRIVING UNDER-THE INFLUENCE (DUI) PROGRAM FROM HEALTH PARTNERSHIPS, INC., as outlined in the Agenda Submittal from Health and Social Services dated October 14, 2003, incorporated herein by reference, approved and Chairman authorized to sign said letter on behalf of Solano County.

(Item 18D) AMENDMENTS TO AGREEMENTS WITH SOLANO FAMILY RESOURCE CENTERS AND THE CHILDREN'S NETWORK, as outlined in the Agenda Submittal from Health and Social Services dated October 14, 2003, incorporated herein by reference, approved and Chairman authorized to sign said agreements on behalf of Solano County.

(Item 19A) AMENDMENT TO AGREEMENT WITH UNIVERSITY OF CALIFORNIA AT DAVIS LIFEFLIGHT RE MEDICAL AIR TRANSPORT HELICOPTER OPERATIONS, as outlined in the Agenda Submittal from the Department of Transportation dated October 14, 2003, incorporated herein by reference, approved and Chairman authorized to sign said agreements on behalf of Solano.

(Item 19B) APPROPRIATION TRANSFER IN THE AMOUNT OF \$95,000 FROM ROAD FUND CONTINGENCIES RE PURCHASE OF SOFTWARE AND HARDWARE UPGRADES, as outlined in the Agenda Submittal from the Department of Transportation dated October 14, 2003, incorporated herein by reference, approved.

(Item 20) RESOLUTION NO. 2003-228 AMENDING ENVIRONMENTAL HEALTH FEE REGULATIONS-EXHIBIT 111A, RELATING TO THE AGRICULTURE HAZMAT FEE, adopted. (see Resolution Book)

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 23A) PROPOSED ORDINANCE TO CHANGE THE NAME OF THE CHILDREN & FAMILIES COMMISSION TO FIRST FIVE SOLANO CHILDREN & FAMILIES COMMISSION, TO CLARIFY ADMINISTRATIVE RESPONSIBILITIES, TO ESTABLISH A FIRST FIVE SOLANO CHILDREN & FAMILIES COMMISSION OFFICE TO RETURN OCTOBER 28, 2003 FOR FIRST READING

Scheduled on the agenda for this day was consideration of a proposed ordinance which would change the name of the Children & Families Commission to First Five Solano Children & Families Commission, to clarify administrative responsibilities, to establish a First Five Solano Children & Families Commission Office and other details as outlined in the staff report. On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board directed that the proposed ordinance be read by title only. So ordered by a vote of 5-0.

Deputy Assistant County Administrator Britt Ferguson reviewed the information contained in the Agenda Submittal from his office dated October 14, 2003, incorporated herein by reference outlining a brief history and the proposed changes to the ordinance that include to have the Children's Commission (the Commission) budget due as other County departments, to eliminate the 5% administrative costs cap, to have the Commission be subject to the same contracting authority as all County departments, to require that two

Commission members be nominated by the Director of Health and Social Services and to have them serve at the pleasure of the Director of Health and Social Services, and to change the name of the Commission.

Mr. Ferguson noted the Commission has also requested to change the appointing authority for the Executive Director as noted in a letter dated October 8, 2003, incorporated herein by reference. The Commission is requesting changes in the language pertaining to the appointing authority and the appointment and evaluation process for the Executive Director, Mr. Ferguson noted this request is not supported by the County Administrator's Office. The County Administrator's staff does work collaboratively with the Commission, but the County Administrator is ultimately responsible for County operations. If there is a need to take action there needs to be someone the Board can turn to, who is not appointed for a fixed term, who is skilled and hired specifically for their administrative responsibilities.

County Administrator Michael Johnson noted, regarding the appointing authority, a verbal commitment to the Board and the Commission in the last recruitment process to be inclusive. The process used was modeled after the collaborative process used for the selection of the Chief Probation Officer by the Presiding Judge. Mr. Johnson noted that when appointing a County officer you must have a County officer sign the appointing documentation, and Commission members are not County officers. In the previous ordinance the language and language proposed is that the County Administrator shall be the appointing authority, the Executive Director shall report to the County Administrator only for administrative purposes, and shall report to the Commission for policy purposes. The County Administrator shall seek and incorporate input from the Commission in the hiring of the Executive Director, and in the ongoing performance. This language indicates that it is not the sole responsibility of the County Administrator for the appointment and evaluation. Responding to comments by Supervisor Vasquez regarding making recommendations to the County Administrator regarding the evaluation of department heads, Mr. Johnson noted the formal process that would be used would give the Commission input on policy issues. Mr. Johnson would review the performance from a fiscal perspective with additional collaborative input, and would include all information in the final evaluation.

Nancy Calvo, Chairperson First five Solano Children and Families Commission, noted the documentation the Commission received did not have the language presented by Mr. Johnson. The Commission wants a collaborative process to allow for an opportunity for the Commission to ensure the Director is moving forward with the Strategic Plan, that the Executive Director is accountable to the Commission as well as to the policies of the County Administrator. The collaborative process needs to be in writing for the selection and evaluation of the Executive Director.

There was a brief discussion regarding the hiring process for the first Executive Director.

Mr. Johnson noted agreement to put this process in writing as the intent of the Board, noted that it is the fiscal concerns that expose the County to liability and for that reason the County Administrator should be the appointing

authority. The collaborative process for hiring the current Executive Director was reviewed.

Shelly McEwan, Executive Director Child Haven, supports the close relationship in the hiring process, and discussed the importance of ensuring that the specialized attention to children 0 to 5 is really the goal in the expenditure of the monies.

Chairman Kromm opened the public hearing. As there was no one further who wished to speak on this matter, the public hearing was closed.

Responding to questions posed by Supervisor Kondylis if Mr. Johnson wanted to include language for a collaborative process for the evaluation, Mr. Johnson noted the ordinance could include language that would clearly spell out the collaborative process that is mandatory for evaluation and hiring purposes, but the final signing of the hiring document will be left to a County officer. The process on policy would be driven by the Commission, the recruitment and evaluation would be a collaborative process. Both the Chairperson of the Commission and the County Administrator would sign off on an evaluation. Supervisor Kondylis discussed problems in the creation of this Commission, and the need to have everything clearly spelled out.

Ms. Calvo noted the proposed language by Mr. Johnson, and read the same language as listed in draft 2, which is acceptable.

Supervisor Kondylis also feels language regarding anything relating to the Executive Director should be signed off by the County Administrator and the Chair of the Commission.

Supervisor Silva noted the Commission has been appointed by the Board, there are other commissions that serve the County, those department heads report to the County Administrator get their evaluations there, and feels there can not be two standards, and agrees with language proposed by the County Administrator.

Supervisor Kondylis noted the unique authority the Commission has to spend their funding, the need for a truly collaborative process, and for language that reflects the standard operating procedures.

Chairman Kromm voiced concern with the 5% administration cap, the high administrative costs to monitor the large number of small grants that were issued, and noted the 5% cap was to limit the number of small grants being issued.

Supervisor Kondylis noted the difficulty in getting outcomes with small grants, the strategy that was used was to get community participation, and discussed the difficulty in determining what is an administrative cost.

A Short discussion followed regarding small grants.

Auditor-Controller Bill Eldridge noted that what is reasonable and necessary is what the administrative cap should be, and discussed the need for additional staffing for the Commission.

Mr. Johnson noted his concern for the appointing authority; the appointing authority that must be a County officer must sign the County Personnel Action Form.

Supervisor Kondylis noted it would be disastrous if there was a conflict between the County Administrator and the Commission, and if we are required

to work together there will not be that type of a split.

County Counsel Dennis Bunting noted if the Board approves these changes, the ordinance will have to come back for another first reading.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to include the language proposed by Mr. Johnson in the ordinance, and for the ordinance to return for another first reading. So ordered by a vote of 5-0.

(Item 23B) FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION'S 2002-2003 ANNUAL REPORT TO FIRST 5 CALIFORNIA, APPROVED

The Board was provided with an Agenda Submittal from the Children and Families Commission dated October 14, 2003, incorporated herein by reference, regarding the 2002-2003 Annual Report to First 5 California.

Kay Bosick, Youth and Family Services, noted support for the First 5 Solano Commission and the work that is being done, appreciates the support the Board is giving the Commission, and for funding to help the community.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to approve First 5 Solano Children and Families Commission's 2002-2003 Annual Report to First 5 California. So ordered by a vote of 5-0.

(Item 24) RESOLUTION NO. 2003-229 RESCINDING AGRICULTURAL PRESERVE CONTRACT NOS. 1074 (KOREGELOS) AND 1196 (DANIEL) AND CONCURRENTLY ESTABLISHING AGRICULTURAL PRESERVE CONTRACT NOS. 1334 (290.42 ACRES OF JON KOREGELOS) AND NO. 1335 (325.10 ACRES OF GREG DANIEL) AND AUTHORIZING ITS EXECUTION BY THE CHAIRPERSON AND DIRECTING THAT IT BE RECORDED, AOPTED

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated October 14, 2003, incorporated herein by reference, describing the establishment of the Agricultural Preserve Application Nos. 1334 and 1335.

Chairman Kromm opened the public hearing. As there was no one who wished to speak on this matter, the public hearing was closed.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2003-229 rescinding Agricultural Preserve Contract Nos. 1074 (Koregelos) and 1196 (Daniel) and concurrently establishing Agricultural Preserve Contract Nos. 1334 (290.42 acres of Jon Koregelos) and No. 1335 (325.10 acres of Greg Daniel) and authorizing its execution by the Chairperson and directing that it be recorded. So ordered by a vote of 5-0.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

Rural North Vacaville Water District

(Item 25) Minutes regarding this matter are contained in the Rural North Vacaville Water District Minutes Book.

APPOINTMENTS/RESIGNATIONS TO BOARDS AND COMMISSIONS

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board acted to approve the appointments and resignations to boards and commissions. So ordered by a vote of 5-0.

(Item 26A) RICHARD DANA REAPPOINTED TO THE RIO VISTA-MONTEZUMA CEMETERY DISTRICT, as outlined in the Agenda Submittal dated October 14, 2003, incorporated herein by reference, for a term to expire July 30, 2007.

(Item 26B) MICHAEL FREESE REAPPOINTED TO THE SOLANO COUNTY FAIR BOARD OF DIRECTORS, as outlined in the Agenda Submittal dated October 14, 2003, incorporated herein by reference, for a term to expire August 1, 2007.

(Item 26C) THOMAS HESTER AND TED KOLB APPOINTED TO THE BOARD OF TRUSTEES FOR RECLAMATION DISTRICT NO. 501, as outlined in the Agenda Submittal from County Counsel dated October 14, 2003, incorporated herein by reference.

(Item 26D) H.N. KUECHLER AND JOHN R. COELHO, JR. APPOINTED TO THE BOARD OF TRUSTEES FOR RECLAMATION DISTRICT NO. 2060, as outlined in the Agenda Submittal from County Counsel dated October 14, 2003, incorporated herein by reference.

(Item 26E) ROGER ZANETTI APPOINTED TO THE BOARD OF TRUSTEES FOR RECLAMATION DISTRICT NO. 2098, as outlined in the Agenda Submittal from County Counsel dated October 14, 2003, incorporated herein by reference.

(Item 26F) MIKE HARDESTY AND SARAH HART APPOINTED TO THE TREASURY OVERSIGHT COMMITTEE AND CARRIE CARLSON APPOINTED AS AN ALTERNATE, as outlined in the Agenda Submittal from the Treasurer-Tax Collector-County Clerk dated October 14, 2003, incorporated herein by reference.

CLOSED SESSION: The Board moved into Closed Session at 2:26 p.m. to discuss Meet and Confer: Deputy Sheriff's Association Units 3 & 4 with Craig Jory Chief Negotiator; Meet and Confer: All Bargaining Units with Yolanda Irigon, Chief Negotiator; Meet and Confer: SEIU Local 1280 with Jim Ferguson, Agency Negotiator. The Board moved out of Closed Session at 4:05 p.m.

CLOSED SESSION REPORT: COUNTY COUNSEL TO FILE A TEMPORARY RESTRAINING ORDER

County Counsel Dennis Bunting noted that by a vote of 5-0, the Board has authorized that a Temporary Restraining Order to be filed.

ADJOURN - This meeting of the Board of Supervisors adjourned in memory of

past District 4 Supervisor William "Bill" Carroll at 4:07 p.m.

Duane Kromm, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors