

Minutes For March 22, 2005

SOLANO COUNTY BOARD OF SUPERVISORS

March 22, 2005

M I N U T E S

The Solano County Board of Supervisors met on the 22nd day of March, 2005 in regular session in the Chambers of the Board of Supervisors of the County of Solano in the Solano County Court House, 675 Texas Street, Fairfield, California at 8:32 A.M. pursuant to County Code Section 2-1.103. Present were Supervisors Kromm, Reagan, Silva, Vasquez, and Chairwoman Kondylis. 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 8:35 a.m. to convene in Closed Session on the following matters:

- A) Existing Litigation: County of Solano v. Paul Handlery
- B) Potential Litigation: 2 cases
- C) Labor Negotiations: Public Employee Union, Local 1 Units 6 & 16, Chief Negotiators: Craig Jory, Yolanda Irigon, Steve Janice, Jim Ferguson, and Wayne Page

Agenda Item No. 4

Open Session

The Board of Supervisors reconvened in Open Session at 9:35 a.m. All members were present. 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

Brigadier General Thomas M. Gisler, 349th Air Mobility Wing Commander, 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 and presented Resolution No. 2005-056 of the Solano County Board of Supervisors honoring the men and women of Travis Air Force Base for their Herculean role in providing relief to the countries ravaged by the December 26, 2004 tsunami. (see Resolution Book)

MOTION: Reagan. SECOND: Vasquez.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

- B. Adopted and presented Plaque of Appreciation and Resolution No. 2005-057 of the Solano

County Board of Supervisors honoring Darby Hayes, Assistant County Administrator upon his retirement with Solano County. (see Resolution Book)

MOTION: Kondylis. SECOND: Vasquez.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

C. Adopted and presented Plaque of Appreciation and Resolution No. 2005-055 honoring Rose Mary Lewis, Deputy Director of Health and Social Services for Eligibility and Employment Services upon her retirement with Solano County. (see Resolution Book)

MOTION: Kromm. SECOND: Reagan.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

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) Debbie Dorsey, representing Enerpower, reported that the purpose of their company was to review PG&E bills of various agencies to determine the current costs being paid per kilowatt usage and to provide a savings analysis. Ms. Dorsey noted that she felt she could save the county \$50,000 per month and requested the Board to designate a representative from the County to work with her on this matter.

B) Donald Tipton, unincorporated Vallejo, expressed his concern regarding burnt out street lights in the Homeacres area of Vallejo and that there had been a theft from a mailbox located under one of the non-operating lights. Mr. Tipton noted that a 1-800 number had not yet been established for citizens to make a toll free call to the County offices but that there was an 888 number for people from outside the county to utilize. Mr. Tipton expressed his concern regarding the lack of use of the Board of Supervisors' agenda packet at the local libraries which were being provided free of charge to the citizens. Mr. Tipton noted that he attended the Strategic Planning meeting and came away with the conclusion that if you are not part of the solution, then you are part of the problem.

D) Supervisor Kromm reported on his trip to Washington D.C., along with staff, to lobby representatives and discuss concerns regarding tribal land development and "reservation shopping" which is the tribal development on land where a tribe does not have a significant historic nexus. Supervisor Kromm noted that he felt that the establishment of the Northern California Counties Tribal Affairs Consortium with Napa, Solano, and Sonoma counties provided an opportunity to meet with a wide range of legislators and their staff and felt that they had become knowledgeable over the last two years in their understanding of the issues.

E) Supervisor Reagan reported on his National Association of County Governments trip to Washington D.C. where they discussed issues relating to Base Realignment and Closures (BRAC). Supervisor Reagan noted that it was important not to be complacent but that a successful effort had been made to bring awareness to those in leadership roles regarding the importance of Travis Air Force Base.

F) Supervisor Vasquez requested that this meeting of the Board of Supervisors be adjourned in memory of Chris Martinez.

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.

Agenda Item No. 11
Approval of Agenda

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

Item No. 13 – Approval of the Board of Supervisors minutes for March 1, 2005 removed from the Consent Calendar and renumbered 22A.

Item No. 15A - Accept follow-up review of the Public Guardian Office removed from the Consent Calendar and renumbered 22B.

Item No. 16 - Resolution delegating investment authority to the County Treasurer for one year removed from Consent Calendar and renumbered 22C.

Item No. 17C - Amending Standards in future agreements with Aviation Operators designated as Limited Fixed Base Operators at the Nut Tree Airport and approval of an agreement with and designation of, Power Aviation as a Limited Aeronautical Activity Fixed Base Operator at the Nut Tree Airport removed from Consent Calendar and renumbered 22D.

MOTION: Silva. SECOND: Reagan.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Agenda Item No. 12
Consent Calendar

Acted on the following Consent Calendar items:

14. Adopted and authorized the Chairwoman to sign Resolution No. 2005-059 releasing the county lien on Suzi M. Smith's real property and authorizing County Counsel to execute and deliver for recordation a Release of Lien as outlined in the Agenda Submittal from the County Counsel dated March 22, 2005, incorporated herein by reference. (see Resolution Book)

15B. Accepted the Auditor-Controller's report on the examination of the books of the County Treasury as of December 15, 2004 as outlined in the Agenda Submittal from the Auditor-Controller dated March 22, 2005, incorporated herein by reference.

17A. Approved a one (1) year contract amendment with Craig Jory of JORY HR, for labor relations services from April 1, 2005, through March 31, 2006, in the amount of \$4,125 per month, to not exceed \$49,500 and authorized the Director of Human Resources to enter into an agreement with JORY HR. This contract amendment is in addition to the original \$49,000 base contract with JORY HR for a net total of \$99,000 as outlined in the Agenda Submittal from the Department of Human Resources dated March 22, 2005, incorporated herein by reference.

17B. Approved the side letter agreements with SEIU, Local 535, representing Unit #5, Health and Welfare Services Employees, and SEIU, Local 1280, representing Units #7, #8, and #9 Clerical, Technical, General Service and General Services Supervisory employees, regarding CalWORKS Information Network (CalWIN) implementation, and authorized the Director of Human Resources to implement any similar side letter agreements with other employee organizations regarding CalWIN implementation as outlined in the Agenda Submittal from the Department of Human Resources dated March 22, 2005, incorporated herein by reference.

18A. Approved and authorized the Chairwoman to execute the Notice of Completion for construction of the Cat Adoption Center in the Animal Care Center located at 2510 Claybank Road, Fairfield, CA and authorized the Clerk of the Board to record the executed document as outlined in the Agenda Submittal from General Services dated March 22, 2005, incorporated herein by reference.

18B. Authorized the County Administrator or his designee to negotiate the terms and conditions

to acquire 15.66 acres of vacant real property located along East Monte Vista Avenue and adjacent to the Nut Tree Airport in the City of Vacaville (Assessor's Parcel 0129-210-100). Authorized the County Administrator to open escrow and to take all necessary steps to consummate the acquisition of the real property in accordance with the terms and conditions of the Purchase and Sale Agreement as outlined in the Agenda Submittal from General Services, Property Management, dated March 22, 2005, incorporated herein by reference.

18D. Adopted and authorized the Chairwoman to sign Resolution No. 2005-060 prohibiting parking at the Nut Tree Airport except in designated areas and establishing a speed limit of 25 m.p.h. on County Airport Road and 15 m.p.h. on all other airport property as outlined in the Agenda Submittal from General Services dated March 22, 2005, incorporated herein by reference. (see Resolution Book)

19. Adopted and authorized the Chairwoman to sign Resolution No. 2005-061 authorizing the Department of Child Support Services (DCSS) to submit a grant application to the U.S. Department of Health and Human Services in the amount of up to \$175,000 for the purpose of providing program services to incarcerated parents. Authorized the County Administrator to sign all application documents related to the grant as outlined in the Agenda Submittal from the Department of Child Support Services dated March 22, 2005, incorporated herein by reference. (see Resolution Book)

20. Adopted and authorized the Chairwoman to sign Resolution No. 2005-062 amending the Position Allocation List to add one (1) Clerical Operations Manager position, and add one (1) Office Assistant I/II position as outlined in the Agenda Submittal from the Public Defender dated March 22, 2005, incorporated herein by reference. (see Resolution Book)

21. Approved and authorized the County Administrator to sign First Amendment to Service Agreement for Solid Waste, Recyclables and Green Waste Collection, Recycling Processing and Disposal with Vacaville Sanitary Service as outlined in the Agenda Submittal from the Department of Resource Management and General Services dated March 22, 2005, incorporated herein by reference.

MOTION: Kromm. SECOND: Silva.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Item No. 22A
Approval of the Minutes

Approved the minutes of the In-Home Supportive Services Public Authority and Board of Supervisors' meeting of March 1, 2005 as outlined in the Agenda Submittal from the Clerk of the Board dated March 22, 2005, incorporated herein by reference, with the following amendments:

A) Board of Supervisors – Agenda Item No. 8 – Items from the Public to read: "F) Supervisor Reagan noted that he has encouraged the Solano County District Attorney to review this matter for criminal negligence and asked staff to review if there was cause of revocation of the Use Permit."

B) Board of Supervisors – Agenda Item No. 32 – Confined Animal Facilities (Dairies) – Page 11, last paragraph amended to read "The Board reviewed the identified concerns relating to confined animal facilities raised during previous Board meetings as outlined in Attachment 1 of the Agenda Submittal from the Resources Department dated March 1, 2005, incorporated herein by reference. It was determined by the Board that expert testimony would not be required regarding the testing of the wells, regulations to be adopted by the Central Valley Regional Water Quality Control Board, response time required to submit a plan should contamination occur, SB 700 requirements, compliance with Solano County Mosquito Abatement District and the number of flies associated with the dairies, and animal tracking for disease prevention."

C) Solano County Housing Authority – Agenda Item No. 27 – Section 8 Budget Reductions and 2004 Administrative Plan amended to include "D) Approved SCHA going to the standard reductions at the first annual reexamination, if needed, instead of the second in order to prevent canceling Housing Authority Program contracts and terminating assistance to existing households.

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

Agenda Item No. 22B
 Review of Public Guardian Office

The Board received a report from the Auditor-Controller requesting acceptance of a report on the follow-up review of the Public Guardian's Office within the Health & Social Services Department and to continue to take corrective action on those conditions still unresolved as outlined in the Agenda Submittal dated March 22, 2005, incorporated herein by reference.

In response to a question posed by Chairwoman Kondylis, staff noted that they have received board approval to hire additional fiscal staff to perform bank reconciliations and that it is expected that corrective actions will be in place by May, 2005.

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

Agenda Item No. 22C
 County Treasurer Investment Authority

The Board received a report from the Treasurer-Tax Collector-County Clerk requesting adoption of a resolution delegating investment authority to the County Treasurer for a period of 12 months as outlined in the Agenda Submittal dated March 22, 2005, incorporated herein by reference.

The Board of Supervisors expressed concern regarding the oversight of the County's investment policy. At the conclusion of clarification provided by the Treasurer-Tax Collector-County Clerk addressing the concerns of the Board of Supervisors, the Board adopted and authorized the Chairwoman to sign Resolution No. 2005-058 renewing delegation of investment authority to the Solano County Treasurer-Tax Collector-County Clerk, directed staff to return to the Board of Supervisors on an annual basis with any potential changes in the policy highlighted, and that the Investment Oversight Committee continue its operation.

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

Agenda Item No. 22D
 Limited Fixed Base Operators – Nut Tree Airport

The Board received a report from the General Services, Airport Division, requesting approval of a five-year agreement with, and designation of, DFD dba Power Aviation as a Limited Aeronautical Activity Fixed Base Operator at Nut Tree Airport effective April 1, 2005 through March 31, 2010 and amendment of the "Standards for All Aviation Operators" to require businesses conducted as Limited Aeronautical Activity Fixed Based Operators to pay two percent (2%) of their adjusted gross income, or \$500, whichever is higher, per specialized aviation service at the time of a new or renewal agreement as outlined in the Agenda Submittal dated March 22, 2005, incorporated herein by reference.

In response to a question posed by Chairwoman Kondylis, staff noted that most requests for amendments are submitted after review by the Aviation Advisory Committee. However, the Aviation Advisory Committee meets on a quarterly basis and it was felt that it would be preferable to take action prior to their next meeting. It was noted that the Aviation Advisory Committee would be apprised of the change in the standards for future agreements with Limited Fixed Base Operators at their April 28, 2005 meeting.

Supervisor Vasquez noted latitude should be given to the Airport Manager when a business opportunity arises and that it is the goal of the Board to increase business activity at the Nut Tree Airport.

At the conclusion of further discussion, the Board acted to approve a five-year agreement with, and designation of, DFD dba Power Aviation as a Limited Aeronautical Activity Fixed Base Operator at Nut Tree Airport effective April 1, 2005 through March 31, 2010 and amended the "Standards for All

Aviation Operators" to require businesses conducted as Limited Aeronautical Activity Fixed Based Operators to pay two percent (2%) of their adjusted gross income, or \$500, whichever is higher, per specialized aviation service at the time of a new or renewal agreement.

MOTION: Reagan. SECOND: Vasquez.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

The Board of Supervisors recessed this meeting at 10:25 A.M. and reconvened at 10:40 A.M. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 23A Legislative Advocate

The Board received a report from the County's Legislative Advocate concerning 1) new developments on the 2005-06 State Budget; 2) the possibility of securing legislation to authorize the Board to provide 3% at 50 retirement benefits to investigators in the District Attorney's office; and, 3) progress on the County's 2005 legislative priorities; 4) Board positions on legislation and a proposal concerning Regional Homeland Security Joint Aviation Operations Center, Joint Field Office and Logistics Staging Area at Travis AFB, as outlined in the Agenda Submittal from the County Administrator dated March 22, 2005, incorporated herein by reference.

It was moved by Supervisor Reagan and seconded by Supervisor Silva to:

- A) Support AB 109 (Chan) – First 5 Commissions; AB 1221 (Jones) – Air board representation; and AB 1605 (Wolk) – Financial abuse of the elderly with the provision that employees of financial institutions that have direct contact with the elderly not be held personally liable for failure to report an abuse issue
- B) Oppose unless amended AB 1248 (Umberg) – Booking fees; AB 1665 (Laird) – Central Valley Flood Control District; and ACA 13 (Harman) – Flood control and Proposition 218; and AB 1244 (Wolk) – Cal-Fed
- C) Oppose AB 1664 (Gordon) – Financial abuse of the elderly and SB 34 (Florez) – First 5 commissions
- D) Watch AB 262 (Berg) – Courthouse construction funds; SB 200 (Machado) – Sacramento and San Joaquin Conservancy; AB 501 (La Malfa) – Water supply planning; and AB 797 (Wolk) – Delta Protection Commission

Supervisor Kromm indicated that he was in agreement to support AB 109 (Chan); AB 1221 (Jones); AB 1605 (Wolk) and requested Board support for SB 1018. However, Supervisor Kromm noted that he was not comfortable with opposition to any of the proposed legislation pertaining to water and could not support the current motion.
No vote was taken.

At the conclusion of further discussion, the Board took the following action:

- A) Support AB 109 (Chan) – First 5 Commissions; AB 1221 (Jones) – Air board representation
- B) Oppose AB 1248 (Umberg) – Booking fees; AB 1664 (Gordon) – Financial abuse of the elderly; and SB 34 (Florez) – First 5 commissions
- C) Watch AB 262 (Berg) – Courthouse construction funds and AB 501 (La Malfa) – Water supply planning

MOTION: Reagan. SECOND: Silva.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

The Board acted to support AB 1605 (Wolk) – Financial abuse of the elderly.

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

The Board acted to watch SB 200 (Machado) – Sacramento and San Joaquin Conservancy; AB 797 (Wolk) – Delta Protection Commission; AB 1244 (Wolk) – Cal-Fed; AB 1665 (Laird) – Central Valley Flood Control District; and ACA 13 (Harman) – Flood control and Proposition 218.

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

The Board directed Paul Yoder, Legislative Advocate for Solano County, to report back to the Board in April, 2005 regarding legislation affecting counties regarding the caps on liability and to provide the Board with a matrix of proposed legislation pertaining to counties.

Agenda Item No. 23B Appointment to Alternative Modes Committee

Appointed Supervisor Kromm as the Board of Supervisors' representative to participate on Solano Transportation Authority's Alternative Modes Committee as outlined in the Agenda Submittal from the County Administrator's Office dated March 22, 2005, incorporated herein by reference.

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

The Board of Supervisors recessed this meeting at 12:15 P.M. and reconvened at 2:00 P.M. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 24A Old Town Cordelia Improvement Project

The Board received a report from the Department of Resource Management dated March 22, 2005, incorporated herein by reference, outlining the Old Town Cordelia Improvement Project – Concept Plan and requesting authorization to proceed with obtaining funding for the second phase of the project to prepare design and construction plans and complete the environmental review process.

At the conclusion of the staff presentation, the Board took the following action:

- A) Received report on the Old Town Cordelia Improvement Project – Concept Plan
- B) Directed staff to proceed with obtaining funding for the second phase of the project to prepare design and construction plans and complete the environmental review process.

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

Agenda Item No. 24C Blue Ridge Road

The Board received a report from the Department of Resource Management dated March 22, 2005, incorporated herein by reference, requesting consideration of County policies regarding Blue Ridge Road and the request from Mr. Philip Green for construction of three-fourths of a mile of new road; to confirm the County Maintained Mileage; and affirm County procedure for retention of road petition.

Chairwoman Kondylis noted that she had received a phone call from Mr. Green who indicated

that he would not be able to be present for this hearing but wanted the Board to go forward.

County Counsel Dennis Bunting provided an overview of the definition of a county road vs a public road. Mr. Bunting noted that a county road was a road that had been incorporated into the county road system by a formal action of the Board. The distinguishing characteristic of a county road is that the county has to maintain that road. A public road is a road in which the public has acquired a right to travel and to that extent it is property. A private road is a road that is used by the owner of the land for their own purposes and may be used by others who have special contracts or easements with the private owner. Mr. Bunting noted that the County, by law, can only spend money on County roads; otherwise, it becomes a gift of public funds.

Resource Management provided the Board with a historical overview of Blue Ridge Road. It was noted that Blue Ridge Road was established by a Road Petition in 1887 and runs three-fourths of a mile beyond the County maintained portion of the road. It was noted that the road extension was a public road right-of-way, but not a County maintained road. Staff reviewed the disposition of road petitions and how they are handled by the County noting that they are on file at the Clerk of the Board and copies maintained by County Surveyor at the Department of Resource Management. Staff noted that Mr. Green's request was to have the County construct and maintain the additional three-fourths of a mile of Blue Ridge Road and that the County record the road petition for Blue Ridge Road and, implicitly, for all County roads. Staff recommended that the Board deny the request to construct and maintain an extension of Blue Ridge Road as there was extremely low traffic volume, it was a dead end road, not necessary for the general public convenience, very expensive to construct due to the challenging location and topography, and that there was no funding available. It was further noted that staff requested the Board to deny the second request of Mr. Green to record the 1887 road petition for Blue Ridge Road as the petitions are already filed with the Clerk of the Board of Supervisors and at the Department of Resource Management, petitions are filed in accordance with State law, current practice is standard among Counties, petitions are obscure and difficult to read and understand, and recording them would provide little public benefit.

Mr. Henry Janoski, 7725 Blue Ridge Drive, Vacaville, expressed his opposition that the road going through his property was a public road. Mr. Janoski noted that Mr. Green was his neighbor to the north and had permission to use his private road which he maintained in order to get to his property; however, he noted that Mr. Green was not land locked as he also had access from his property to Highway 128. Mr. Janoski reported that he would not have bought this property 30 years ago if he knew that the County had access to his road. Mr. Janoski indicated that they would be dispossessed of approximately 3.5 acres and would lose the privacy of their vineyard if this road was considered a public road.

In response to a question posed by Supervisor Reagan, County Counsel Dennis Bunting noted that once the Board of Supervisors adopted this road as a public road in 1890 and established a public right of way, the only way in which the County can dispossess itself is to abandon the road. Mr. Bunting noted that a portion of the property was federal land at that time and there was no recording requirement. Therefore, the Board at this time would have to abandon this portion of the road that never existed. Mr. Bunting noted that at this time, they are encouraging the property owners to reach an agreement with regards to the use of this portion of the road.

In response to a question posed by Supervisor Vasquez, Mr. Bunting noted that the Board could direct staff to the Board at a public hearing to consider abandonment of that portion of Blue Ridge Road; however, the County had issued a Certificate of Compliance to Mr. Green on the basis that a public right of way did exist. Mr. Bunting noted that this portion of the road was public and was on the official maps until 1935.

Supervisor Silva noted that if Mr. Green did not have a public right of way, then he would have to purchase an easement from Mr. Janoski to access his property. Supervisor Silva noted that he would not be in favor of doing away with a public right of way and noted that the Road Petitions are on record with the Clerk of the Board and did not feel it was necessary to record the documents at the Recorder's Office.

At the conclusion of discussion, the Board took the following action:

- A) Denied the request of Mr. Philip R. Green to construct an extension to Blue Ridge Road of about 3/4ths of a mile and to record the 1887 road petition establishing this road in the County Recorder's Office.
- B) Confirmed the existing limits of County maintenance on Blue Ridge Road as 2.770 miles.
- C) Affirmed the County's existing policy of retaining historical road petitions in the Clerk of the

Board's office.

D) Directed staff to provide a letter advising title insurance companies that road petition documents are available in the Clerk of the Board of Supervisors office for review.

MOTION: Silva. SECOND: Reagan.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Agenda Item No. 24B

Improvements to Gates Canyon Road

The Board received a report from the Department of Resource Management dated March 22, 2005, incorporated herein by reference, regarding the status of improvements to Gates Canyon Road and a request by Tamara Attard, Paul Attard, James Lewis and Michael Lewis to receive a loan from the County to make additional improvements to Gates Canyon Road which would result in the paving of the road to the top of the ridgeline.

Supervisor Vasquez noted that the property owners were interested in paying for improvements to a County road that would not only benefit the property owners but would benefit any emergency services needing to have access to the area and control erosion issues.

County Administrator Michael D. Johnson, noted that the Resource Management Department did have concern with financing the project from the Road Fund due to the limited amount of funds available and suggested that if the Road Fund became disadvantaged, that the Board would provide funding from the General Fund to replenish the Road Fund. Mr. Johnson noted that the interest on the loan would be at the rate of loss of interest to the County Treasury.

Supervisor Kromm expressed his concern that the County's financial interest be protected and that staff be directed to look at the value of the property and the amount already encumbered on the land. Supervisor Kromm noted that his concern was with protecting the County's treasury while promoting strong agricultural business'.

Mr. Lewis noted that they would support abandonment of the road by the County; however, there has been strong opposition by the fire department due to their need to have access to the area. Mr. Lewis noted that during the fire of 1988, the fire apparatus units had a difficult time maneuvering by each other on the steep, narrow road which created a dangerous situation. Mr. Lewis further noted that the current zoning on the land would not allow for the building of a subdivision.

Supervisor Silva indicated that he felt that this project would provide the opportunity to partner with the agricultural community as long as the value of the property exceeded the liens.

At the conclusion of discussion, the Board took the following action:

A) Authorized the Director of Resource Management to negotiate and execute an agreement with Tamara Attard, Paul Attard, James Lewis and Michael Lewis (Owners) to receive a loan from the County Road Fund which will be repaid along with a fair interest rate to provide additional improvements to Gates Canyon Road which would also benefit emergency and law enforcement vehicles.

B) Authorized the Director of Resource Management to solicit bids and award a contract to the low bidder for the construction of additional improvements to Gates Canyon Road.

MOTION: Vasquez. SECOND: Kromm.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Agenda Item No. 25

Appointment Authority

The Board made the following appointments:

A) Appointed Jean Rubier to the Rio Vista-Montezuma Cemetery District to fill an unexpired term, due to expire July 30, 2006

B) Appointed members to the Solano Partnership Against Violence (SPAV) for 2005 as follows:

1. Law Enforcement
 - A. Sgt. John Dugan, Supervisor, Youth Services, Investigations, Domestic Violence and Sexual Assault, Fairfield Police Department
 - B. Debra Kaplow, Supervisor, Domestic Violence Unit, Solano County Probation Department
 - C. Terry Ray, Deputy District Attorney, Solano County
 - D. Sgt. Charlie Spruill, F.I.R.S.T., Vacaville Police Department
2. Community Based Organizations
 - A. Cheryl Franklin-Golden, Executive Director, SafeQuest Solano County
 - B. Kate Gillooly, Clinical Director, New Pathways Counseling Program, Catholic Social Service Solano County
 - C. Daniel Lamons, Community Outreach Worker, Vallejo Fighting Back Partnership
 - D. Patricia Nicodemus, Jail Outreach and Treatment Program, Youth & Family Services
 - E. Elaine Rairden, Board of Directors, Christian Help Center, Volunteer, Vallejo Police Department, Violence Against Women Investigations
3. Board of Supervisors
 - A. District 1 – Carmen Ward, Aide to Supervisor Barbara Kondylis
 - B. District 2 – Colleen Smith, Coordinator, Benicia Family Resource Center
4. Health & Social Services
 - A. Susan Dolan, Community Liaison, Child Protective Services
5. Other Community Representatives
 - A. Gloria Diaz, Senior Master Social Worker, F.I.R.S.T., Vacaville Police Department
 - B. Kathy Dineen, Special Operations Division, Fairfield Police Department
 - C. Elizabeth Gibboney, Government Relations/Communication Director, Partnership HealthPlan of California
 - D. Rev. Willie Graham, Faith Based Community, F.I.R.S.T., Vacaville Police Department
 - E. Debra Milinsky, Department of Psychiatry, Kaiser Permanente
 - F. Latrise Muchison, Family Advocacy Unit, Travis Air Force Base
 - G. Anthony "Tony" Valdez, Program Manager, Jail Outreach and Treatment Program Youth & Family Services
 - H. Cyndi Wolke, Benicia Police Department Community Chaplin, Benicia Family Resource Center Outreach Worker

MOTION: Silva. SECOND: Reagan.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Agenda Item No. 26A

Minor Subdivision Application – James Coppel

The Board received a report from Resource Management dated March 22, 2005, incorporated herein by reference requesting the Board hold a public hearing to consider approval of Minor Subdivision Application No. MS-03-12 of James Coppel to subdivide a 517 acre parcel into twelve parcels of 43 acres each; adopt a resolution approving Minor Subdivision Application MS-03-12 for property located on Mace Blvd. in an "A-40" Exclusive Agricultural Zoning District.

At the conclusion of a public hearing, the Board acted to continue this matter to April 5, 2005 at 9:00 A.M. due to concerns voiced regarding ariel spraying of crops in the vicinity of a proposed residential area.

MOTION: Reagan. SECOND: Kromm.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Agenda Item No. 26B

Minor Subdivision Application – Jess Jones

The Board received a report from Resource Management dated March 22, 2005, incorporated herein

by reference requesting the Board hold a public hearing to consider approval of Minor Subdivision Application No. MS-04-13 of Jess Jones to subdivide an 88 acre parcel into two parcels of 42 acres and 46 acres respectively; adopt a resolution approving Minor Subdivision Application MS-04-13 for property located at 7179 Rio Dixon Road in an "A-40" Exclusive Agricultural Zoning District. At the conclusion of a public hearing, the Board acted to continue this matter to April 5, 2005 at 9:00 A.M.

MOTION: Reagan. SECOND: Kromm.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis.

Agenda Item No. 3 Closed Session

The Board of Supervisors recessed this meeting at 5:15 p.m. to convene in Closed Session on the following matters:

- A) Existing Litigation: County of Solano v. Paul Handlery
- B) Potential Litigation: 2 cases
- C) Labor Negotiations: Public Employee Union, Local 1 Units 6 & 16, Chief Negotiators: Craig Jory, Yolanda Irigon, Steve Janice, Jim Ferguson, and Wayne Page

There were no reports from Closed Session.

Agenda Item No. 27 Adjournment

The Board of Supervisors adjourned this meeting at 5:30 P.M. in memory of Chris Martinez.

The next meeting of the Board of Supervisors will be April 5, 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
Myra Chirila, Deputy Clerk