

Minutes For December 13, 2005

SOLANO COUNTY BOARD OF SUPERVISORS

December 13, 2005

M I N U T E S

The Solano County Board of Supervisors met on the 13th day of December, 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, Silva, Vasquez, and Chairwoman Kondylis. Also present were Michael D. Johnson, County Administrator and Dennis Bunting, County Counsel.

Agenda Item No. 1 Closed Session

The Board of Supervisors recessed this meeting at 8:35 a.m. to convene in Closed Session to discuss Potential Litigation: one case.

Open Session

The Board of Supervisors reconvened in Open Session at 9:05 a.m. All members were present. Chairwoman Kondylis presided.

Report of Action in Closed Session

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

Salute to the Flag and Moment of Silence

The meeting continued with the Pledge of Allegiance to the Flag and a Moment of Silence.

Presentations

The Board of Supervisors received the following presentations:

2. Received a plaque from the California State Fair and received the 2005 State Fair Exhibit Final Report and acknowledged the support and contributions of the business community, County staff, and designer Paul Curtis.

3. Presentation from the Public Defender on selection of Pamela Boskin and Sara Johnson for "Employee of the Month Parking" for December 2005.
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. Chairwoman Kondylis requested that this meeting of the Board of Supervisors be adjourned in memory of Gennady "Gene" Venglinsky.

B. Bernard Moore, Fairfield, requested that county staff be directed to remove a pump house that was built on his easement.

B. Donald Tipton, unincorporated Vallejo, expressed his concern regarding

Public Comment on Consent Calendar

The Chairwoman invited individuals of the public to make public comment on Consent Calendar Items. The following comments were received:

A. Jim DeKloe, representing the Solano Group Sierra Club, presented a petition to the Board and requested that the Board adopt their alternative redevelopment plan of the Solano County Fairgrounds rather than the Mills Corporation's proposal as the Sierra Club's proposal would preserve more of the fairgrounds and more of the property for public use while including most of the commercial elements of the plan proposed by the Mills Corporation and would incorporate a wetlands restoration project that would filter pollutants and improve the quality of Lake Chabot.

B. In response to a concern expressed by Donald Tipton, unincorporated Vallejo, the Department of Resource Management noted that

Approval of Agenda

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

Item No. 13 – County's Mental Health Services Act (Prop 63) Three Year Program and Expenditure Plan for community services and support for the period FY 2005/06 through FY 2007/08 removed from the Consent Calendar.

Item No. 20 – Proposed ordinance adding Chapter 6.6 to the Solano County Code relating to Wood Burning Appliances removed from the Consent Calendar.

Item No. 22 – Agreement for construction plan review and construction inspection services for the Mariani Wastewater Pretreatment Plant Project removed from the Consent Calendar.

MOTION: Kromm. SECOND: Vasquez.

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

Consent Calendar

Acted on the following Consent Calendar items:

4. Approved the Board of Supervisors' and Rural North Vacaville Water District meeting minutes of December 6, 2005.

5. Approved and authorized Chairwoman Kondylis to sign a Proclamation honoring Hannelore "Lore" Catania on her retirement from the United States Department of Veterans Affairs and her 19 years of service to Solano County veterans.

6. Approved and authorized Chairwoman Kondylis to sign a Proclamation honoring Planning Director John Bunch upon his retirement from the City of Vallejo.

7. Reviewed and accepted the FY2004/05 Annual Disclosure Review of the Public Facilities Fees.

8. Approved the Side Letter Agreement on Uniform Allowance and Probationary Period with SEIU, Local #1280, representing Unit #7, Sheriff Security Officers.

9. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-249 dedicating 420 Admiral Callaghan Lane in Vallejo as a Veterans Memorial Building and rescinding the dedication

of the Vallejo Veterans Memorial Building at 444 Alabama Street. (see Resolution Book)

10. Approved an Appropriation Transfer Request (ATR) of \$642,000 from Department of Information Technology (DoIT) designations to consulting services to cover the cost of the professional services contract with Gartner, Inc.
11. Approved and authorized Chairwoman Kondylis to sign a revenue agreement with the California Department of Health Services in the amount of \$4,689,000 for the period October 1, 2005 through September 30, 2008 for the Women, Infants, and Children (WIC) program.
12. Approved and authorized Chairwoman Kondylis to sign an amendment to a contract with Child Haven, Inc. in the amount of \$51,635 to increase the contract payment limit from \$311,250 to \$362,885 for the period ending June 30, 2005.
14. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-250 expressing support and authorizing the Probation Department to participate, as a sub-grantee through the County of San Diego, in an exclusive statewide Adult Driving Under the Influence Offender Program administered by the California State Office of Traffic Safety (OTS) for the grant period of January 1, 2006 through September 30, 2008 and authorized the Chief Probation Officer/Director of Probation to sign a Memorandum of Understanding with San Diego County and any extensions or amendments, thereby receiving \$80,464 in federal pass through funds made available through the National Highway Safety Act and the Safe, Accountable and Flexible Efficiency Transportation Equity Act. (see Resolution Book)
15. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-251 authorizing the Office of Family Violence Prevention on behalf of Solano County, to submit a two-year Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program grant application to the U.S. Department of Justice-Office on Violence Against Women for the grant period September 1, 2006 through August 31, 2008 and authorized the County Administrator to sign the Grant Agreement and any extensions or amendments, thereby receiving up to \$400,000 in federal funds (Federal Catalog ID#16.590). (see Resolution Book)
16. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-252 amending the allocation list in the Sheriff's Office to add two (2) full time equivalent Sergeant-Sheriffs and delete one (1) full time equivalent Lieutenant-Sheriff, one (1) Public Safety Dispatcher (Supervising), one (1) Cook (Supervising), and one (1) Social Worker II. (see Resolution Book)
17. Approved and authorized the County Administrator to sign amendment for \$112,500 to the existing contract between the Department of Child Support Services and Attorney's Diversified Services for service of court documents related to the establishment and enforcement of child support.
18. Approved and authorized Chairwoman Kondylis to sign the Notice of Completion for the Overlay 2005 Project, constructed by Evans Grading and Paving for a final cost of \$726,363.
19. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-253 requesting the California Debt Limit Allocation Committee to reassign 25% of 2005 Single Family allocation available to Solano County by the Californian Debt Allocation committee to the Californian Rural Home Mortgage Finance Authority for the Single Family Housing Mortgage Revenue Bond Program. (see Resolution Book)
21. Approved an Appropriations increase for Other Professional Services Revenue of \$457,344 to offset an increase in the Department's FY2005/06 Budget of \$363,500 in contracted services and \$93,844 in Other Professional Services. Approved a contract amendment of \$79,344 with Ken Solomon for professional contract planning services to manage the Shiloh II environmental impact report and land use entitlement process, 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.
23. Took the following action relating to agreements with the City of Vallejo and the Vallejo Sanitation and Flood Control District:

A. Authorized the Director of Resource Management to negotiate and execute amendments to the existing agreements with the City of Vallejo and the Vallejo Sanitation District to implement waterline and sewer improvement projects in the Homeacres area.

B. Approved an Appropriation Transfer Request of \$387,345 from Contingencies in the SE Vallejo Redevelopment Settlement Fund to make funds available in Operating Transfers Out for Public Works.

C. Approved an Appropriation Transfer Request of \$387,345 for Unanticipated Revenue (Operating Transfers In) to cover an increase in Other Professional Services in the Public Works budget.

24. Approved and authorized the President/Executive Director of the Workforce Investment Board of Solano County to sign the following contracts:

A. AK Bean Foundation, of Fairfield, for tutoring, alternative education, adult mentoring, leadership development, job readiness, and guidance counseling; the total amount of the October 1, 2005 – September 30, 2006 contract is \$71,063.

B. Planned Parenthood Shasta-Diablo, Inc., of Concord, with offices in Fairfield and Vallejo, for tutoring, leadership development, and follow-up services; the total amount of the October 1, 2005 – September 30, 2006 contract is \$61,000.

25. Approved and authorized Chairwoman Kondylis to sign a Third Amendment to Memorandum of Intent between the County of Solano, the Solano County Fair Association, and the Mills Corporation for the revitalization of the Solano County Fairgrounds.

MOTION: Reagan. SECOND: Silva.

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

Item No. 13

Mental Health Services Act (Prop 63)

The Board received a presentation from Fred Heacock, Health and Social Services, providing an overview of the County's Mental Health Services Act Three Year Program and Expenditure Plan for community services and support for the period FY 2005/06 through FY 2007/08.

The Board expressed concern regarding services to the senior community, development of initial housing services, outreach to transgender and shut-in populations. The Board cautioned staff on possible cuts in funding from the State.

MOTION: Kromm. SECOND: Reagan.

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

The Board of Supervisors recessed this meeting at 10:25 a.m. and reconvened at 10:45 a.m. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 26

Level Two Legislative Priorities

The Board received an overview of the Level Two Legislative Priorities and the General Principles in the County's 2006 State Legislative Platform.

At the conclusion of discussion, the Board amended the Level Two Legislative Priorities and the General Principles in the County's 2006 State Legislative Platform to include an additional item regarding support for legislative efforts to reduce the job/housing imbalance in housing rich counties.

MOTION: Kromm. SECOND: Vasquez.

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

Agenda Item No. 29
Adaptive Reuse of Old Library Building

The Board received a presentation from the Solano County Historical Society on their Business Plan for the adaptive reuse of the County owned building known as the Old Library, located at 601 Texas Street in Fairfield.

At the conclusion of discussion, the Board directed County staff and Supervisor Kromm to work with the Solano County Historical Society to evaluate the business plan, identify the County's financial obligation and report back to the Board in January, 2006.

The Board of Supervisors recessed this meeting at 1:00 p.m. and reconvened at 1:30 p.m. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 27
Strategic Plan and Three Year Goals and Objectives

Received a Status Report on the County's Strategic Plan and Three Year Goals and Objectives. Accepted amendments to objectives relating to screening pregnant women for prenatal substance abuse and medical health exams for children enrolled in PHC. Directed staff to review efforts being made in the community regarding senior citizens and to report back to the Board.

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

Agenda Item No. 20
Wood Burning Appliances

Adopted and authorized Chairwoman Kondylis to sign Ordinance No. 2005-1668 adding Chapter 6.6 and Sections 6.6-10, 6.6-20, 6.6-30, 6.6-40, 6.6-50 and 6.6-60 to the Solano County Code relating to wood burning appliances. The adopted ordinance will require the installation of EPA certified wood burning appliances during new installations or as a result of replacement during remodeling, in commercial or residential buildings in the unincorporated areas of Solano County; authorize Solano County to assist a local air quality management district with public notifications and educational announcements during air quality warnings or advisories issued by the air district; and prohibit the burning of certain materials.

MOTION: Kromm. SECOND: Silva
AYES: Kromm, Silva, Vasquez, Kondylis.
NOES: Reagan. (Supervisor Reagan expressed his opposition to reducing low cost fuel sources at a time when fuel costs are increasing.)

Agenda Item No. 28
2005 Annual Report

Received a presentation by County Administrator Michael D. Johnson highlighting the accomplishments of Solano County in 2005 and accepted the 2005 Annual Report.

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

Agenda Item No. 22
Mariani Wastewater Pretreatment Plant Project

At the conclusion of a brief discussion, the Board approved and authorized County

Administrator Michael D. Johnson to sign a professional services agreement with an outside Contract Services Company for construction plan review and site inspection services for the Mariani Wastewater Pretreatment Plant Project in an amount not to exceed \$500,000. The term of the agreement will be December 19, 2005 through December 31, 2006. Approved appropriation transfer request to increase building permit revenue in the amount of \$500,000 to cover additional professional services costs.

MOTION: Kondylis. SECOND: Vasquez.

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

Agenda Item No. 30

Health Improvement Initiatives Evaluation

Accepted the Master Settlement Agreement (MSA) Advisory Board's Health Improvement Initiatives Evaluation report regarding the MSA Strategic Plan activities and outcomes on improving access to health care and reducing the use of alcohol, tobacco and other drugs during the period FY2002/03 through FY2004/05.

MOTION: Silva. SECOND: Reagan.

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

Agenda Item No. 35

Dove Creek Trail

At the conclusion of a public hearing to consider Planning Commission recommendation to adopt an ordinance approving Rezoning Petition No. Z-01-03 and Policy Plan Overlay District PP-01-03, rezoning two parcels comprising approximately 80 acres combined from A-20, Exclusive Agriculture, to RR2-1/2, Rural Residential with a Policy Plan Overlay; and approve Major Subdivision application S-01-03 subdividing the 80 acres into 32 lots ranging in size from 1.3 to 3.8 acres, with additional common area parcels for property located at the southwest terminus of Dove Creek Trail; 7471 Dove Creek Trail, the Board took the following action:

A. Waived full reading of the proposed ordinance and read by title only. Adopted and authorized Chairwoman Kondylis to sign Ordinance No. 2005-1669 approving Rezoning Petition No. Z-01-03 rezoning the approximately 80-acre property, comprising two parcels, from A-20, Exclusive Agricultural, to RR-2-1/2, Rural Residential and approving PP-01-03, Policy Plan Overlay District.

B. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-256 approving Major Subdivision S-01-03, to subdivide the approximately 80 acre property located at the southwest terminus of Dove Creek Trail into 32 residential lots with additional common area parcels, subject to the conditions of approval recommended by the Planning Commission.

C. Directed staff to develop final language, for incorporation into the conditions of approval and/or Policy Plan Overlay District Regulations, as appropriate, regarding contracting with Solano County Water Agency or Solano Resource Conservation District to provide inspection of the subdivision storm water facilities.

MOTION: Silva. SECOND: Vasquez.

AYES: Kromm, Reagan, Silva, Vasquez.

NOES: Kondylis. (Chairwoman Kondylis noted that she was not in favor of the project.)

Supervisor Kromm was excused from participation in the following items pertaining to the Solano Land Trust as his spouse is the Executive Director of the Solano Land Trust.

Agenda Item No. 32

Agricultural Preserve (Eastern Swett Ranch)

At the conclusion of a public hearing to consider Agricultural Preserve Application No. 1346 of Solano Land Trust for 1,433 acres of property, the Board took the following action:

- A. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-254 establishing Agricultural Preserve No. 1239 and approving Land Conservation Contract No. 1346 of the Solano Land Trust and authorizing its execution by the Chairperson and directing that it be recorded. (see Resolution Book)
- B. Approved County standard Land Conservation Contract pursuant to the California land Conservation Act of 1965 (Williamson Act).

MOTION: Vasquez. SECOND: Kondylis.

AYES: Silva, Vasquez, Kondylis.

NOES: Reagan. (Supervisor Reagan felt that by placing this land in an Agricultural Preserve, the Solano Land Trust would be prohibited from partnering with commercial enterprises in generate revenue to operate this land.)

EXCUSED: Kromm.

This meeting of the Board of Supervisors was recessed at 3:00 p.m. and reconvened at 3:25 p.m. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 33 Agricultural Preserve (King Ranch)

At the conclusion of a public hearing to consider Agricultural Preserve Application No. 1347 of Solano Land Trust for 46.81 acres of property, the Board took the following action:

- A. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-255 expanding Agricultural Preserve No. 1227 and approving Land Conservation Contract No. 1347 of the Solano Land Trust and authorizing its execution by the Chairperson and directing that it be recorded. (see Resolution Book)
- B. Approved County standard Land Conservation Contract pursuant to the California land Conservation Act of 1965 (Williamson Act).

MOTION: Vasquez. SECOND: Silva.

AYES: Silva, Vasquez, Kondylis.

NOES: Reagan. (Supervisor Reagan felt that by placing this land in an Agricultural Preserve, the Solano Land Trust would be prohibited from partnering with commercial enterprises to generate revenue to operate this land.)

EXCUSED: Kromm.

Agenda Item No. 34 Appeal of English Hills Transportation Impact Fee

The Board considered an appeal of the English Hills Transportation Impact Fee for a property on Linda Vista Lane filed by Linda Johnson. Staff noted that in 2004, Ms. Johnson obtained building permits for the construction of two homes on a property in the English Hills area, northwest of Vacaville and an English Hills Transportation Impact Fee in the amount of \$5,481 was required for each of the two dwelling. Staff noted that Ms. Johnson felt that the fee for the second dwelling should not be required since the second home was intended for the use of her mother-in-law who did little driving.

At the conclusion of discussion, the Board acted to deny the appeal request of Linda Johnson and affirmed the Department of Resource Management's decision not to reduce the Transportation Impact Fee as the fee was a one-time fee collected at the time a building permit was issued for new construction and was intended to offset the ongoing long-term impacts of additional vehicle trips generated by development.

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

Agenda Item No. 31
Master Settlement Agreement (MSA)
Securitization and Tobacco Settlement Funds

Agenda Item No. 36
Appointment Authority

Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-257 reappointing Kevin Cullen, Jane Bogner and Supervisor Duane Kromm as members of the independent solid waste hearing panel for a second term of four years pursuant to the provisions of the California Integrated Waste Management Act of 1989 (AB 939). (see Resolution Book)

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

Adjournment

The Board of Supervisors adjourned this meeting at 4:25 P.M. in memory of Gennady "Gene" Venglinsky and Wilbert A. "Bob" Silva.

The next meeting of the Board of Supervisors will be January 3, 2006 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
Patricia J. Crittenden, Chief Deputy Clerk