

Minutes For August 3, 2004

The Solano County Board of Supervisors met in regular session on this day at 8:35 a.m. Chairman Silva called the meeting to order. Present were Supervisors Forney, Kromm, and Chairman Silva. Supervisor Vasquez arrived at 8:37 a.m. and Supervisor Kondylis arrived at 9:04 a.m.

CLOSED SESSION: The Board moved into Closed Session at 8:36 a.m. to discuss Meet and Confer: All Bargaining Units with Jim Ferguson, Steve Janice and Craig Jory, Chief Negotiators; Property Negotiations: 325 Tuolumne St., Vallejo; 580 Texas St., Fairfield; 600 Union Ave., Fairfield; 530 Union Ave., Fairfield; Negotiating Parties: John Taylor, Solano County; Under Negotiation: price and terms of payment; Potential Litigation: two (2) cases. The Board moved out of Closed Session at 9:25 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:28 a.m. with the Pledge of Allegiance and a moment of silence.

PRESENTATIONS

7A. PRESENTATION FROM THE SOLANO COUNTY WEST NILE VIRUS INTER-AGENCY WORKING GROUP REGARDING THE COORDINATED EFFORTS OF AGENCIES INVOLVED IN WEST NILE VIRUS, RECEIVED

Health Officer Dr. Ronald Chapman reviewed the information contained in the Agenda Submittal from his department dated August 3, 2004, incorporated herein by reference, through a visual presentation titled "Solano County West Nile Virus Task Force" beginning with a brief background, identification of the West Nile Virus (WNV), the virus transmission cycle, WNV in birds, humans, and in California.

Jon Blegen, Manager Solano County Mosquito Abatement District, continued the presentation with the California Response to WNV, Targeting the Aquatic Stages, Mosquito Life-cycle, Treatment of the Aquatic Stages, Adult Surveillance, Disease Surveillance, Sentinel Chicken flocks, and Mosquito fish.

There was a brief discussion regarding the measuring the numbers of mosquitoes,

Lisa Todd, Environmental Health Specialist from Resources Management, continued the presentation outlining the WNV Inter-Agency History, the WNV Inter-Agency Efforts, and contact information.

There was a short discussion regarding distribution of Mosquito fish to nurseries, the reporting process when there is a confirmed human case of WNV, and notifying the public.

7B. PRESENTATION ON THE OPERATIONAL AREA MOBILE COMMAND VEHICLE, RECEIVED

Robert Powell, Office of Emergency Services, reviewed the information contained in the Agenda Submittal from his office dated August 3, 2004, incorporated herein by reference, outlined the new Operational Area Mobile Command Vehicle.

Mr. Powell showed photos of the preceding mobile command vehicles dating back to 1959, outlined features of the new vehicle, manufacturing of the vehicle, use of the vehicle by all agencies in the area through the Office of Emergency Services, innovative funding for the purchase of the vehicle, the need for a storage facility, and invited the public to tour the vehicle located outside the building.

Briefly there was discussion regarding presentations at the cities in the County, with communication capabilities of the vehicle.

7C. RESOLUTION NO. 2004-149 DECLARING AUGUST 7-13, 2004 AS CALIFORNIA WEED AWARENESS WEEK, ADOPTED

On motion of Supervisor Forney and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2004-149. So ordered by a vote of 5-0.

On behalf of the Board, Supervisor Forney read and presented the resolution to Agricultural Commissioner Susan Cohen.

Ms. Cohen presented a brief introduction of the information contained in the Agenda Submittal from her office dated August 3, 2004, incorporated herein by reference.

John Hayes, Suisun Resource Conservation District and Acting Coordinator for the Solano County Weed Management Area, gave a brief history of the Weed Management Group, goals and accomplishments, provided a map showing areas of specific weed infestations in the County, a list of other agency involvement, and the participation for weed management by the local farmers which will help manage our natural resources.

ITEMS FROM THE FLOOR

2003/2004 GRAND JURY REPORT PRESENTED, AND INTRODUCTION OF DR. CATHY HOUCK THE 2004/2005 GRAND JURY FOREPERSON

Lou Burgelin, 2003/2004 Grand Jury Foreman, noted the County financial condition is very good, there are some recommendations in the report relative to future planning, requested a group be established to look at one of the departments that the Grand Jury feels needs attention, and provided the Board with a copy of the 2003/2004 Solano County Grand Jury Final Report, incorporated herein by reference.

Mr. Burgelin introduced Dr. Cathy Houck as the 2004/2005 Grand Jury Foreperson, Dr. Houck noted serving in the 2003/2004 Grand Jury, noted how honored she is to lead this years grand jury, and discussed the wonderful people that have volunteered to serve on the Grand Jury, and how the work has already begun.

Mr. Burgelin discussed the recommendation relative to radio inoperability and the importance of different agencies being able to talk to each other; noted the report also noted some criminal activity going on in one of the departments and has recommended the District Attorney consider action. Mr. Bergelin discussed the quality of the people the Board and other elected officials in the County recommended to sit on the Grand Jury.

APPEARANCE BY DONALD TIPTON RE SEWER AND STORM DRAIN CONNECTIONS IN HOMEACRES AREA

Donald Tipton, Vallejo, voiced his concerns regarding upgrading sewer connections in the Homeacres area that should be done for health and safety reasons, installing laterals for storm drains 124 feet directly into a new development in the area that will be funded by the County.

PUBLIC COMMENT ON CONSENT CALENDAR

19. Resources Management:

Adopt resolution approving City of Davis, City of Dixon and University of California, Davis, proposal to State Department of Conservation's California Farmland Conservancy Program and to U.S. Department of Agriculture's Farm and Ranch Land Protection Program for McConeghy Property Agricultural Conservation Easement

City of Davis Mayor Ruth Asmundson and Davis City Council Member Don Saylor noted their support for the joint proposal to the California Department of Conservation's California Farmland Conservancy Program and the U.S. Department of Agriculture's Farm and Ranch Land Protection Program for the McConeghy Property Agricultural Conservation Easement.

Council Member Saylor discussed this as a unique opportunity to support the agricultural heritage of the region, the opportunity made possible by the University of Davis securing an option to purchase and working with the cities of Davis and Dixon to exercise that option to preserve this land. Council Member Saylor noted few remaining undeveloped spots between San Francisco and Reno on I 80.

There was a brief discussion regarding open space funding, signage of the property, and plans for future acquisitions.

APPROVAL OF THE AGENDA

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to approve the submitted Agenda, incorporated herein by reference, with the following modifications:

26. Probation and Sheriff/Coroner:

Receive a report updating the transition to California Forensic Medical Group (CFMG) for the provision of medical services at jail facilities and Juvenile Hall, removed from the agenda.

So ordered by a vote of 5-0.

CONSENT CALENDAR

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

14. PROCLAMATION HONORING STEVEN CHAPPELL OF SUISUN RESOURCE CONSERVATION DISTRICT FOR REDUCING THE IMPACT OF A DIESEL FUEL SPILL ON THE SUISUN MARSH WETLANDS AND WILDLIFE RESOURCES, approved.

15A. ACCEPTANCE OF GRANT FROM FEDERAL AVIATION ADMINISTRATION FOR NUT TREE AIRPORT, as outlined in the Agenda Submittal from General Services dated July 27, 2004, incorporated herein by reference, approved and General Services Director authorized to sign said grant agreement on behalf of Solano County.

+

15B. BOARD OF SUPERVISORS SUB-COMMITTEE OF CHAIRMAN SILVA AND SUPERVISOR VASQUEZ TO REVIEW AND MAKE RECOMMENDATIONS FOR SELECTION OF PARTICIPANTS ON NUT TREE AIRPORT ADVISORY COMMITTEE, as outlined in the Agenda Submittal from General Services dated August 3, 2004, incorporated herein by reference, approved.

16. RESOLUTION NO. 2004-150 AMENDING THE ALPHABETICAL LISTING OF CLASSES AND SALARIES (PROBATION), adopted. (see Resolution Book)

17A. APPLICATION FOR CALIFORNIA STATE INCENTIVE GRANT PROJECT RE REDUCTION OF BINGE DRINKING, as outlined in the Agenda Submittal from Health and Social Services dated August 3, 2004, incorporated herein by reference, approved.

17B. APPLICATION FOR TARGETED CAPACITY EXPANSION GRANT FUNDING FROM FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION RE DRUG TREATMENT TO LATINO ADULTS, as outlined in the Agenda Submittal from Health and Social Services dated August 3, 2004, incorporated herein by reference, approved.

18. THREE YEAR SERVICE CONTRACT WITH AT&T CORPORATION RE INMATE TELEPHONE SERVICES, as outlined in the Agenda Submittal from Sheriff/Coroner dated August 3, 2004, incorporated herein by reference, approved and Sheriff/Coroner authorized to sign said contract on behalf of Solano County.

19. RESOLUTION NO. 2004-151 APPROVES AND SUPPORTS THE EASEMENT PROPOSAL TO THE U.S. DEPARTMENT OF AGRICULTURE'S FARM AND RANCH LAND PROTECTION PROGRAM AND THE CALIFORNIA DEPARTMENT OF CONSERVATION'S CALIFORNIA FARMLAND CONSERVANCY PROGRAM FOR THE MCCONEGHY PROPERTY AGRICULTURAL CONSERVATION EASEMENT, adopted. (see Resolution Book)

20. AGREEMENT WITH PERFORMANCE PEST MANAGEMENT RE EMERGENCY TREATMENT OF GLASSY-WINGED SHARPSHOOTER INFESTATION, as outlined in the Agenda Submittal from the Agriculture Department dated August 3, 2004, incorporated herein by reference, approved and County Administrator authorized to sign said contract on behalf of Solano County.

APPROPRIATION TRANSFER OF UNANTICIPATED REVENUE IN AMOUNT OF \$250,000 FROM CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE, as outlined in the Agenda Submittal from the Agriculture Department dated August 3, 2004, incorporated herein by reference, approved.

ORDERS

22. PRELIMINARY MASTER PLAN CONCEPTS PRESENTED BY THE SOLANO COUNTY FAIR AND THE MILLS CORPORATION FOR SOLANO COUNTY FAIRGROUNDS

Solano County Fair Association Director Joe Barkett briefly reviewed the information contained in the Agenda Submittal from his department dated August 3, 2004, incorporated herein by reference, regarding preliminary Master Plan Concepts from the Mills Corporation. On October 15, 2004 the Mills Corporation will be presenting a plan for the Board of Supervisors and the Solano County Fair Board to consider for approval.

Elizabeth Link, Senior Vice President Pre-Development Mills Corporation, discussed the Draft Preliminary Master Plan concepts for the Solano County Fair Revitalization that included four different draft plans that were submitted June 30, 2004. Ms. Link noted there will be meetings to get feedback from the neighbors, the neighborhood associations, business, and other members of the community, the region and the County. All of the input will be considered before the final plan is submitted, and if the plan is approved the California Environmental Quality Act (CEQA), the process will begin and allow the community to review and comment on the plan and the studies associated with the plan. Ms. Link noted the people Mills have met with some businesses, community groups, and Chambers of Commerce. As the plan is further developed the newsletter will start going out to the community, and that there will be publicized public meetings. There is still work to do studying the site and doing the title and survey work, along with the preliminary traffic study, along with many of the technical pieces that will be submitted by October 15, 2004. Mills will also be developing the logistics of the project on keeping the fair and the functions that go on there all year around while doing the project construction. Ms. Link noted speaking with prospective tenants with a favorable response and the continuing talks.

Francisco Gutierrez, Architect and Master Planner for the Mills Corporation, discussed the corroboration in the development of the Master Plan, the changing plan, and further outlined some of the plans that will allow year around activities in all new facilities, these facilities will work together to create a new refreshing space that is a new destination for the community. Mr. Gutierrez further described the grounds surrounding a large outdoor public space, and an arena that could include a lot of restaurants and entertainment venues.

Ms. Link discussed the importance of agriculture to the County, the opportunity to showcase agricultural products from the County and the area, most Mills projects have about 15 million visitors a year, discussed the importance of controlled growth, to ensure easy access to and from the area, and that Mills does know how to do traffic.

Responding to questions posed by Supervisor Kondylis regarding keying in on one particular concept, Ms. Link noted that one particular plan will be chosen based on the input from the public now and through the CEQA process, the adhoc committee made it clear that the fair and the other destination venues are to be intermingled, it is the responsibility of Mills to work with the fair to develop this fair of the future.

Supervisor Kromm commented favorably on the market place idea and the marketing of ag, voiced concern with the vast amount of parking, pedestrian access, and inquired if there are any similar projects to this one, Ms. Link noted there will be parking and Mills needs to ensure the parking is used with the goal to be as efficient as possible, and there will be a pedestrian plan, but it is a bit early. The focus currently is on how the uses will integrate and the best places to locate the different uses; Ms. Link further discussed the traffic study and feels mass transit will be integrated in the future, discussed working with Triad Corporation, and will work with any other pockets of redevelopment to make this a better live/work/play scenario. Ms. Link noted there are no other projects like this one, feels this is a unique opportunity for Mills being the first project focusing on agriculture.

There was a brief discussion regarding tenants, the real need in Vallejo for a good food market such as Trader Joes and a bookstore.

Responding to questions posed by Supervisor Forney regarding hurting local businesses, Ms. Link noted Mills will speak with anyone with concerns, discussed studies on local impacts and the positive impacts in the community.

Cheryl Hines, representing Solano Mall L.P., noted support for redevelopment of the fairgrounds, voiced concern with the large scale of the Mills Corporation proposal, with the amount of retail being considered that could impact Fairfield, Vacaville, Dixon, and downtown Vallejo. The Solano Mall is the largest single source of retail sales tax revenue to the City of Fairfield, and a major retail complex on the fairgrounds could impact the Solano Malls ability to maintain the large contributions. Ms. Hines

voiced concern with the increased traffic in the area, the impacts to the quality of life, in summary Solano Mall is concerned about the economic impact of the proposal on the region, municipal tax revenue streams, and quality of life issues and urged careful consideration of this project. Ms. Hines suggested independent impact studies be done to ensure all business will be able to survive and compete, and an independent traffic study be done to assess this projects impact on the region. Ken Finney, on behalf of Solano Mall, submitted a letter dated August 3, 2004, incorporated herein by reference, relating to the public participation portion of the process. Mr. Finney noted there are many things that need to happen before October 15th, just 4 months away, and feels Mills is not meeting their obligation as per the Memorandum of Intent (MOI). The failure with respect to public information is denying the public a meaningful role in the decisions for the publicly owned fairgrounds. Mr. Finney outlined some of the issues relative to the public outreach such as the very small-scale preliminary site plans, there are no meaningful elevations or architectural renderings, and further outlined concerns noted in his letter that do not comply with the MOI. Mr. Finney feels a project of this scale requires public participation, the MOI calls for that in a very short time to make a decision on the project Mills will propose. Chairman Silva briefly discussed commercial competition and business supporting business, and noted Mills submitted this report on time, as required.

27B. RESOLUTION NO. 2004-152 CALLING A SPECIAL ELECTION TO VOTE ON A TRANSPORTATION RETAIL TRANSACTIONS AND USE TAX MEASURE, ADOPTED

The Board was provided with an Agenda Submittal from the Department of Resources Management/Public Works Division dated August 3, 2004, incorporated herein by reference, regarding placing the Countywide Transportation Sales Tax Measure on the November 2, 2004 Ballot.

Donald Tipton, Vallejo, voiced opposition to the measure, feels this has be presented to the voters before and it has failed, voiced concern with overspending by CalTrans, congestion at the bridge toll booths, erratic drivers, and the need to deal with the entire problem.

Supervisor Kromm noted opposition to the transportation plan, but is in favor of placing the measure on the ballot. Supervisor Kromm noted diversion of funding gathered via Proposition 42 by the State, and the problems with Regional Measure 2 with spending much of that money for transit projects, and feels the plan does not address the real root problem of traffic the disconnect between jobs and housing.

Supervisor Kondylis noted support to place the measure on the ballot that allows the public to be heard, this is an opportunity to educate the public about transit, and the Solano Transportation Improvement Authority will pay for the costs for the election.

Supervisor Vasquez commended Supervisors Kondylis and Kromm for allowing the Democratic process to move forward.

Supervisor Forney noted support for the plan and will be campaigning for the measure.

Chairman Silva feels it is sad that local government has to do this to fix our roadways, and noted the dollars raised here will stay in the County.

On motion of Chairman Silva and seconded by Supervisor Forney, the Board acted to adopt Resolution No. 2004-152. So ordered by a vote of 5-0. (see Resolution Book)

23C. PRESENTATION BY MEMBERS OF THE SOLANO COUNTY DELEGATION REGARDING THE JUNE, 2004 VISIT TO JI'AN, PEOPLE'S REPUBLIC OF CHINA, RECEIVED

SISTER CITY PROGRAM BETWEEN SOLANO COUNTY AND THE CITY OF JI'AN, APPROVED

FORMATION OF A NON-PROFIT CORPORATION TO SUPPORT SISTER CITY EXCHANGES WITH THE CITY OF JI'AN, APPROVED

County Administrator Michael Johnson noted the delegation consisted of Supervisor Vasquez and his wife Shelli, Quang Ho, and himself and presented a video presentation showing photographs, points of interest from the trip, and a brief recap of the events that took place on the trip. Mr. Johnson noted it was a fantastic experience; the Chinese people were very gracious and expressed great interest in cultural and student exchanges.

Supervisor Vasquez discussed what a memorable experience the trip was, the willingness on both sides to want to understand each other, encouraged the Board to create the Sister City Program, and noted how supportive C.C. and Regina Yin have been and would look forward to their participation,

guidance and support for the Sister City Program.

Supervisor Kondylis noted support of the Sister City Program and formation of the non-profit corporation to ensure activities are not done with public money, supports the people to people connection this program will foster, and feels it will be very educational.

C.C. Yin, Vacaville, noted he and his wife Regina were born in China, has lived in the County for 30 years, feels Solano County will play a major role in the growth of California, discussed the importance of taking a leadership role, how a like people really are, and is proud to be part of the development team for the Sister City Program.

On motion of Supervisor Vasquez and seconded by Supervisor Kondylis, the Board acted to receive the presentation by members of the Solano County delegation regarding the June, 2004 visit to Ji'an, People's Republic of China, to approve the Sister City program between Solano County and the City of Ji'an, and to approve formation of a non-profit corporation to support Sister City exchanges with the City of Ji'an. So ordered by a vote of 5-0.

25. PRESENTATION ON THE FOOD BANK OF CONTRA COSTA AND SOLANO, ON THE FOOD DISTRIBUTION, RECEIVED

Larry Sly, Executive Director of the Food Bank of Contra Costa and Solano, discussed the changes in food distribution in the County to improve the way the food bank gets the food to the hungry people they serve at a lower cost. Mr. Sly discussed the Food Bank's strategic plan that focuses on food resources, administration, agency relation efforts, and financial viability. The Food Bank is developing plans to get more food to clients through the agencies they serve, through analysis it was found that agencies located near the Food Bank warehouses were getting huge amounts of food where others were getting very little. Mr. Sly discussed a new distribution system where agencies place their order for food, it is then delivered, and there are four new agencies in Vallejo coming to the Food Bank. This new system has increased the amount of food that is distributed, and the plan is working resulting in the need for less warehouse space. The Food Bank intends to find a smaller warehouse in the Fairfield area, and will allow many of the same functions that we had at the Suisun facility, cut costs, and will allow distribution the way it needs to be done.

Mr. Sly continued the presentation noting the biggest change was the closure of the Friday's Table distribution, which the landlord will not allow. The program is being transitioned to St. Marks Lutheran Church. There are about 40 more people going to St. Marks for Saturday distribution, and there are about a dozen agencies in Fairfield that get food from the Food Bank and the Food Bank is trying to transition the Friday's Table clients to go to those agencies. The Food Bank needs to work effectively with the agencies to get more food out to the needy people in the County.

Mr. Sly outlined surveys that are being done regarding agency satisfaction, and preliminary findings are running about 90% satisfaction, discussed a committee to address problems that come up, and knows they can do their job better by implementing changes, and feels the changes are working well and will be implemented in Contra Costa County.

Responding to questions posed by Supervisor Kondylis relative to the correlation between poverty and obesity, Mr. Sly discussed distributing foods that are in the Nationally approved food guidelines, the changes in the types of food they are receiving, and an increase in perishable products that may help address obesity and augment health issues.

Supervisor Kromm noted people in Fairfield thought the services had been diminished, and noted that now there are services available at more sites.

Mary Ann Jordan, St. Marks Lutheran Church, discussed the food pantry at St. Marks, very interested in the changes, voiced concern on the amount of misinformation there is, clients and volunteers are confused, and is concerned that St. Marks is not getting the number of clients they had anticipated with the closure of Friday's Table. Ms. Jordan posed questions relative to delivery of food, if food collected in the County will stay here, and noted the need to know what is really going to take place relative to deliveries and the amount of food that St. Marks will be getting.

Responding to the concerns voiced by Ms. Jordan, Mr. Sly noted all food collected in the County will stay here, addressed some of the difficulties being experienced during the transition, and agreed to meet with Ms. Jordan to address specific issues.

23A. STATUS REPORT ON LEGISLATION OF IMPORTANCE TO SOLANO COUNTY RECEIVED

BOARD EXPRESSED SUPPORT FOR AB 2683 (LIEBER) SMOG CHECK

Paul Yoder, Legislative Analyst, reviewed the information contained in the Agenda Submittal from the County Administrator's Office dated August 3, 2004, incorporated herein by reference. Mr.

Yoder discussed the 2004/2005 State Budget that the Governor has signed with about \$100 million in reductions, issues that held up the budget that included the Local Government Deal and further outlined the critical points of that agreement that will be on the November Ballot as Proposition 1A and Proposition 65. Mr. Yoder discussed the two initiatives that will be on the ballot and the confusion the voters will experience, the Legislature funding the booking fees, Probation, the Williamson Act, the COPS Program, the Counties will not be hit with the Department of Child Support Services computer Program penalties, and county organized health systems will receive a 3% increase. Mr. Yoder discussed the lack of funding for mandated services with repayment in the future, and noted it is up to the voters to determine the fate of the counties over the next decade.

Responding to questions posed by Supervisor Kromm relative to passage of Prop 65, Mr. Yoder feels the Courts would have to sort out the competing ballot measures, and discussed groups that are opposed to the Local Government Deal.

A short discussion followed regarding support for and opposition to the propositions and the votes required to by future Legislatures to suspend the provisions of the deal.

Supervisor Kromm posed questions regarding cuts in the budget for CalWORKs and Child Welfare Services, Mr. Yoder noted there were also cuts in Mental Health System of Care Program, and further discussed the line item veto, and a possible initiative on the November ballot to tax millionaires to pay for Mental Health Services in California.

Supervisor Kromm discussed AB 2683 freezing the Rolling Smog Check Exemption at 1975, and suggested the County take a position of support for this legislation. Briefly the board discussed the exemption for new cars and not having to have some new cars checked for six years.

There was a consensus to add AB 2683 to the County Legislative Platform with the position of support.

23B. PRINCIPLES FOR ESTABLISHMENT AND OPERATION OF THE PENSION FUNDING ADVISORY COMMITTEE, ADOPTED

PRINCIPLES FOR USE AND OPERATION OF PENSION FUNDING STABILIZATION FUND, APPROVED

APPROPRIATION TRANSFER REQUEST IN THE AMOUNT OF \$8,413,444 INTO THE DEBT SERVICE FUND

APPROPRIATION TRANSFER REQUEST IN THE AMOUNT OF \$1,137,284 TO RECORD APPROPRIATIONS FOR THE PERS TRAN TRANSACTION FOR FY2004/05, APPROVED

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated August 3, 2004, incorporated herein by reference, regarding the establishment, principles and operations of the Pension Funding Advisory Committee and the Pension Obligation Stabilization Fund. Mr. Hayes highlighted that included in the policy that in the future all PERS contributions be funded at the normal cost. Four major changes are: 1. The committee structure be revised to include one person from the outside – possibly one from another PERS agency; 2. Language in the Indenture limiting the ability to use the funds – to payoff bonds early, to make debt service payments, or to offset additional PERS costs; 3. Develop a policy and procedures manual to institutionalize the program; 4. To retain an Actuary to annually advise the County.

Supervisor Kromm posed questions regarding the PERS TRAN of building up the fund and borrowing from ourselves to save pay off costs early, Mr. Hayes noted that was one idea, or depending on what the markets are like, investing the money, but noted that the County Treasurer in cooperation with the committee would make those decisions.

Responding to questions posed by Supervisor Kromm regarding costs of the Actuary, committee structure, feels that someone that is recently retired could be very beneficial and suggested the wording say "An outside member from a local PERS agency" and suggested changing that to read "An outside member with significant local PERS experience", Mr. Hayes noted costs could range from \$2,000 to \$6,000 per year for the Actuary, and discussed how the committee will work and felt someone from another PERS agency or someone that has worked for a PERS agency will have an understanding of the PERS system.

Chairman Silva noted an organization in the County of former PERS agency employees, as a potential pool of candidates.

On motion of Supervisor Kromm and seconded by Supervisor Forney, the Board acted to adopt the principles for establishment and operation of the Pension Funding Advisory Committee, to approve the principles for use and operation of Pension Funding Stabilization Fund, to approve the

appropriation transfer request in the amount of \$8,413,444 into the Debt Service Fund, to approve the appropriation transfer request in the amount of \$1,137,284 to record appropriations for the PERS TRAN transaction for FY2004/05 and to require that a recent retiree be involved as an outside committee member. So ordered by a vote of 4-0; Supervisor Kondylis excused.

24. MEMORANDUM OF UNDERSTANDING WITH THE CITIES OF BENICIA, DIXON, FAIRFIELD, RIO VISTA, SUISUN, VACAVILLE, VALLEJO AND THE SOLANO EMERGENCY MEDICAL SERVICES COOPERATIVE ON JOINT SOLANO EMERGENCY COMMUNICATIONS ACTIVITIES (SECA), APPROVED

COUNTY ADMINISTRATOR TO APPOINT REPRESENTATIVES TO THE SECA STEERING COMMITTEE AND THE SECA IMPLEMENTATION SUB-COMMITTEE

Chief Information Officer Ira Rosenthal reviewed the information contained in the Agenda Submittal from his department dated August 3, 2004, incorporated herein by reference, regarding the Joint Solano Emergency Communications Activities. This agreement lays out a mode of operating between the County and the cities for accomplishing a number of activities to resolve the radio inoperability problems. There are two governance structures, the Steering Committee and the Implementation Subcommittee and Mr. Rosenthal outlined the responsibilities of the groups.

Responding to questions posed by Supervisor Vasquez regarding the term of the agreement being 3 years with a 1-year withdrawal, Mr. Rosenthal noted there are notification requirements for withdrawal from the agreement, and further discussed input from all the city attorneys over the last year. It still is not clear on what the financial impacts might be and some of the members wanted an escape clause, and noted the members that withdraw will still have to pay for benefits they have received due to this MOU, and feels it is unlikely that any of the cities will withdraw due to the emerging Federal Standards for communications.

County Administrator Michael Johnson noted discussion by the City Managers that in case of an emergency ensuring that all the cities and the County can talk to each other, and the mutual interest for interagency communication that will keep members in the group.

Following comments by Supervisor Forney about including Travis AFB, Mr. Johnson noted Travis is in the loop, and Mr. Hayes noted that due to Federal restrictions Travis cannot be part of the system. Donald Tipton, Vallejo, voiced concern that East Vallejo Fire Protection District (EVFPD) is not included, with changes relative to the EVFPD that did not come to the Board acting as the EVFPD Board of Directors, with the County paying a large percentage of the cost when the population of the unincorporated area is low, with a Valero Fire District, and the need to include Travis AFB.

Mr. Johnson noted the Valero Refinery has its own fire department, the EVFPD has no communications and is taken care of through the City of Vallejo, and discussed the funding ratios.

On motion of Supervisor Forney and seconded by Supervisor Kromm, the Board acted to approve the Memorandum of Understanding with the seven Solano County Cities and the Solano Emergency Medical Services Cooperative for Joint Solano Emergency Communications Activities. So ordered by a vote of 4-0; Supervisor Kondylis excused.

27A. ORDINANCE NO. 1649 AMENDING CHAPTER 28, SECTION 28-15 OF THE SOLANO COUNTY CODE TO REZONE 25 ACRES OF PROPERTY LOCATED ¼ MILE EAST OF ENGLISH HILLS ROAD AND NORTH OF SKYHAWK LANE APPROXIMATELY FIVE MILES NORTH OF THE CITY OF VACAVILLE, FROM EXCLUSIVE AGRICULTURE (A-20) TO RURAL RESIDENTIAL (RR-5) (GOURLEY), ADOPTED

On motion of Supervisor Vasquez and seconded by Supervisor Kromm, the Board directed that the proposed ordinance be read by title only. So ordered by a vote of 4-0; Supervisor Kondylis excused. Principal Planner Harry Englebright, Department of Resources Management, reviewed the information contained in the Agenda Item from his department dated August 3, 2004, incorporated herein by reference, regarding Rezoning Petition Application Z-03-05 on approximately 25 acres located in the English Hills area north of Vacaville from A-20 Exclusive Agriculture to RR-5 Rural Residential.

Responding to questions posed by Supervisor Kromm regarding why the two of the four parcels connecting to the Rural North Vacaville Water District (RNVWD) are not being cut down to 2 ½ acre parcels, Mr. Englebright noted lots that are 2 ½ acres must front on a public road and that Skyhawk Lane is a private road. The cost to develop Skyhawk to a public road would be quite high.

Chairman Silva 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 Forney and seconded by Supervisor Vasquez, the Board acted to approve the mitigated negative Declaration of Environmental Impact, and to adopt Ordinance No. 1649. So

ordered by a vote of 4-0; Supervisor Kondylis excused.

27C. REPORT ON STREET LIGHTING IN SOLANO COUNTY RECEIVED

Paul Wiese, Resources Management/Public Works Division, reviewed the information contained in the Agenda Submittal from his department dated August 3, 2004, incorporated herein by reference, regarding an update on street lighting in the County. Mr. Wiese outlined the options for streetlights, types of lamps used in streetlights, and a variety of photos of streetlights in the County. Mr. Wiese noted the only areas that are not fully lit are Lower Green Valley and Willotta Oaks Subdivision, and would recommend looking at installing additional light in those areas, that could be done by conducting public meetings to get the residents input on what they would like to see.

Chairman Silva feels Lower Green Valley and the Willotta Oaks Subdivision will only want additional lighting at hazardous intersections, but a public meeting is the way to get the residents input.

Donald Tipton, Vallejo, noted the need to ensure the existing streetlights are maintained, noted the 78 lights that were installed were needed, voiced concern with maintenance of the existing lights, Mr. Wiese was instrumental in getting the additional lights in Homeacres, noted that he is the only person here asking for additional lights, and commented on the light shields on lights.

Mr. Wiese discussed working with the lighting districts that were not fully lit, strong support for streetlights in Elmira and a few courts in Green Valley, and adequate funding to install additional lights.

Chairman Silva suggested, from a safety point of view, to work with the Sheriff and deputies to identify hazardous areas and areas that would assist the officers and increase the safety of the people in the neighborhoods if there was additional lighting. Chairman Silva noted the need to look at all areas of the County for examples of lighting that can be used.

Supervisor Vasquez feels the Sheriff's Office should be consulted for recommendations for additional lights.

Supervisor Kromm feels the uniform policy for lights should be for full cutoffs to ensure we are lighting that specific area and not lighting the night sky. In residential communities the County should consult with the neighbors on the types of lights they would like to have.

27D. REPORT REGARDING THE STATUS OF SOLANO COUNTY CODE ENFORCEMENT EFFORTS RECEIVED

POLICY FOR PRIORITIZING CODE ENFORCEMENT RESOURCES, AFFIRMED

Director of Resources Management Birgitta Corsello reviewed the information contained in the Agenda Submittal from her department dated August 3, 2004, incorporated herein by reference, regarding a status of Code Enforcement efforts, and to affirm the current direction and policy on prioritizing Code Enforcement activities. Ms. Corsello highlighted the Code Enforcement Flowchart, efforts to prevent demolition and encourage rehabilitation of problem houses, noted that the department is rethinking the process for code enforcement that will work, and requested input from the Board and affirmation of the policy and for the three avenues for compliance.

Supervisor Kromm noted the Tax Collector's Office should be receiving a report from the State Board of Equalization on Sales Tax that could be used to help identify business that are operating without permits.

Ms. Corsello noted in June there were approximately 780 active complaints, some being multiple properties with multiple complaints, receives about 200 new complaints a year with only about 1/3 to 1/2 being code enforcement cases, a majority of the complaints are resolved through voluntary compliance, that a small percentage of the cases end in court. Currently there are two cases in court, three that have been authorized to file, and there are eight or nine the District Attorney is investigating. Ms. Corsello further discussed the coordinating meetings with the District Attorney on what form of action to take on the cases.

Supervisor Vasquez noted speaking with the Grand Jury relative to Code Enforcement, and feels the County should take the approach to not go in full force but go in and work with folks and be sensitive to that person's situation. We don't want to criminalize the public, and hopes we would take a common sense approach. There are good and bad customers, but we are public servants and here to help.

Donald Tipton, Vallejo, endorses the program being presented, voiced concern with the system being used to track complaints, the most current list he has gotten has many items that have not been verified, complaints on the list need to be verified within a certain number of days, the complainant should be notified as to the course of action/or not the County will be following, and feels that

complaints should only be removed from the list after they are resolved.

Ms. Corsello discussed the complaint tracking system and modifications that are being done, noted that all complaints do not result in a code enforcement issue or an active investigation, again noted tasking a person to do a drive by and initial review in the field within 30 days, to issue a fix-it ticket or a letter notifying the person of the violation and requesting correction. Ms. Corsello noted some of the cases will be moved to an inactive status and explained how they would be reactivated, and further training and improvements that will be done relative to the complaint tracking system. Chairman Silva feels this is a good policy, discussed how some complaints do resolve themselves, this is a good start to begin with the 700, the department is making a difference but will lobby for more code enforcement officers in the future, and feels the most difficult code enforcement issue is abandoned vehicles, and thanked staff for all the hard work and improvement. Supervisor Kromm noted the code enforcement complaints have steadily declined showing the department is doing a good job in addressing the complaints when they come in, and appreciates the work.

On motion of Supervisor Kromm and seconded by Supervisor Forney, the Board acted to receive the report on the status of code enforcement efforts, to affirm the current direction and policy on prioritizing County code enforcement activity. So ordered by a vote of 4-0; Supervisor Kondylis excused.

27E. COST RECOVERY PROGRAM FOR THE CODE ENFORCEMENT PROGRAM, APPROVED

Director of Resources Management Birgitta Corsello reviewed the information contained in the Agenda Submittal from her department dated August 3, 2004, incorporated herein by reference, regarding options for recovery of funds for the Code Enforcement Program. Ms. Corsello noted the County receives between \$86,000 to \$91,000 a year on vehicle abatement where there are many repeat offenders, discussed the high cost of court cases and improving cost recovery, outlined the four alternatives listed in the report, and feels the Board may want to use some combination of alternatives.

Supervisor Vasquez noted information on the Business License Renewal Application is a way to ascertain information to determine changes to a business, and that the County should have the ability to inspect a business based on health and safety, responding Ms. Corsello noted changes to the intake form and the potential complaints from applicants this first year for the additional information that is being requested to establish an information baseline on the businesses. Ms. Corsello noted even with other staff members doing inspections there will still be cases the code enforcement staff must pursue, staff time tracking of functions and suggested taking that information for the code enforcement officer and added those costs be charged to the pertinent division's hourly rate to pass through and recognize work that is being done for other sections of the department.

Responding to questions posed by Supervisor Forney regarding informing the public of changes to the code enforcement process, Ms. Corsello noted code enforcement is complaint driven, discussed the process in educating and getting a voluntary compliance recognizing that there are a lot of regulations to be aware of, discussed public noticing and outreach efforts, and the many changes in State and Federal rules that the farmers must also deal with.

Supervisor Kromm posed questions regarding fees for business licenses, Ms. Corsello discussed the differences of fees for business licenses between the County versus the cities, and that the current County fee is based on the amount of time it takes to process.

County Counsel Dennis Bunting discussed looking into different ways of imposing fees, but that no determination would be made until a current court case is heard relative to charging fees.

Donald Tipton, Vallejo, requested a current list of complaints for the Homeacres area, feels the current complaints need to be resolved and where do we get the funds to do this, voiced concern that complaints are being submitted and not being looked at and resolved.

Chairman Silva noted that many of the complaints will be resolved; feels this process will greatly reduce the 700 complaints in the next six months, and that tracking of the cases will be easier. Supervisor Kromm noted that relating to alternative 3 for increase fee in business licenses, feels the department should do more research and come up with some good rational and quantify it to increase the fees; Alternative 2 supports coming up with an hourly rate, but that some thought needs to go into when you would begin charging and when the clock would start on a case; Alternative 4 feels this would be a problem with reallocation all the time; and suggested focusing more in the Alternative 2 area – the hourly rate piece, endorses a billing tracking system by item.

On motion of Supervisor Kromm and seconded by Chairman Silva, the Board acted to approve a combination of Alternative 2 and 3, as noted above. So ordered by a vote of 4-0; Supervisor

Kondylis excused.

ADJOURN - This meeting of the Board of Supervisors adjourned at 4:20 p.m.

JOHN F. SILVA, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors