

Minutes For July 22, 2003

The Solano County Board of Supervisors met in regular session on this day at 8:31 a.m. The meeting was called to order by Chairman Kromm. Present were Supervisors Silva, Vasquez, and Chairman Kromm, Supervisor Kondylis arrived at 8:44 a.m.

CLOSED SESSION: The Board moved into Closed Session at 8:32 a.m. to discuss Meet and Confer: Deputy Sheriff's Association, Units 3 & 4, and Correctional Officers, Unit 13 with Craig Jory, Chief Negotiator; Meet and Confer: All Bargaining Units, with Yolanda Irigon, Chief Negotiator. The Board moved out of Closed Session at 9:42 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:45 a.m. with the Pledge of Allegiance and a moment of silence.

PRESENTATIONS:

(Item 7A) RESOLUTION NO. 2003-155 RECOGNIZING JAMES JOHNSON UPON HIS RETIREMENT FOR HIS MANY YEARS OF SERVICE TO SOLANO COUNTY, AND PLAQUE OF APPRECIATION, APPROVED

On motion of Chairman Kromm and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2003-155. The Board further acted to authorize a Plaque of Appreciation for James Johnson. So ordered by a vote of 5-0. (see Resolution Book)

Mr. Johnson was unable to attend; the resolution and plaque were forwarded to him.

(Item 7B) PLAQUE OF APPRECIATION PRESENTED TO ROD HIGGINS, HEALTH AND SOCIAL SERVICES FINANCIAL ADMINISTRATOR

On motion of Supervisor Forney and seconded by Supervisor Kondylis, the Board acted to approve a Plaque of Appreciation for Rod Higgins, Financial Administrator in the Department of Health and Social Services, recognizing him upon his retirement after fifteen years of service to Solano County.

Mr. Higgins was unable to attend; the plaque was forwarded to him.

ITEMS FROM THE FLOOR

APPEARANCE BY MIKE MURASKO REGARDING ROAD PROBLEMS IN THE MIX CANYON/MILLER CANYON AREA

Mike Murasko, Vacaville, submitted a letter, incorporated herein by reference, expressing concern with unsafe areas on Mix Canyon Road that are impeding access to his property with equipment for maintenance and fire safety purposes. Mr. Murasko feels repairs done to the roadway were not done

correctly and feels the County needs to repair it.

Chairman Kromm noted a letter of response from Supervisor Vasquez was being submitted to Mr. Murasko, and further response would be coming from the Department of Transportation.

APPEARANCE BY DONALD TIPTON RE VARIOUS ISSUES

Donald Tipton, Vallejo, voiced his concerns regarding when the General Plan update for Homeacres would be done, with pollutants from the Valero Refinery, and the need to address mosquito abatement.

APPEARANCE BY FELICIA FLORES-WORKMAN RE STUDY OF THE HEALTH EDUCATION CLASSIFICATION SERIES

Felicia Flores-Workman, County employee, submitted a letter dated July 22, 2003, incorporated herein by reference, spoke on behalf of the employees in the Health Education classification series, offering assistance, providing additional information, demonstrating their willingness to work cooperatively, outlining recruitment, retention concerns and salary inequities.

APPEARANCE BY GEORGE GUYNN, JR. RE BUDGET CONCERNS

George Guynn, Jr., Suisun, voiced concern with the State budget crisis, the possibility of taxes being raised, with budget delays, and feels County government should be reduced and taxes cut.

APPROVAL OF AGENDA

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

(Item 17) Adoption of a resolution amending the Alphabetical Listing of Classes and Salaries to add the classification of Bioterrorism Preparedness and Response Program Manager with an approximate annual salary of \$59,813 to \$72,703; adoption of a resolution amending the Position Allocation List to add 1.0 FTE Limited Term Bioterrorism Preparedness and Response Program Manager and 1.0 FTE Limited Term Health Education Specialist II, removed from the Consent Calendar.

So ordered by a vote of 5-0.

CONSENT CALENDAR

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

(Item 9) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF JUNE 10, 2003, JUNE 17, 2003, AND AMENDED BOARD OF SUPERVISORS MINUTES OF MARCH 25, 2003, as outlined in the Agenda Submittal from the Clerk of the Board dated July 22, 2003, incorporated herein by reference, approved.

(Item 14A) RESOLUTION NO. 2003-156 ACCEPTING QUITCLAIM DEED FROM THE CITY OF VALLEJO DATED JULY 9, 2003 REGARDING REVERSIONARY INTERESTS IN THE SOLANO COUNTY FAIRGROUNDS PROPERTY, adopted. (see Resolution Book)

RESOLUTION NO. 2003-157 AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT AND CONSENT TO GRANTS CONVEYING INTERESTS IN REAL PROPERTY TO THE COUNTY OF SOLANO, adopted. (see Resolution Book)

(Item 14B) CERTIFICATE OF SATISFACTION OF MORTGAGE RE PROPERTY OF MARY E. FROLA, as outlined in the Agenda Submittal from County Counsel dated July 22, 2003, incorporated herein by reference, approved and Chairman authorized to sign said satisfaction on behalf of Solano County.

(Item 15A) RESOLUTION 2003-158 AUTHORIZING THE ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTES, SERIES 2003, FOR THE BENICIA UNIFIED SCHOOL DISTRICT, adopted. (see Resolution Book)

BENICIA UNIFIED SCHOOL DISTRICT AUTHORIZED TO ISSUE IN CONJUNCTION WITH OTHER SCHOOL DISTRICTS AND COMMUNITY COLLEGE DISTRICT, as outlined in the Agenda Submittal from the Treasurer/Tax Collector/County Clerk dated July 22, 2003, incorporated herein by reference, approved.

(Item 15B) TREASURER'S QUARTERLY REPORT FOR THE PERIOD OF APRIL 1, 2003 – JUNE 30, 2003, as outlined in the Agenda Submittal from the Treasurr/Tax Collector/County Clerk dated July 22, 2003, incorporated herein by reference, approved.

(Item 15C) RESOLUTION NO. 2003-159 AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, ELECTION OF 2001, SERIES 2003; PRESECRIBING THE TERMS OF THE BONDS AND THEIR SALE; APPROVING FORMS OF FIRST SUPPLEMENTAL INDENTURE AND BOND PURCHASE AGREEMENT; APPOINTING PAYING AGENT; AND AUTHORIZING EXECUTION OF NECESSARY CERTIFICATES, adopted. (see Resolution Book)

(Item 16) RESOLUTION NO. 2003-160 AUTHORIZING CONVEYANCE OF A NON-EXCLUSIVE EASEMENT IN REAL PROPERTY TO THE CITY OF FAIRFIELD, adopted. (see Resolution Book)

(Item 18) RESOLUTION NO. 2003-163 PROCLAIMING AUGUST 2003 AS "CHILD SUPPORT AWARENESS MONTH" IN SOLANO COUNTY, adopted. (see

Resolution Book)

(Item 19) RESOLUTION NO. 2003-164 AUTHORIZING THE TRANSPORTATION DIRECTOR TO EXECUTE STATE MATCH PROGRAM AGREEMENTS WITH CALTRANS, adopted. (see Resolution Book)

(Item 20) APPROPRIATION TRANSFER IN THE AMOUNT OF \$275,000 FOR THE SOLANO COUNTY HOUSING AUTHORITY, as outlined in the Agenda Submittal from Environmental Management dated July 22, 2003, incorporated herein by reference, approved.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

(Item 21) RURAL NORTH VACAVILLE WATER DISTRICT

Minutes regarding this matter are contained in the Rural North Vacaville Water District Minutes Book.

ORDERS

(Item 17) RESOLUTION NO. 2003-161 AMENDING THE ALPHABETICAL LISTING OF CLASSES AND SALARIES (BIOTERRORISM PREPAREDNESS AND RESPONSE PROGRAM MANAGER), ADOPTED

RESOLUTION NO. 2003-162 AMENDING THE POSITION ALLOCATION LIST (LIMITED TERM BIOTERRORISM PREPAREDNESS AND RESPONSE PROGRAM MANAGER, LIMITED TERM HEALTH EDUCATION SPECIALIST II), ADOPTED

The Board was provided with an Agenda Submittal from Health and Social Services dated July 22, 2003, incorporated herein by reference, regarding some staffing for the Bioterrorism Preparedness and Response Program. Responding to comments by Chairman Kromm regarding shifting staff where possible to reduce layoffs, Assistant Director of Health and Social Services Stephan Betz noted where possible that is being done, but that the professional positions are being recruited.

Chairman Kromm voiced concern regarding using funds in this manner when the money would be better spent on programs.

Responding to questions posed by Supervisor Forney regarding why the positions are limited term, Emergency Medical Services(EMS) Director Michael Frenn noted funds are limited, and that when the plans are completed the positions will not be necessary. Mr. Frenn noted some of the benefits such as communication infrastructure that the County will see, most of the goals and objectives are being met by existing EMS staff, and noted that the County will see a substantially improved emergency medial system and emergency response capabilities.

On motion of Supervisor Silva and seconded by Supervisor Vasquez, the Board acted to adopt Resolution No. 2003-161 Amending the Alphabetical

Listing of Classes and Salaries (Bioterrorism Preparedness and Response Program Manager), and Resolution No. 2003-162 Amending the Position Allocation List (Limited Term Bioterrorism Preparedness and Response Program Manager, Limited Term Health Education Specialist II). So ordered by a vote of 4-1, Chairman Kromm voted no. (see Resolution Book)

(Item 23) CHANGE ORDER NO. 1 TO AGREEMENT WITH CLARK DESIGN/BUILD OF CALIFORNIA, INC. FOR THE SOLANO COUNTY GOVERNMENT CENTER PROJECT

COUNTY ADMINISTRATOR AND/OR DIRECTOR OF GENERAL SERVICES
AUTHORIZED TO SIGN FUTURE AMENDMENTS UP TO \$250,000

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated July 22, 2003, incorporated herein by reference, regarding a change order for the Government Center Project, and to authorize the County Administrator and/or the Director of General Services to sign future agreements or amendments that fall within the established project budget.

There was a brief discussion regarding the reuse of the Old County Courthouse that will be vacated when the Government Center is completed, childcare facilities, and final tenant plans.

Responding to comments by Chairman Kromm regarding placing a cap on the change order amount, and keeping the Board informed, Mr. Hayes noted any major changes would be brought back to the Board, discussed possible communications and data processing infrastructure upgrades creating change orders, and updates would be provided on a periodic basis during the change order process.

Supervisor Silva suggested setting the cap at \$250,000, with a report back to the Board on all change orders.

George Guynn, Jr., Suisun, voiced concern with the new building not being big enough, would like to get back to limited government, feels the money should be spent to generate real jobs, and feels everything should be done to reduce the cost of government.

On motion of Supervisor Silva and seconded by Supervisor Vasquez, the Board acted to approve Change Order No. 1 to the agreement with Clark Design/Build of California, Inc. for the Solano County Government Center Project and to authorize the County Administrator to sign the approved Change Order; to authorize the County Administrator and/or Director of General Services to sign additional agreements and/or amendments for an amount up to \$250,000 through final project completion that fall within the established project budget. So ordered by a vote of 4-1; Chairman Kromm voted no.

(Item 24) REPORT OF DELINQUENCY FOR MANDATORY GARBAGE COLLECTION, RECEIVED

\$50 LIEN PROCESSING FEE FOR THE PROCESSING OF REAL PROPERTY LIENS FOR UNPAID CHARGES, APPROVED

RESOLUTION NO. 2003-165 CONFIRMING DELINQUENT ACCOUNTS FOR GARBAGE COLLECTION, DISPOSAL AND RECYCLING SERVICES IN THE UNINCORPORATED AREA OF VALLEJO AND AUTHORIZATION TO PERFECT REAL PROPERTY LIENS, ADOPTED

Assistant Director of General Services Pam Ogle reviewed the information contained in the Agenda Submittal from her department dated July 22, 2003, incorporated herein by reference, regarding delinquent garbage accounts, and Ms. Ogle submitted an updated list of delinquent accounts, incorporated herein by reference.

Chairman Kromm opened the public hearing.

Donald Tipton, Vallejo, noted how well the quarterly cleanup days are working, and wants to ensure all parcels are being serviced.

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

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2003-165 Confirming Delinquent Accounts for Garbage Collection, Disposal and Recycling Services in the Unincorporated Area of Vallejo and Authorization to Perfect Real Property Liens. So ordered by a vote of 5-0. (see Resolution Book)

(Item 25) RESOLUTION NO. 2003-166 ENDORSING THE SHERIFF'S PROVISION OF TEMPORARY AND LIMITED LAW ENFORCEMENT SERVICES TO SUISUN CITY AS OUTLINED IN MEMORANDUM OF UNDERSTANDING (SO-MOU-02-03), ADOPTED

Sheriff Gary Stanton reviewed the information contained in the Agenda Submittal from his department dated July 22, 2003, incorporated herein by reference, regarding providing law enforcement services for the City of Suisun.

Responding to questions posed by Chairman Kromm regarding providing the service at a cost less than what the City of Suisun pays, Sheriff Stanton discussed the economy of scale, and the pay rate that is less than what the city pays.

Suisun City Mayor Jim Spering noted this agreement will greatly benefit the City of Suisun, discussed successful JPA's, noted this is an opportunity to enhance the Police Department, this is a one-year pilot project, and positive support by the community.

George Guynn, Jr., noted problems with the City of Suisun Police Department, overtime is a real issue, this will provide the public more service at a lesser cost, and feels this is a way to save money with efficiencies.

On motion of Supervisor Forney and seconded by Chairman Kromm, the Board acted to adopt Resolution No. 2003-166 Endorsing the Sheriff's Provision of temporary and limited law enforcement services to Suisun City as Outlined in Memorandum of Understanding (SO-MOU-02-03). So ordered by a vote of 5-0. (see Resolution Book)

(Item 26A) RESOLUTION NO. 2003-167 ADOPTING AN AMENDMENT TO THE SCHEDULE FOR ENVIRONMENTAL MANAGEMENT DEPARTMENT, PLANNING SERVICES DIVISION (APPEAL FEE), ADOPTED

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated July 22, 2003, incorporated herein by reference, regarding approving a \$150 fee to file an "Appeal to Planning Commission or Board of Supervisors" effective October 1, 2003.

Chairman Kromm opened the public hearing.

Donald Tipton, Vallejo, noted opposition to this fee, feels it is discriminatory against low income people, suggested the Assessment Appeals Board be used to hear appeals, voiced concern that the \$150 fee does not recover 100% of the cost, and with the 50% reimbursement if the applicant wins.

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

Supervisor Kondylis supports the fee, but would like to see a 100% reimbursement if the appellant is successful.

Chairman Kromm voiced concern with the 50% success reimbursement, and supports the \$150 fee.

On motion of Chairman Kromm and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2003-167 Adopting an Amendment to the Schedule for Environmental Management Department, Planning Services Division (Appeal Fee of \$150 with no refund). So ordered by a vote of 4-1; Supervisor Kondylis voted no.

(Item 26B) RESOLUTION NO. 2003-168 APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING A LEVY OF ASSESSMENT FOR LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT (GREEN VALLEY OPEN SPACE MAINTENANCE DISTRICT), ADOPTED

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated July 22, 2003, incorporated herein by reference, regarding the annual levying of assessments for the Green Valley Landscape and Lighting Maintenance Assessment District.

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

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2003-168 Approving Engineer's Report, Confirming the Diagram and Assessment and Ordering a Levy of Assessment for the Landscape and Lighting Maintenance Assessment District (Green Valley Open Space Maintenance District). So ordered by a vote of 5-0. (see Resolution Book)

(Item 27A) CYNDY GILL REAPPOINTED TO THE SOLANO COUNTY FAIR BOARD OF DIRECTORS

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board

acted to reappoint Cyndy Gill to the Solano County Fair Board of Directors for a term to expire August 1, 2007. So ordered by a vote of 5-0.

(Item 27B) BILL LUIZ REAPPOINTED TO THE SOLANO COUNTY FAIR BOARD OF DIRECTORS

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint Bill Luiz to the Solano County Fair Board of Directors for a term to expire August 1, 2007. So ordered by a vote of 5-0.

(Item 27C) JOHN HOGG REAPPOINTED TO THE VACAVILLE FIRE PROTECTION DISTRICT

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint John Hogg to the Vacaville Fire Protection District for a term to expire July 1, 2007. So ordered by a vote of 5-0.

(Item 27D) JOHN CONBOY REAPPOINTED AS A REGULAR MEMBER AND WESLEY LOW REAPPOINTED AS AN ALTERNATE MEMBER OF THE SOLANO COUNTY ASSESSMENT APPEALS BOARD

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint John Conboy as a regular member and to reappoint Wesley Low as an alternate member of the Solano County Assessment Appeals for terms to expire September 4, 2006. So ordered by a vote of 5-0.

(Item 27E) PATRICIA MOREIRA REAPPOINTED TO THE SOLANO COUNTY FAIR BOARD OF DIRECTORS

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint Patricia Moreira to the Solano County Fair Board of Directors for a term to expire August 1, 2007. So ordered by a vote of 5-0.

(Item 28A) ORDINANCE NO. 1632 AMENDING CHAPTER 28, SECTION 28-15 OF THE SOLANO COUNTY CODE TO REZONE PROPERTY LOCATED AT 4721 VALLEY END LANE, APPROXIMATELY 5 MILES WEST OF THE CITY OF FAIRFIELD, FROM RURAL RESIDENTIAL (RR-2.5) TO RURAL RESIDENTIAL (RR-5), ADOPTED

Scheduled on the agenda for this day was consideration of a proposed ordinance, which would approve Rezoning Petition Application Z-03-03 rezoning a .22-acre portion of a 4.0-acre parcel from RR-2.5 to RR-5 located at 4721 Valley End Lane, Green Valley area.

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

On motion of Chairman Kromm and seconded by Supervisor Silva, the Board acted to adopted Ordinance No. 1632 Amending Chapter 28, Section 28-15 of the Solano County Code to Rezone Property Located at 4721 Valley End Lane,

Approximately 5 Miles West of the City of Fairfield, from Rural Residential (RR-2.5) to Rural Residential (RR-5). So ordered by a vote of 5-0. (see Ordinance Book)

(Item 28B) APPEAL OF USE PERMIT APPLICATION U-79-49 MINOR REVISION #1, FOR GLENNA CRAIG, ARABIAN STAR EQUESTRIAN CENTER, DENIED

Alex Morin, Planning Services Division of Environmental Management reviewed the information contained in the Agenda Submittal from his department dated July 22, 2003 through a visual presentation, incorporated herein by reference, regarding the consideration of an appeal of the Planning Commission's decision to approve a Use Permit Minor Revision for the Arabian Star Equestrian Center. Mr. Morin began the presentation of what the minor revision is to accomplish, followed by a location map, a vicinity map, an Assessor Parcel Map, assorted photographs from different angles, an original site plan from October 1979, a current site plan, photographs of the dressage arena, the outdoor riding arena, overflow parking area, and other assorted photos of the property.

Chairman Kromm opened the public hearing.

Dale Sáre, Attorney for Mr. and Mrs. Anders, noted exception to the title as a "Minor" Revision and discussed expansion of the facility without permit, no review of the permit every 5 years, no environmental review with the expanded use, large horse shows, dust problems from the access road for the neighbors, deterioration of the road, the expansion of the 1979 use is not being addressed that presents a picture now for reduced use. The neighbors want staff to address concerns, would like paving, and address traffic problems when there are horse shows on the property. This action is really an expansion of use, not a reduction.

Responding to questions posed by Supervisor Vasquez regarding what illegal uses, Mr. Sáre noted the 1979 Use Permit did not allow horse shows, exhibitions or training sessions, it allowed a stable and rider training. The expansion occurred without permit and with the permit being renewed. Mr. Sáre noted three of the neighbors feel the operation is a nuisance and impacts them, and requested the matter be referred back to staff to work with the neighbors to mitigate the problems.

Carmen Valencia, Vacaville, noted the road is deteriorating, the road is unsafe when the trucks with trailers go in and out of the property during the summer, there are problems with flies, dust and there are odor problems.

There was a brief discussion and review of the Assessor's Parcel Map to outline the easements for these eight parcels, and the difference of an easement and a prescriptive easement.

Cathy DeFrancesco, Vacaville, noted purchase of the property in April 2003, feels the neighbors on the north side want to use the easement for the lots on the south side of the area, and feels the real issue is the use of those easements. Ms. DeFrancesco feels Ms. Craig is a good neighbor, and hopes this disagreement can be resolved.

Glenna Craig, owner, discussed the uses allowed with the original permit,

outlined current activities, and the voluntary reduction in activities.

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

Responding to questions posed by Chairman Kromm regarding the 1979 permit not being revisited, Mr. Morin noted in the past the use permit was updated administratively.

Supervisor Kondylis posed questions regarding removing barriers across the easement, County Counsel Dennis Bunting noted the barriers are an issue for the property owners to address, since it is a private road.

Supervisor Silva noted this is a rural area with rural activities, there have been no appeals in the past regarding activities on the property, inspections usually occur when there are calls, and there are issues that the property owners will have to resolve.

Responding to questions posed by Supervisor Kondylis regarding prevailing winds, and consideration of screening from the neighbors, Mr. Morin noted the winds blow north-west to south-west, and reviewed the photos to show that many of the improvements are down slope from the adjacent properties.

Chairman Kromm commented regarding regular compliance review, Director of Environmental Management Birgitta Corsello noted in the past and administrative review was done, the procedure has changed now requiring field inspections, and the Planning Commission now requires field inspections for 5-year interval use permits.

Ron Glas, Principle Planner, noted when the 5-year extension is done, notification is extended to the neighbors prior to an administrative approval inviting comment.

On motion of Supervisor Silva and seconded by Supervisor Vasquez, the Board acted to deny the appeal of Use Permit Application U-79-49 Minor Revision #1, for Glenna Craig, Arabian Star Equestrian Center, and to uphold the Planning Commission decision to approve Minor Revision #1 to U-79-49. So ordered by a vote of 5-0.

(Item 28C) APPEAL OF USE PERMIT NO. U-03-04 FOR THE FRED FINCH YOUTH CENTER, DENIED

Matt Walsh, Planning Services Division of Environmental Management, reviewed the information contained in the Agenda Submittal from his department dated July 22, 2003 along with a visual presentation, incorporated herein by reference, regarding the consideration of an appeal of the Planning Commission's decision to approve a Use Permit No. U-03-04 for the Fred Finch Center. Mr. Walsh reviewed the visual presentation outlining the proposal, a location Map, a Vicinity Map, Site Plan, Group Home #1, Group Home #2, Existing Access to Site, photos of buildings and views of the site, and the Planning Commission Approval.

Brief discussions followed regarding program licensing requirements and fencing.

Chairman Kromm opened the public hearing.

The following people spoke and/or submitted written communication to not

approve the Use Permit for the Fred Finch Youth Center:

Michael Privatte, Vacaville, feels there are discrepancies relating to current ordinances, that since there was a care home there previously that this care home should be placed in another neighborhood, voiced concern with potential security problems, and requested a decision be made at a future date to allow additional time for research by the homeowners.

Walter Brown, Vacaville, noted bad experiences with the Sierra Home children, and expressed concern regarding septic and water contamination.

Michael Chandler, Vacaville, expressed concern with the many hazards in the surrounding area such as the water canal and traffic on Midway Road where the children could be harmed, and with the ability for the Sheriff's Department to respond quickly.

Carolyn Flack, Vacaville, discussed the bad experience with the previous facility, fears there will be bad experiences with the children at the Fred Finch Center, and the increasing major traffic issues on Midway Road.

Betty Plowman, Vacaville, voiced concern with the high level needs of children that will be at this facility, with probable runaway children, and with fire safety concerns.

KC Giggey, Vacaville, submitted a chart of 120 police responses to the Oakland Fred Finch Facility, voiced great concern with the safety of her and her family, and feels the safety concerns have not been properly represented or addressed.

Carol Pruett, Vacaville, understand the need for this type of facility, but voiced concern with runaways and her safety.

Fred Buderl, Vacaville, read a letter voicing concern relative to the environmental review, and requested the Negative Declaration be revised to address additional issues, and circulated to the State Clearinghouse for review and comment.

The following people spoke in favor of approval of the Use Permit for the Fred Finch Youth Center:

John Steinfist, Fred Finch Youth Center, noted this is a community program, outlined the proposed program, staffing, and benefits, meetings with neighbors and noted there have been no problems for neighboring families near the Oakland campus.

Kathy Cramer, Deputy Director of Mental Health Department of Health and Social Services, discussed the tremendous need for this type of facility, collaborative efforts, assurances to work with neighbors to resolve concerns, oversight, and the benefits for County children.

Laura Fowler, Deputy Director of Child Protective Services Department of Health and Social Services, discussed special needs for some children, positive results from the Fred Finch Program, and the desperate need for this type of a program in the County.

Rebecca Lawson, Solano Parent Network, discussed the needs of her son, and how this program will benefit and keep her son here to receive treatment.

Janice Brown and daughter Jessica; Janice noted the difficulties in getting treatment for her daughter, and the benefits of the program; Jessica discussed the help she has received at Fred Finch and how she has improved.

Cecilia Mullaney, Solano Parent Network, noted the purpose of the Solano Parent Network, discussed personal family experiences, and how important this program is for the families of children in need in Solano County.

Joan Smart, North Bay Regional Center, discussed the collaborative effort to attract the Fred Finch Program, how the program is unique, the need to keep our children local, feels there will not be the problems with these children as with the children from the Sierra Home, and outlined the extensive oversight.

Carol Ueckert, Solano County Special Education Local Plan Area Coordinator, discussed difficulties in placing children in appropriate programs in the past, this program will provide appropriate treatment, the mandated requirements to provide educational programs as close to home for these children as possible, selective placements, and the need to keep the children here.

Annis Beutke, Oakland facility neighbor, noted the Fred Finch Facility has always been a good neighbor.

Katie Percy, Staff member and neighbor in Oakland, discussed experience of incidents with the kids that are typical of any teenagers, immediate response to correct problems, and how professionally staff works with the children to be good citizens.

Malcolm Askew, Program Director Fred Finch Center in Oakland, understands safety concerns, provided an actual accounting of the police calls by program at the Oakland campus, how staff handles incidents, 24/7/365 responsibilities, and responsiveness to the community.

Stephan Betz, Assistant Director of Health and Social Services, discussed responsibilities to the children and the neighbors, and the outstanding results this program has.

Dr. Bruce Andersen, Dixon, noted there are issues living in any community, and would welcome the program as a neighbor.

Nancy Gardner, Executive Director North Bay Regional Center, invited Fred Finch to the area to fill the dire need to serve the children closer to home, 5 year track record with similar program, and outlined the oversight and support this program will receive.

Joseph Martinez, Winters, discussed his personal experience with his brother, Chris who is developmentally disabled, as a functioning citizen, and presented a touching story about his friend Roy, who is developmentally disabled, the special talents Roy has, and how Roy and Chris have enriched his life. These are people who have a special need that we need to help.

Patrick Parker, Supervisor Avalon House-Level 14 Dual Diagnosis Program, discussed the clients, how staff interact relative to client behaviors, the importance of community based treatment, and noted that communication, prevention and safety are number 1 goals in the program design.

Kathy Jacobson, Chief Operations Officer Fred Finch, noted reasons for enthusiasm for the program to come to the County, program goals for the clients, the need to keep these local children near their families, Level 14 is a staffing ratio, and their commitments in the programs they do.

Mar Smith, Division Director Fred Finch Center, addressed many of the concerns voiced by previous speakers relating to safety, staffing ratios, finances, and cost effectiveness of the program.

There was a brief discussion regarding police calls, teaching the clients how to be good neighbors and part of the community, and operational financing. Sheriff/Coroner Gary Stanton noted research of police calls of the program resulting to nothing out of the ordinary for a youth center, legitimate concerns of the neighbors, if there are a high number of calls to the facility law enforcement will suffer, and noted concern with major traffic on Midway Road and recommended some deterrent to keep the kids off that road.

There were conversations with Sheriff Stanton regarding mutual aid with Vacaville, prioritizing calls and diverting services, with the Sheriff's satellite facility at the Nut Tree Airport, and periodic review of service requests.

Terry Schmidtbauer, Department of Environmental Management, address the water supply concerns and regulation of water supply by the State, and septic system that testing indicates is adequate.

Director of Environmental Management Birgitta Corsello responding to questions posed by Supervisor Vasquez regarding inspection and approval by the Dixon Fire District, noted the Dixon Fire District would be involved in the permitting of the facility, discussed fire suppression requirements, and the building permit process.

Responding to questions posed by Chairman Kromm regarding a Negative Declaration checklist approach, Deputy County Counsel Jim Laughlin noted he is confident that all legal requirements have been met regarding the posting of the Negative Declaration, the only State departments involved are the Department of Social Services to license the facility and for the water system permit from the Department of Health Services, and these agencies do not require review of the environmental documents prior to any approvals. Mr. Laughlin feels there is enough supporting documentation in the report to support the conclusions in the Negative Declaration, additional supporting information is available through the Department of Environmental Management. There was an ongoing use permit issued for the Sierra Children's Home at this site, which the use permit runs with the land, and now this will show as a change in ownership, not a change in use. The Negative Declaration looks at the ongoing operations at the site.

Responding to questions posed by Supervisor Kondylis regarding a vested right on the property, Mr. Laughlin noted the Negative Declaration also looks at new impacts that were not prevalent with the previous project.

Responding to questions posed by Supervisor Kondylis regarding repair of the group home where there was a fire, and the modular buildings and uses, Mr. Walsh noted the fire repairs had been accomplished, building permits are needed for the permanent installation of the modular buildings. The modular buildings are proposed to be used as classrooms.

Supervisor Vasquez questioned foundation requirements for the modular buildings, Mr. Walsh noted that the modulares can be placed on a foundation, and the foundation has stricter standards.

Chairman Kromm suggested a status report be brought back to the Board in one year including information from Environmental Management, the Sheriff's Department, and Children's Mental Health.

Supervisor Silva discussed the inter-agency intake committee that will screen

the clients to see if they qualify for the program.

Supervisor Forney noted the importance of follow-up to ensure the program is running properly and the neighbors are not having problems, but noted this is an opportunity for the children in the County.

Supervisor Kondylis noted children are the number 1 priority of the Board, the need to treat the children near their families, and the importance for the program to succeed.

Chairman Kromm closed the public hearing.

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to deny the appeal of Use Permit No. U-03-04 for the Fred Finch Youth Center, and to require a status report on the program and facility be brought back to the Board in one year. So ordered by a vote of 5-0.

ADJOURN - This meeting of the Board of Supervisors adjourned at 5:42 p.m.

Duane Kromm, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors