

Minutes For November 22, 2005

SOLANO COUNTY BOARD OF SUPERVISORS

November 22, 2005

MINUTES

The Solano County Board of Supervisors met on the 22nd day of November, 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, and Vice-Chair Vasquez. Chairwoman Kondylis arrived at 8:40 A.M. Also present were Michael D. Johnson, County Administrator and Dennis Bunting, County Counsel.

Agenda Item No. 3
Closed Session

The Board of Supervisors recessed this meeting at 8:35 a.m. to convene in Closed Session on the following matters:

- A. Labor Negotiations: Attorneys, Unit #1, represented by Teamsters Local 228, Chief Negotiator: Craig Jory
- B. Real Property Negotiations: Property Address: 740 Coach Lane, Vallejo, CA 94589; Negotiating Parties: Veronica Ferguson, Mark Bryant and Kim Alexander-Yarbor, Solano County, and John Heubner, Genever Fox and Mike Brown, Property Owners; Under Negotiation: Price and Terms
- C. Real Property Negotiations: Property Address: 600 Kentucky Street, Fairfield, CA 94533 (Fairfield Post Office) APN: 0030-151-030-and 0030-161-030. Negotiating Parties: Veronica Ferguson, General Services Director and Mark Bryant Real Property Manager for Solano County, Curt Johnston and Jay Trottier for City of Fairfield. Under Negotiations: Price and Terms

Open Session

The Board of Supervisors reconvened in Open Session at 9:25 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

This meeting of the Board of Supervisors continued with the Pledge of Allegiance and a Moment of Silence.

Presentations

The Board of Supervisors made the following presentations:

- 2. Adopted and presented Resolution No. 2005-233 and plaque of appreciation recognizing Skip Thomson for his service to the residents of Solano County as Assessor/Recorder and a Member of the Board of Supervisors. (see Resolution Book)

MOTION: Kondylis. SECOND: Reagan.

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

3. Presented Proclamation of the Solano County Board of Supervisors designating November, 2005 as National Family Caregiver's Month in Solano County.
4. Received the Solano Transportation Authority's (STA) Safety Project of the Year Award for 2005 for the Abernathy Road – Rockville Road Roundabout. Presented the California Legislature Certificate of Recognition for the STA Safety Project of the Year Award for 2005. Directed the County Administrator to contact the California Highway Patrol (CHP) to request participation of a CHP liaison on the STA.
5. Presented certificates of completion to the first graduating class of the Solano County Supervisory Training by Solano Community College Representatives Dr. Charles R. Shatzer, Associate Vice President for Workforce and Community Development and Lisa LaFarga Steven, Project Manager. Participants included Linda Pinfold, Venis Jones Boyd, Ed Bruce, Alma Hazzard, Jim Ferguson, Elaine Epstein, Wendy Murrell, Jennifer Baker, Tamie Tvrdik, Lee Ann Austin, Marilyn Ojeda, Emily Smith, Don Evans, Lisa Wilson, Wayne Spencer, Greg Hamtil, Steve Leutholtz, Gene Ledo, Rick O'Neill, and Ruth Rich.
7. Adopted and presented Resolution No. 2005-234 and plaque of appreciation to retiring Supervising Librarian, Leslie Westbrook for 20 years of service. (see Resolution Book)

MOTION: Silva. SECOND: Vasquez.

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

8. Adopted and presented Resolution No. 2005-235 declaring December 1, 2005 as "World AIDS Day" and recognized the Solano AIDS Quilt. (see Resolution Book)

MOTION: Kromm. SECOND: Kondylis.

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

Items From the Public and Board Member Comments

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. Nicole Arnold, introduced herself as the new Napa Solano field representative for the Greenbelt Alliance.
- B. Bernard Moore requesting the removal of a pump house that had been built on an easement of his property.
- C. Donald Tipton, Vallejo, expressed his concern regarding the format of the new electronic agenda, homelessness of children in Solano County, and the readiness of Solano County in the event of a disaster.
- D. Supervisor Kromm requested that this meeting of the Board of Supervisors be adjourned in memory of Valerie Ansley.
- E. Supervisor Kromm noted that correspondence had been received requesting that a local ordinance be adopted requesting pharmacies to take pseudo ephedrine off the shelf and requested that this matter be placed on a future agenda.
- F. Supervisor Kromm requested that a matter be placed on a future agenda to express support in reference to protecting the California Coastline by advising the Department of Interior of the County to support the continuation of an existing moratorium on leasing exploration and development of the El Continental Shelf for the drilling of oil.
- G. Supervisor Kromm noted that he recently represented the California Supervisors Association of Counties (CSAC) regarding the Indian Gaming Regulatory Act and resolve the issue of reservation

shopping for good marketing sites instead of historical sites.

H. Supervisor Vasquez noted that he attended the 2006 Universal Health Coverage meeting and noted that people were willing to tax themselves to provide coverage for children.

I. Supervisor Kondylis requested that the Board receive a presentation by the Water Authority regarding earthquake awareness and the implications of a major event in terms of levee failures and highway failures.

J. Supervisor Reagan noted that at the Delta Protection Commission meeting the State Department of Water Resource announced that the administration has taken a position that in a disaster, the State would take the lead but not the repair of the levee or reclamation of the land behind the levee unless a statewide interest was involved such as Highway 12, railway corridors, or transfer of water to the south.

Recess

This meeting of the Board of Supervisors was recessed at 10:45 a.m. and reconvened at 11:00 a.m. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 9

Presentation - Lake Berryessa Visitor Services Plan

Received a briefing from the Federal Bureau of Reclamation concerning the Final Environmental Impact Statement (FEIS) recently made available for the Lake Berryessa Visitor Services Plan (VSP). The Board expressed concern regarding the police patrol of the Lake, removal of existing trailers, availability of permanent type mobile homes, current contracts of existing businesses and the rebidding of those contracts, maintenance of roads to launching ramps, available facilities for the public, plan would reduce the use of the Lake to the public, and the Plan was insensitive to the public need.

Supervisor Reagan suggested that the Bureau of Reclamation look at developing additional resorts to meet their goal of increasing public access and increase environmental control of existing resorts. Supervisor Reagan noted that the goal should be to increase economic activity to cover costs. Public comments were received and concerns expressed regarding the economic feasibility of the Plan, established business that will be lost and not available to the public, the re-establishment of new facilities, trailer leases would end which provide a source of funding year around, businesses would not be reimbursed for their losses, public access to the Lake would be reduced due to the steep terrain, number of cabins and campsites would be reduced, the need for recreational areas that provide a wide variety of recreational uses for the residents of Solano County and improve health and fitness, and economic loss to businesses that support activities at the Lake such as boat suppliers.

Recess

This meeting of the Board of Supervisors was recessed at 12:05 p.m. and reconvened at 2:00 p.m. All members were present. Chairwoman Kondylis presided.

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. Donald Tipton, unincorporated Vallejo, expressed concern regarding Item No. 12 relating to a lease agreement with CMT Federal Credit Union for the installation of an Automated Teller Machine (ATM) and no surcharges associated with use of the ATM payment by the Credit Union. Mr. Tipton noted that the County should receive revenue from the Credit Union for the use of a County facility for their ATM machine.

Approval of Agenda

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

Item No. 6 – Certificate of Appreciation to James and Susan Syar (the Syar Foundation) for their donation toward the purchase of Automated external Defibrillators for use by the Sheriff's patrol officers in their patrol vehicles continued to January 24, 2006.

Item No. 15 – Time extension for design funds for the Cordelia Road bridge at Suisun Creek removed from the Consent Agenda.

MOTION: Silva. SECOND: Reagan.

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

Consent Calendar

Acted on the following Consent Calendar items:

10. Approved the Board of Supervisors' minutes of November 8, 2005.
11. Adopted and authorized Chairwoman Kondylis to sign Resolution No. 2005-236 releasing the county's lien on Lynn M. Tucker's real property and authorized County Counsel to execute and deliver a release of lien for recordation. (see Resolution Book)
12. Approved and authorized County Administrator Michael D. Johnson to sign a license agreement with CMT Federal Credit Union for the installation of an automated teller machine (ATM) on the ground level of the County Administration Center (CAC) at 675 Texas Street, Fairfield for 3 years.
13. Approved and authorized County Administrator Michael D. Johnson to sign an agreement in the amount of \$438,200 to Performance Abatement Services, Inc. of Richmond, CA for the Old Juvenile Hall Demolition and Site Restoration Project at 2010 West Texas Street, Fairfield CA. Authorized the General Services Director to sign any amendments to the agreement on behalf of the County that fall within the established project budget.
14. Approved an Appropriation Transfer Request (ATR) reducing the Sheriff's Asset Seizure Contingencies (253/9118) by \$33,418 and increasing operating transfer expenditure in Budget Unit 4121 by the same amount. Approved ATR recognizing unanticipated revenue in the amount of \$33,418 in the Sheriff's operating budget (6550) to facilitate the purchase of specialized equipment for use during crime interdiction and emergency operations in remote locations of the County.

MOTION: Silva. SECOND: Reagan.

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

Agenda Item No. 15 Cordelia Road Bridge at Suisun Creek

In response to a question posed by Supervisor Kromm, staff noted that current County standard in the adopted Road Improvement Standards is to provide a minimum of a two foot shoulder on bridges and that four foot shoulders are constructed on bridges that are expected to have significant bicycle traffic. Staff noted that this matter could be revisited during review of the Road Improvement Standards that will be forthcoming to the Board.

Supervisor Silva requested that when this matter comes back to the Board, that there be an analysis of the cost of providing a bike lane to a country bridge compared to providing four feet of asphalt along a road and the usage of the bicycle lanes. Supervisor Silva felt that bicycle lanes in Solano County were underutilized, that the distance was short across the bridge, and cyclist had the same privilege as vehicles.

At the conclusion of discussion, the Board approved a request to Caltrans for a time extension for design funds for the Cordelia Road bridge at Suisun Creek, and authorized the Director of Resource Management to sign the request.

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

Agenda Item No. 16
 H.R. 4128 – Use of Eminent Domain

The Board acted to support federal legislation H.R. 4128 regarding the use of eminent domain for local economic development and directed staff to notify County legislative representatives of the Board's action.

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

Agenda Item No. 17
 Solano County Federal Legislative Platform

Adopted the Proposed Solano County Federal Legislative Platform to include: 1) Travis Air Force Base Joint Aviation Operations Center and the number of area airports that the Joint Operator would be operating through; 2) Indian Gaming; 3) Fouts Springs Youth Facility Land Swap; 4) Biosolids Research and the use of spreading biosolids on farm lands; 5) Agriculture Inspections; 6) Transportation (Highways) and the study of the 113 Corridor and 505 Connector to Highway 99; 7) TANF Re-authorization; and 8) Medicaid.

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

Agenda Item No. 17
 Solano County Appropriations Request

Adopted the Appropriations Request for Federal Fiscal Year 2007 to include: 1) Transportation and Airport – Nut Tree Airport Expansion and Peabody Road; 2) Disaster/Emergency Preparedness Technology Improvements – records safety, radio interoperability; 3) Justice System Programs – Methamphetamine Enforcement Team, enhanced supervision of high risk domestic violence offenders; 4) Public Health Services – public health laboratory; 5) Veterans – Veteran Memorial Buildings and remediation of the old Vallejo Veterans Building for abatement and seismic retrofit; 6) Military Construction and Aircraft; and 7) Homeland Defense.

MOTION: Reagan. SECOND: Vasquez.
 AYES: Reagan, Silva, Vasquez, Kondylis.
 NOES: Kromm (Supervisor Kromm did not support appropriation requests when there was a federal budget deficit of \$400 million).

Agenda Item No. 18
 Wood Burning Ordinance

Acted to read the proposed ordinance adding Chapter 6.6 relating to wood burning appliances in the unincorporated area to the Solano County Code by title only.

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

Chairwoman Kondylis opened the continued hearing to the public. At the conclusion of discussion, the Board acted to approve the first reading of an ordinance adding Chapter 6.6, pertaining to wood burning appliances in the unincorporated areas of Solano County in memory of Valerie Ansley. Chapter 6.6 will require all new, remodeled, or replaced wood burning appliances in the unincorporated area of Solano County to be a pellet-fueled wood heater, an EPA certified wood heater or a fireplace certified by EPA should EPA develop a fireplace certification program. Chapter 6.65 would also prohibit the burning of specific materials and allow for Solano County to assist the local Air Quality Management District in distribution of information during announced warnings of advisories to residents and businesses requesting voluntary suspension of wood burning activities. Exemptions would be provided for wood burning appliances that are the sole source of heat for a residence. Directed staff to alert the public to Spare the Air days by working with local radio stations, cable television stations, and the Solano County Fair Board to utilize their reader board.

MOTION: Kromm. SECOND: Vasquez.

AYES: Kromm, Silva, Vasquez, Kondylis.

NOES: Reagan. (Supervisor Reagan did not support the regulation of wood burning appliances.)

Agenda Item No. 19 Appointment Authority

Approved the reappointment of Alan Freese (Field Crops) and Russell Lester (Fruits and Nuts) to the Agricultural Advisory Committee for a three year term to expire September 26, 2008.

MOTION: Reagan. SECOND: Vasquez.

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis

Adjournment

The Board of Supervisors adjourned this meeting at 3:25 p.m. in memory of Valerie A. Ansley.

The next meeting of the Board of Supervisors will be December 6, 2005 at
8:30 a.m.

BARBARA R. KONDYLIS, Chairwoman
Solano County Board of Supervisors

MICHAEL D. JOHNSON, Clerk of the
Solano County Board of Supervisors

By
Patricia J. Crittenden, Chief Deputy Clerk