

## Minutes For October 1, 2002

The Solano County Board of Supervisors met in regular session on this day at 8:32 a.m. The meeting was called to order by Chairman Carroll. All members were present.

CLOSED SESSION: The Board moved into Closed Session at 8:33 a.m. to discuss Meet and Confer: Deputy Sheriff's Association with Craig Jory, Chief Negotiator; Meet and Confer: All Bargaining Units with Yolanda Irigon, Agency Negotiator; Property Negotiations: Wilcox Ranch (abuts northwest and southeast sides of Travis Air Force Base) – negotiating parties: Birgitta Corsello, Director of Environmental Management, County Counsel, and General Services; Nature Conservancy and City of Fairfield – subject of negotiation: terms of payment. The Board moved out of Closed Session at 9:08 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:10 a.m.

### PRESENTATIONS

(Item 7A) RESOLUTION NO. 2002-181 RECOGNIZING OCTOBER AS DOMESTIC VIOLENCE AND PREVENTION MONTH, ADOPTED

On motion of Supervisor Kondylis and seconded by Chairman Carroll, the Board acted to adopt Resolution No. 2002-181 recognizing October as Domestic Violence Awareness and Prevention Month. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Kondylis presented the proclamation to Cheryl Franklin-Golden, Executive Director of SafeQuest Solano.

Ms. Franklin-Golden presented the Board with an information packet, incorporated herein by reference, outlined some upcoming events, and thanked the Board for their continued support.

(Item 7B) RESOLUTION NO. 2002-182 DECLARING THE MONTH OF OCTOBER AS MULTI-CULTURAL AWARENESS MONTH IN SOLANO COUNTY, ADOPTED

On motion of Supervisor Silva and seconded by Chairman Carroll, the Board acted to adopt Resolution No. 2002-182 Declaring the Month of October as Multi-Cultural Awareness Month in Solano County. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Silva presented the resolution to Donald Bond, Chairman of the Equal Employment Opportunity (EEO) Committee.

Mr. Bond discussed upcoming community coloring and essay contests sponsored by the EEO Committee, and gave a special thanks to EEO Compliance Officer Marilyn Brown for her hard work and dedication.

(Item 7C) RESOLUTION NO. 2002-183 RECOGNIZING THE WEEK OF OCTOBER 6TH TO OCTOBER 12TH, 2002 AS NATIONAL 4-H WEEK IN SOLANO COUNTY, ADOPTED

On motion of Supervisor Thomson and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2002-183 Recognizing the Week of October 6th to October 12th, 2002 as National 4-H Week in Solano County. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Thomson presented the resolution to Carol Paterson, 4-H Youth Development Advisor, and Valerie Williams, 4-H Program Representative.

Ms. Paterson and Ms. Williams noted that this is also the 100th Birthday of 4-H Program. Ms. Paterson discussed the evolution of 4-H from its' rural roots to a well expanded organization now in the urban and suburban communities to meet the needs of families and their children. Ms. Williams and Ms. Paterson presented the Board with a cake and a small gift to celebrate the 100th Birthday of 4-H.

(Item 7D) RESOLUTION NO. 2002-184 PROCLAIMING OCTOBER 2002 AS SUDDEN INFANT DEATH SYNDROME AWARENESS MONTH, ADOPTED

On motion of Supervisor Silva and seconded by Chairman Carroll, the Board acted to adopt Resolution No. 2002-184 Proclaiming October 2002 as Sudden Infant Death Syndrome Awareness Month. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Kromm presented the resolution to Gayla Rieter of the Sudden Infant Death Syndrome Awareness Committee.

Ms. Rieter discussed the significant decrease in SIDS deaths in the County and in many areas of the world, and the continuing educational efforts.

Solano County Health Officer Thomas Charron also discussed the decline in SIDS deaths and gave special thanks to Ms. Reiter for her tireless efforts to save the lives of children.

(Item 7E) RESOLUTION NO. 2002-185 RECOGNIZING ANTHONY M. CASTELLI UPON HIS RETIREMENT FOR HIS MANY YEARS OF SERVICE TO SOLANO COUNTY, AND PLAQUE OF APPRECIATION, APPROVED

On motion of Chairman Carroll and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-185. The Board further acted to authorize a Plaque of Appreciation for Anthony M. Castelli. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Chairman Carroll presented Mr. Castelli with Resolution No, 2002-185 and a Plaque of Appreciation honoring him upon his retirement after 23 years of service to Solano County as an employee in the Sheriff's Office.

## ITEMS FROM THE FLOOR

### APPEARANCE BY PAUL LUM RE THE HABITAT CONSERVATION PLAN

Paul Lum, Solano County Farm Bureau, discussed the Habitat Conservation Plan from the Solano County Water Agency (SCWA), requested support to help limit the expansion of the plan beyond the requirements of the water agency, would like the assurance that the County will remain a non-applicant to the plan, and that farmers, ranchers and private land owners will never be required to be applicants to the plan.

Chairman Carroll directed this issue be placed on the November 5, 2002 agenda.

### APPROVAL OF AGENDA

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

(Item 18) Approve the second readings to adopt the 2.7% @ 55 retirement benefits for employees and the unused sick leave credit for Safety members, and approve the resolutions for paying and reporting the value of employer paid member contributions, removed from the Consent Calendar.

(Item 23A) Approval of Contract Amendment #2 for Aviation Planning Consultant Services with Harris, Miller, Miller, and Hansen to amend the scope of work, extend the contract period to December 2003, and increase the contract by \$15,000 for a new total contract amount of \$230,183 for services required by County Counsel and the Airport Land Use Commission for the Travis Air Force Base Land Use Compatibility Plan; authorize the County Administrator to sign contract amendments, removed from the Consent Calendar.

So ordered by a vote of 5-0.

### CONSENT CALENDAR

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

(Item 12) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF AUGUST 27, 2002 AND SEPTEMBER 3, 2002; IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY SEPTEMBER 3, 2002, as outlined in the Agenda Submittal from the Clerk of the Board dated October 1, 2002, incorporated herein by reference, approved.

(Item 13) SOLANO COUNTY TO BE A NO- COST SPONSOR FOR THE LYNCH CANYON DEDICATION CEREMONY, as outlined in the Agenda Submittal

from Supervisor Kromm dated October 1, 2002, incorporated herein by reference, approved.

(Item 14) RESOLUTION NO. 2002-186 HONORING BILL WAITE, COLUSA COUNTY SUPERVISOR, FOR SEVENTEEN YEARS OF CONTINUOUS SERVICE ON THE FOUTS SPRINGS BOARD OF DIRECTORS, adopted.

(Item 15) PLAQUE OF APPRECIATION HONORING C. EARLINE MCMILLAN UPON HER RETIREMENT, as outlined in the Agenda Submittal from the Assessor/Recorder's Office dated October 1, 2002, incorporated herein by reference, approved.

(Item 16) PROPERTY TAX ADMINISTRATION FEES FOR FY 2002-03, as outlined in the Agenda Submittal from the Auditor/Controller's Office dated October 1, 2002, incorporated herein by reference, approved.

(Item 17) AGREEMENT WITH RCC CONSULTANTS FOR CONSULTING SERVICES RE COUNTY-WIDE RADIO COMMUNICATIONS SYSTEM, as outlined in the Agenda Submittal from General Services dated October 1, 2002, incorporated herein by reference, approved and County Administrator authorized to sign said contract on behalf of Solano County, and General Services Director authorized to sign any amendments to the agreement.

APPROPRIATION TRANSFER IN THE AMOUNT OF \$11,500, as outlined in the Agenda Submittal from General Services dated October 1, 2002, incorporated herein by reference, approved.

(Item 19) AMENDMENT TO AGREEMENT WITH PHARMATOX, INC RE SUBSTANCE ABUSE DRUG MEDI-CAL TREATMENT SERVICES, as outlined in the Agenda Submittal from Health and Social Services dated October 1 2002, incorporated herein by reference, approved and Chairman authorized to sign said contract amendment on behalf of Solano County.

LETTER TRANSFERRING SOLANO COUNTY'S AUTHORITY TO FUNCTION AS ADMINISTRATOR OF DRUG MEDI-CAL SERVICES WITH PHARMATOX, INC. TO THE STATE OF CALIFORNIA, as outlined in the Agenda Submittal from Health and Social Services dated October 1 2002, incorporated herein by reference, approved and Chairman authorized to sign said letter on behalf of Solano County.

APPROPRIATION TRANSFER IN THE AMOUNT OF \$400,000 FROM UNANTICIPATED DRUG MEDI-CAL REVENUE, as outlined in the Agenda Submittal from Health and Social Services dated October 1 2002, incorporated herein by reference, approved.

(Item 20) AMENDMENT TO AGREEMENTS TO NURSE REGISTRY CONTRACTS WITH NURSEFINDERS, INC. AND PREFERRED STAFFING, INC. RE TEMPORARY NURSING CARE, as outlined in the Agenda Submittal from the

Sheriff's Office dated October 1, 2002, incorporated herein by reference, approved and Chairman authorized to sign said agreements on behalf of Solano County.

APPROPRIATION TRANSFER IN THE AMOUNT OF \$100,000 FROM HEALTH SERVICES SALARIES AND BENEFITS TO CONTRACTED SERVICES, as outlined in the Agenda Submittal from the Sheriff's Office dated October 1, 2002, incorporated herein by reference, approved.

(Item 21) RESOLUTION NO. 2002-198 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (PROBATION), adopted. (see Resolution Book)

(Item 22A) LETTER AGREEMENT WITH SUISUN CITY RE FUNDING FOR RIGHT OF WAY ACQUISITION ON WALTERS ROAD, as outlined in the Agenda Submittal from the Department of Transportation dated October 1, 2002, incorporated herein by reference, approved and Transportation Director authorized to sign said letter on behalf of Solano County.

(Item 22B) RESOLUTION NO. 2002-199 ADOPTING TRAFFIC ORDER NUMBER 380, ESTABLISHING A 25 MPH SPEED LIMIT ON VACA STREET, FIRST STREET, AND ON CALIFORNIA PACIFIC FROM ELMIRA ROAD TO 1300 FEET NORTH, adopted. (see Resolution Book)

(Item 22C) RESOLUTION NO. 2002-200 ADOPTING TRAFFIC ORDER NUMBER 381 ESTABLISHING A STOP SIGN ON VACA STREET AT THE INTERSECTION WITH CALIFORNIA PACIFIC ROAD AND ON GOOSEHAVEN ROAD AT THE INTERSECTION WITH CREED ROAD, adopted. (see Resolution Book)

(Item 22D) RESOLUTION NO. 2002-201 AUTHORIZING THE TRANSPORTATION DIRECTOR TO FILE A CLAIM WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TDA FUNDS FOR FISCAL YEAR 2002-03, adopted. (see Resolution Book)

(Item 23B) ORDINANCE NO. 1622 REPEALING AND ADDING CHAPTER 6.3 SECTION 6.3-03, RELATING TO BUILDING STANDARDS AND CODES, adopted. (see Ordinance Book)

(Item 23C) RESOLUTION NO. 2002-202 REGARDING TRANSFER OF COUNTY'S REGIONAL HOUSING NEED ALLOCATION TO CITY OF BENICIA FOR THE NORTHGATE CHRISTIAN FELLOWSHIP CHURCH ANNEXATION, adopted. (see Resolution Book)

TERMS AND CONDITIONS OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND THE CITY OF BENICIA, as outlined in the Agenda Submittal from the Department of Environmental Management dated October 1, 2002, incorporated herein by reference, approved.

DIRECTOR OF ENVIRONMENTAL MANAGEMENT TO PROCEED WITH DISCUSSIONS AND DOCUMENTATION TO REFLECT THE HOUSING ALLOCATION UNIT TRANSFER WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, as outlined in the Agenda Submittal from the Department of Environmental Management dated October 1, 2002, incorporated herein by reference, approved.

(Item 24) PROCLAMATION DECLARING THE MONTH OF OCTOBER 2002 AS CALIFORNIA STORIES MONTH: CALIFORNIA READS THE GRAPES OF WRATH, approved.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

(Item 25) IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

Minutes regarding this matter are contained in the In-Home Supportive Services Public Authority Minutes Book.

The Board of Directors of the In-Home Supportive Services Public Authority adjourned to continue the regular meeting of the Board of Supervisors.

(Item 25) RESOLUTION NO. 2002-203 APPROVING THE CONFLICT OF INTEREST CODE ADOPTED BY THE IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY, adopted. (see Resolution Book)

## ORDERS

(Item 18) ORDINANCE NO. 1621 AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE SOLANO COUNTY BOARD OF SUPERVISORS AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM TO PROVIDE 2.7% @ 55 FOR MISCELLANEOUS EMPLOYEES AND TO PROVIDE FOR CREDIT FOR UNUSED SICK LEAVE CREDIT FOR SAFETY EMPLOYEES, ADOPTED

RESOLUTION NO. 2002-187 AUTHORIZING THE ESTABLISHMENT OF A PUBLIC AGENCY RETIREMENT SYSTEM (PARS) 2.7% @ 55 RETIREMENT PLAN FOR NON-SAFETY EMPLOYEES IN CERTAIN JOB GROUPS, ADOPTED

RESOLUTION NO. 2002-188 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (LOCAL 1280 [UNITS 2, 7, 8, 9, 12, 82, 87, 89, 90]), ADOPTED

RESOLUTION NO. 2002-189 FOR PAYING AND REPORTING THE

VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EXECUTIVE MANAGEMENT GROUPS [NON-SAFETY] 61 AND 61C), ADOPTED

RESOLUTION NO. 2002-190 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (SENIOR MANAGEMENT GROUPS [NON-SAFETY] UNIT 62 AND 62C), ADOPTED

RESOLUTION NO. 2002-191 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (MID-MANAGEMENT UNITS 63 AND 16), ADOPTED

RESOLUTION NO. 2002-192 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (UNIT 18 [ELECTED OFFICIALS/ COUNTY ADMINISTRATOR]), ADOPTED

RESOLUTION NO. 2002-193 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (LOCAL 535 [UNIT 5]), ADOPTED

RESOLUTION NO. 2002-194 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (UNIT 6 [UNREPRESENTED H&SS SUPERVISORS]), ADOPTED

RESOLUTION NO. 2002-195 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (LOCAL 39[UNIT 10]), ADOPTED

RESOLUTION NO. 2002-196 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (UNION OF AMERICAN PHYSICIANS AND DENTISTS [UNIT 11]), ADOPTED

RESOLUTION NO. 2002-197 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (MID-MANAGEMENT SAFETY CATEGORY REPRESENTED BY PUBLIC EMPLOYEES UNION LOCAL 1, UNIT #16), ADOPTED

The Board was provided with an Agenda Submittal from the Department of Human Resources dated October 1, 2002, incorporated herein by reference, regarding the approval of an ordinance and several resolutions necessary to implement the increased employee benefit of 2.7% @ 55 retirement benefit, the unused sick leave credit for Safety Members, and the paying and report the value of Employer Paid Member Contributions.

Supervisor Kromm noted conducting a survey of the region on this type of benefit and related costs, noting none of the comparable counties are at 2.7% @ 55, and that the employer cost is at or above the proposed 6.85% to Solano County. Issues of concern are the effects of the State budget, the projected 5 to 6 years of hard economic times, and the potential loss of employee jobs. Supervisor Kromm questioned if the negotiating parties were aware of the risks for these increased benefits, and noted he does not want to

have any unions come back to the Board requesting to renegotiate this 20-year obligation of the repayment of the \$75 million.

Director of Human Resources Yolanda Irigon noted benefit enhancements come at a higher cost, this increase could cost jobs for the County, but this is the time to do this type of benefit. This benefit will give employees an opportunity to retire out willingly, which through attrition will make room for younger employees that will help keep the community viable. Many states and local governments are encouraging employees to retire due to hard economic times to save jobs.

Chairman Carroll noted there are appropriate times to give an added benefit, there are times when layoffs are necessary, the need to retain staff, and a 90% favorable vote by the participating unions for this benefit.

Supervisor Thomson noted actions by the Board to ensure fiscal stability with almost \$30 million in the bank, the instability of the County in 1993 resulting in major budget cuts, and the need to recognize the importance of the employees.

Supervisor Silva feels with the ability of employees to readily move from agency to agency enhanced benefits are needed to retain and attract staff, noted the lengthy discussions during negotiations, and that the County entered into this in good faith.

Art Grubel, Executive Director of SEIU Local 1280, representing about 70% of the affected employees by this change, noted this issue has gotten six unions together to create a process where total consensus was required to move forward, all the unions independently went to their membership for a vote to support this issue or not. If any of the unions said no, it would have effectively vetoed it for everyone. All union memberships approved this, and is a landmark in the County. This action will mean the employees will have a deduction from their paychecks of 2.9% that will go back to the County for the cost of this program enhancement, and can be applied to the employer contribution costs with PERS. Mr. Grubel noted the average union member makes about \$3,500 per month, the average County employee retires with about 20 years of service, their retirement at 2% at 55 would be \$1,300 to \$1,400 per month, and these people will not be able to live very well. The 2.7% at 55 will increase that retirement by \$300 to \$400 a month, which will add to their quality of life. In past hard times the State has allowed Counties to offer the "Golden Handshake" that allows people to retire earlier, this time there is no "Golden Handshake". Many people will take advantage of this new benefit in the next year, which will reduce the need for layoffs.

Responding to questions posed by Supervisor Kromm regarding the average monthly wage and years of service, and with the projected number of employees that will take advantage of early retirement, Mr. Grubel reiterated the statistics, and noted the estimates on people taking advantage of this benefit are based on what people were talking about at the membership meetings, and the number of calls to the union.

John Stallsmith, Executive Director Local 1, noted the overwhelming agreement by the membership, this added benefit will help offset the cost of medical benefits at retirement, the unions will come back and ask for more benefits in

the future, this is a clear message to the County that this is a priority to the employees, and asked the Board to support this action.

Responding to questions posed by Supervisor Kromm regarding the commitment to repay the \$75 million added costs of this benefit, Mr. Stallsmith noted the repayment was a big discussion item with the union membership, and feels over the long term the actual percentage paid by each employee will go down as salaries increase. This is an enhancement that many will take advantage of reducing the need for layoffs if the economy slump continues, and it is a win-win situation.

Supervisor Kromm expressed continued concern with the amount of retirement pay for the upper management people with retirement incomes in the \$100,000 range, but also recognizes the majority of the employees receiving a much lower amount, and noted opposition to the PARS segment of this item. Supervisor Kromm suggested investigating a Pension Obligation Bond that could offer lower interest rates than PERS charges, and discussed other benefits of the bonds.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the Board acted to adopt Ordinance No. 1621 Authorizing an Amendment to the Contract Between the Solano County Board Of Supervisors and the Board of Administration of the California Public Employees Retirement System to Provide 2.7% @ 55 for Miscellaneous Employees and to Provide for Credit for Unused Sick Leave Credit for Safety Employees, to adopt Resolution No. 2002-188 for Paying and Reporting the Value of Employer Paid Member Contributions (Local 1280 [Units 2, 7, 8, 9, 12, 82, 87, 89, 90]), Resolution No. 2002-189 for Paying and Reporting the Value of Employer Paid Member Contributions (Executive Management Groups [Non-Safety] 61 And 61C), Resolution No. 2002-190 for Paying and Reporting the Value of Employer Paid Member Contributions (Senior Management Groups [Non-Safety] Unit 62 And 62c), Resolution No. 2002-191 for Paying and Reporting the Value of Employer Paid Member Contributions (Mid-Management Units 63 And 16), Resolution No. 2002-192 for Paying and Reporting the Value of Employer Paid Member Contributions (Unit 18 [Elected Officials/County Administrator]), Resolution No. 2002-193 For Paying and Reporting the Value Of Employer Paid Member Contributions (Local 535 [Unit 5]), Resolution No. 2002-194 For Paying And Reporting The Value Of Employer Paid Member Contributions (Unit 6 [Unrepresented H&SS Supervisors]), Resolution No. 2002-195 for Paying and Reporting the Value of Employer Paid Member Contributions (Local 39[Unit 10]), Resolution No. 2002-196 for Paying and Reporting the Value of Employer Paid Member Contributions (Union Of American Physicians And Dentists [Unit 11]) and Resolution No. 2002-197 for Paying and Reporting the Value of Employer Paid Member Contributions (Mid-Management Safety Category Represented by Public Employees Union Local 1, Unit #16). So ordered by a vote of 5-0. (see Resolution Book)

On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-187 Authorizing the Establishment of a Public Agency Retirement System (PARS) 2.7% @ 55 Retirement Plan for Non-Safety Employees in Certain Job Groups. So ordered by a vote of 4-1,

Supervisor Kromm voted no. (see Resolution Book)

(Item 23A) CONTRACT AMENDMENT #2 FOR AVIATION PLANNING CONSULTANT SERVICES WITH HARRIS, MILLER, MILLER, AND HANSEN RE TRAVIS AIR FORCE BASE LAND USE COMPATIBILITY PLAN, APPROVED

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated October 1, 2002, incorporated herein by reference, to provide additional consultant services needed to address litigation.

Responding to questions posed by Supervisor Kromm regarding why the additional services are needed, Jim Laughlin, Deputy County Counsel representing the Airport Land Use Committee, outlined the adoption of the Airport Land Use Commission Compatibility Plan (ALUP) and in July 2002 a lawsuit was filed against the Commission with several arguments that the law was not followed in development of the plan. The Commission and County staff will need the assistance of the outside consultant to prepare the records and provide professional expertise and technical assistance during the litigation which could take up to one year.

Responding to questions posed by Supervisor Kondylis regarding a taking of property, Mr. Laughlin noted the party that filed the suit is arguing that the value of their property has been lowered because of the report, and is asking the plan be set aside.

On motion of Supervisor Kondylis and seconded by Supervisor Thomson, the Board acted to approve the contract amendment #2 with Harris, Miller, Miller, and Hansen for Aviation Planning Consultant Services. So ordered by a vote of 4-0, Chairman Carroll excused.

(Item 27A) RESOLUTION NO. 2002-204 CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SOLANO COUNTY GOVERNMENT CENTER PROJECT, ADOPTED

RESOLUTION NO. 2002-205 APPROVING THE CONSTRUCTION OF THE SOLANO COUNTY GOVERNMENT CENTER PROJECT; MAKING CEQA FINDINGS OF FACT AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM; ESTABLISHING CRITERIA AND PROCEDURES FOR THE FINAL SELECTION OF THE DESIGN-BUILD ENTITY; AND AUTHORIZE THE COUNTY ADMINISTRATOR TO AWARD A CONTRACT TO THE SELECTED DESIGN-BUILD ENTITY, ADOPTED

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated October 1, 2002, incorporated herein by reference, regarding adopting the final Environmental Impact Report (EIR) for the County Government Center in Fairfield, to approve construction of the Government Center Project, to make CEQA Findings of Fact, to adopt a Mitigation Monitoring and Reporting Program, to establish the criteria and procedures for the final selection of the design-build firm.

Ron Glas, Department of Environmental Management, reviewed the Final EIR that consists of the draft EIR, comments on the Draft EIR, and responses to those comments. Mr. Glas reviewed the Reporting Plan that will ensure the

mitigation measures are done, and noted the five major impacts as potentially significant that are related to removal of trees, dust, noise, traffic, and congestion and parking issues during construction.

Randy Chafin, Cotton Bridges Associates, presented an overview of the Draft EIR process and conclusions, mitigation monitoring and reporting program, and the comments and responses to the EIR. There was only one letter submitted requiring response that was from the Girl Scout Council of Napa-Solano. The letter suggested the building maybe eligible for listing in the register of Historical Resources, and it was concluded that the building does not meet the definition of an historical resource. Therefore, removal as proposed does not constitute a significant impact under the California Environmental Quality Act (CEQA).

Linda Boessenecker, Executive Director of Girl Scout Council of Napa-Solano, noted the council does take exception to the finding that the building does not qualify for listing on the National Historical Record and would like the County to acknowledge that the people involved with this building and the part the building has played in the history of the community is important, and requested clarification by the County on the type of recognition of the building prior to removal. Ms. Boessenecker voiced concern regarding efforts to work with County staff and the resulting loss of State funding, and with the lack of funding to complete the renovation of the building at the proposed site.

Responding to comments by Supervisor Kondylis on ways to ensure the Girl Scouts have a facility to move into without being interrupted and made completely whole, Mr. Hayes discussed commitments by the County for \$11,000, for staff to provide design and project management for renovation of the proposed site, and to work with the Girl Scouts and the City of Fairfield to identify sources for materials and volunteer labor. The City of Fairfield has committed to allowing temporary use of a firehouse that will be taken out of use, there is a modular building available for use from the County for short or long-term use for meetings.

Supervisor Kromm noted a real issue for the Girl Scouts is money, the funding needed for the project is about \$150,000, and problems with follow through by staff with applying for the funds with the State. The Girl Scouts were counting on the proposed \$100,000 from the State, and thought the application process had moved forward when it had not.

Ms. Boessenecker understood that the Girl Scouts needed to raise 1/3rd of the money needed, was under the impression the application had been sent to the State, and expressed additional frustrations on getting this project done.

Mr. Hayes noted errors that had been made, but that the State would not accept an application unless a lease had been completed with the City of Fairfield.

Supervisor Kondylis feels the Girl Scouts should be made whole as promised by this Board.

Supervisor Kromm made the motion, and seconded by Supervisor Kondylis, to use \$100,000 of the construction budget to finance the renovation of the building for the Girl Scout House, the motion was later withdrawn.

Responding to questions posed by Supervisor Silva regarding where the

Scouts are currently meeting, and the City of Fairfield intent with the firehouse, Ms. Boessenecker noted meetings are being conducted in several different locations, and hopes to use a vacated fire station by the first of the year. Ms. Boessenecker feels the Scouts will be able to use the firehouse for up to 2 years during renovations of the new facility.

Responding to questions posed by Supervisor Silva regarding the legality of allocating funds to the Girl Scouts, Deputy County Counsel Bernadette Curry noted the obligations in relation to the EIR, and issues of donating to this non-profit organization and the obligation to donate to other non-profit organizations.

Responding to further questions by Supervisor Silva regarding the current building, and if any of the materials would be turned over to the Scouts, Mr. Hayes noted the current Girl Scout House on Union Avenue will be demolished as part of the New Government Center Project, and that an appointment has been made to discuss any materials the Scouts would like to keep from the building.

Responding to questions posed by Supervisor Thomson regarding the building on the proposed new site, Mr. Hayes noted the overall estimate to rehabilitate the property consisting of \$150,000 for reconstruction of the building and \$75,000 in other improvements being required by the City of Fairfield. The County has committed to take responsibility for the design and construction management for the building, but not for the enhancements to the property. The design and project management is valued between \$50,000 and \$60,000. There have been discussions on getting the materials at cost and volunteer labor. The building has deteriorated greatly and now appears that the building must be torn down and reconstructed.

Supervisor Thomson indicated that as a priority the County staff, the Girl Scouts and the City of Fairfield staff need to sit down to finalize an agreement before giving \$100,000 to the Scouts.

Supervisor Kromm noted numerous meetings in the community, feels the Board is obligated to make this go forward, and following a short discussion Supervisor Kromm withdrew the motion to allocate \$100,000 to the Girl Scouts.

There was consensus to make this issue a priority and to bring the topic of the Girl Scout House back on the October 8th agenda.

On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-204 Certifying the Final Environmental Impact Report for the Solano County Government Center Project, and Resolution No. 2002-205 Approving the Construction of the Solano County Government Center Project; Making CEQA Findings of Fact and Adopting a Mitigation Monitoring and Reporting Program; Establishing Criteria and Procedures for the Final Selection of the Design-Build Entity; and authorize the County Administrator to award a contract to the selected Design-Build Entity . So ordered by a vote of 4-1, Supervisor Kondylis voted no. (see Resolution Book)

(Item 27B) BOARD OF SUPERVISORS RESPONSE TO THE 2001/02 GRAND JURY FINAL REPORT, APPROVED

Supervisor Kondylis noted a conflict of interest and was excused from the dais.

Kathy Gibson, County Administrative Office, reviewed the information contained in the Agenda Submittal from her department dated October 1, 2002, incorporated herein by reference, regarding the final response to the 2001/02 Grand Jury Report.

Donald Tipton, Vallejo, expressed concern regarding the Homeacres Housing Rehabilitation Program, inquired if the corrections have been made to a particular property, and that additional funding and concerns are keeping other people from getting loans to improve their homes.

Director of Environmental Management Birgitta Corsello noted the specific case being referred to is in litigation and that nothing can be done until the case is resolved, and noted that Mercy Housing has indicated changes in their procedures and are providing proof.

Mr. Tipton further voiced concern regarding procedures and standards for the Board of Supervisors discretionary fund and feels that the spending of any funds for special projects should go in front of the entire Board, and would like to see a community effort to make the Homeacres area better.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the Board acted to approve the letter responding to the 2001/02 Grand Jury Final Report. So ordered by a vote of 4-0, Supervisor Kondylis excused.

(Item 27C)        DAPHNE NIXON AND MARK COOLEY APPOINTED TO THE  
CITIZEN'S OVERSIGHT COMMITTEE FOR THE SOLANO COUNTY  
TRANSPORTATION SALES TAX EXPENDITURE PLAN

The Board was provided with an Agenda Submittal from the County Administrator's Office dated October 1, 2002, incorporated herein by reference, regarding the request from the Solano Transportation Authority for the Board of Supervisors to appoint two individuals to represent the County on this committee.

Supervisor Thomson recommended Mark Cooley also be considered for appointment to this committee, but noted he had not received an application from Mr. Cooley at this time.

Supervisor Kromm noted the other applicants were Daphne Nixon a resident of Old Town Cordelia and Natalie Dumont who works for the Greenbelt Alliance, and lives in the unincorporated area near Vacaville.

Supervisor Thomson made a motion to appoint Mark Cooley and Natalie Dumont, that was later withdrawn.

On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board acted to appoint Mark Cooley and Daphne Nixon to the Citizen's Oversight Committee for the Solano County Transportation Sales Tax Expenditure Plan. So ordered by a vote of 5-0.

(Item 27D)        DISTRICT ATTORNEY AND SHERIFF DEPARTMENTS  
ALLOCATED LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS (LLEBG) FOR

THE FEDERAL FISCAL YEAR 2002 GRANT PERIOD

APPROPRIATION TRANSFERS IN THE AMOUNT OF \$75,000 FROM LLEBG TO THE DISTRICT ATTORNEY'S BUDGET, APPROVED

RESOLUTION NO. 2002 206 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS (DISTRICT ATTORNEY), ADOPTED

The Board was provided with an Agenda Submittal from the County Administrative Office dated October 1, 2002, incorporated herein by reference, regarding the award of \$135,000 in LLEBG funds.

Chairman Carroll 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 Kromm, the Board acted to approve the allocation of the LLEBG Grant Funds to fund programs in the District Attorney's Office and the Sheriff's Department, to approve the resulting appropriation transfers, and to adopt Resolution No. 2002-206 Amending the Allocation List in the District Attorney's Office. So ordered by a vote of 5-0.

(Item 29A) PEGGY MARTIN APPOINTED TO THE SOLANO COUNTY HISTORICAL RECORDS COMMISSION

On motion of Chairman Carroll and seconded by Supervisor Silva, the Board acted to appoint Peggy Martin to the Solano County Historical Records Commission for a term to expire April 26, 2006. So ordered by a vote of 5-0.

(Item 29B) KERRY WALSH APPOINTED TO THE CHILD ABUSE PREVENTION COUNCIL

On motion of Chairman Carroll and seconded by Supervisor Silva, the Board acted to appoint Kerry Walsh to the Child Abuse Prevention Council for a term to expire October 1, 2004. So ordered by a vote of 5-0.

(Item 29C) PAMELA K. THOMAS APPOINTED TO THE EQUAL EMPLOYMENT OPPORTUNITY COMMITTEE

On motion of Chairman Carroll and seconded by Supervisor Silva, the Board acted to appoint Pamela K. Thomas to the Equal Employment Opportunity Committee for a term to expire April 7, 2003. So ordered by a vote of 5-0.

(Item 29D) MARY HAMTIL, CARLOS MONROY, LAURA RAMOS, AND MICHAEL ROGERS APPOINTED TO THE AREA 4 BOARD ON DEVELOPMENTAL DISABILITIES SERVING NAPA, SOLANO AND SONOMA COUNTIES

LINDA DILLION REMOVED FROM THE AREA 4 BOARD ON DEVELOPMENTAL DISABILITIES SERVING NAPA, SOLANO AND SONOMA COUNTIES

On motion of Chairman Carroll and seconded by Supervisor Silva, the Board

acted appoint Mary Hamtil, Carlos Monroy, Laura Ramos and Michael Rogers to the Area 4 Board on Developmental Disabilities Serving Napa, Solano and Sonoma Counties, and to remove Linda Dillion. So ordered by a vote of 5-0.

(Item 28) ORDINANCE NO. 1623 AMENDING CHAPTER 28, SECTION 28-15 OF THE SOLANO COUNTY CODE TO REZONE PROPERTY LOCATED AT 4984 PEABODY ROAD, LESS THAN ONE MILE FROM THE CITY OF FAIRFIELD, FROM GENERAL MANUFACTURING (MG) AND EXCLUSIVE AGRICULTURE (A-20) TO COMMERCIAL SERVICE (CS), ADOPTED

Matt Walsh, Department of Environmental Management reviewed the information contained in the Agenda Submittal from his department dated October 1, 2002, incorporated herein by reference, regarding rezoning the property at 4984 Peabody Road, Fairfield.

Responding to questions posed by Supervisor Silva regarding a letter received from the City of Fairfield dated September 26, 2002, incorporated herein by reference, requesting time limits be imposed on the Conditional Use Permit, Mr. Walsh noted the letter was received September 30, 2002 after the appeal period was over. The approval by the Planning Commission does allow for a 5-year time frame and the permit will be nullified upon annexation of the land to the City of Fairfield. Following a discussion with the City of Fairfield it was noted the City would not oppose the rezoning, and requested the County consider putting in a shorter time frame into the permit when it is renewed.

Deputy County Counsel Bernadette Curry noted the issue under consideration is rezoning.

Responding to questions posed by Supervisor Kromm if Proposition A would have any effects on this action, Mr. Walsh noted the General Plan designation is not Agriculture so Proposition A does not apply. Chairman Carroll 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 Thomson and seconded by Supervisor Kondylis, the Board acted to adopt Ordinance No. 1623 Amending Chapter 28, Section 28-15 of the Solano County Code to Rezone Property Located at 4984 Peabody Road, Less than One Mile from the City of Fairfield, From General Manufacturing (MG) and Exclusive Agriculture (A-20) to Commercial Service (CS). So ordered by a vote of 5-0.

ADJOURN - This meeting of the Board of Supervisors adjourned in memory of Millie Burton at 12:06 p.m.

---

William J. Carroll, Chairman

---

Maggie Jimenez  
Clerk to the Board of Supervisors

