

Minutes For August 10, 2004

The Solano County Board of Supervisors met in regular session on this day at 8:31 a.m. Chairman Silva called the meeting to order. Present were Supervisors Forney, Kromm, and Chairman Silva; Supervisor Vasquez arrived at 8:33 and Supervisor Kondylis was excused.

CLOSED SESSION: The Board moved into Closed Session at 8:32 a.m. to discuss Potential Litigation: one (1) case; Property Negotiations: APN's 0052-320-390 and 0052-313-010; negotiating parties – Mark Bryant, Solano County; under negotiation – price and terms. The Board moved out of Closed Session at 9:08 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:12 a.m. with the Pledge of Allegiance and a moment of silence.

ITEMS FROM THE FLOOR

APPEARANCE BY GEORGE GUYNN, JR. RE VARIOUS ISSUES

George Guynn, Jr., discussed the possibility of a ballot initiative for the March 2006 election to limit the size of government, voiced concern with the lack of public confidence of local government, the Board Members rate of pay and feels the public should decide what the salary is, requested the Board consider reducing the Board Member position to a part-time position, and noted opposition to the Sister City Program with Ji'an China.

ADDITIONS/DELETIONS TO THE AGENDA

On motion of Supervisor Kromm and seconded by Supervisor Forney, the Board acted to add the consideration to amend Item 15 to consolidate local measures from the City of Benicia, and the City of Rio Vista to the November 4, 2004 Presidential General Election. So ordered by a vote of 4-0; Supervisor Kondylis excused.

PUBLIC COMMENT ON CONSENT CALENDAR

19. Resources Management:

- A) Approve parcel map; adopt resolution accepting dedication of property for road purposes on Home Acres Avenue for Minor Subdivision MS-04-01 (Cooney)
- B) Adopt resolution accepting dedication of property for road purposes on Green Valley Road; approve Agreement in Reference to Improvements for Certificate of Compliance CC-04-11 (Taylor)

Donald Tipton, Vallejo, voiced concern regarding the inconsistency of the policy for the request of the property needed for easements.

Survey and Land Development Supervisor Pat Negroni, Resources Management, noted the County determines the amount of right-of-way required by how wide the existing road is and the average daily traffic count. Green Valley Road is currently 60 feet wide and the traffic count triggered a 70-foot width right-of-way. In Homeacres the existing road is 40-foot and the traffic count triggered the need for a 50-foot right-of way.

Director of Resources Management Birgitta Corsello noted in Homeacres the County had an easement, but did not own the underlying land, and are asking to get a dedication of that easement so the County will own the underlying land to the County road. In Green Valley the County owns the land and is adding the footage that is necessary for wider width based on traffic.

16B. Approve contract with Graebel Sacramento Movers, Inc. in amount of \$112,196 to provide moving services into new Government Center for the period of August 1, 2004 through March 31, 2005; authorize County Administrator to sign amendments to contract in an amount not to exceed \$50,000

Responding to question posed by Supervisor Kromm if this amount is within the budget, Director of General Services Veronica Ferguson noted this amount is under budget.

APPROVAL OF AGENDA

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

15A. Approval to consolidate City of Benicia, City of Dixon, City of Rio Vista, City of Suisun City, City of Vacaville, River Delta Unified School District, Solano Community College District, San Joaquin Delta Community College District, Los Rios Community College District, Benicia Unified School District and the Solano Transportation Improvement Authority with November 2, 2004 Presidential General Election and to add two additional measures to the November 4, 2004 Presidential General Election at the request of the City of Benicia and the City of Rio Vista changes added to the Consent Calendar.

20. Approve two year contract for security services for Fairfield Civic Center Library and John F. Kennedy Library in Vallejo with Ligouri Associates for the period July 1, 2004 through June 30, 2006 in an amount not to exceed \$133,000 annually; authorize Director of Library Services to sign contract, removed from the Consent Calendar.

East Vallejo Fire Protection District:

21. County Administrator's Office:

Approval to execute the audit package for East Vallejo Fire Protection District for the fiscal years ending June 30, 2003 and June 30, 2004, removed from the Consent Calendar.

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

CONSENT CALENDAR

On motion of Supervisor Vasquez and seconded by Supervisor Kromm, the Board acted to approve the following Consent Calendar items by a vote of 4-0; Supervisor Kondylis excused.

14. ORDINANCE NO. 1650 AMENDING CHAPTER 22 OF THE SOLANO COUNTY CODE RELATING TO PURCHASING, adopted. (see Ordinance Book)

15A. CONSOLIDATION OF CITY OF BENICIA, CITY OF DIXON, CITY OF RIO VISTA, CITY OF SUISUN CITY, CITY OF VACAVILLE, RIVER DELTA UNIFIED SCHOOL DISTRICT, SOLANO COMMUNITY COLLEGE DISTRICT, SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT, LOS RIOS COMMUNITY COLLEGE DISTRICT, BENICIA UNIFIED SCHOOL DISTRICT AND THE SOLANO TRANSPORTATION IMPROVEMENT AUTHORITY WITH NOVEMBER 2, 2004 PRESIDENTIAL GENERAL ELECTION, as outlined in the Agenda Submittal from Department of Information Technology/Registrar of Voters dated August 10, 2004, incorporated herein by reference, approved.

15B. ELECTION DIVISION OF INFORMATION TECHNOLOGY TO SUBMIT APPLICATION RE HELP AMERICA VOTE ACT, as outlined in the Agenda Submittal from Department of Information Technology/Registrar of Voters dated August 10, 2004, incorporated herein by reference, approved and Chief Information Officer/Registrar of Voters authorized to accept grant if awarded.

16A. AGREEMENT WITH DPS CONSTRUCTION & ENGINEERING, FAIRFIELD, RE CAT ADOPTION CENTER PROJECT, 2510 CLAYBANK ROAD, FAIRFIELD, as outlined in the Agenda Submittal from General Services dated August 10, 2004, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County; General Services Director authorized to sign any amendments to Agreement.

USE OF ACCUMULATED CAPITAL OUTLAY FUNDS IN THE AMOUNT OF \$12,514 TO SUPPORT CAT ADOPTION CENTER PROJECT, as outlined in the Agenda Submittal from General Services dated

August 10, 2004, incorporated herein by reference, approved.

16B. AGREEMENT WITH GRAEBEL SACRAMENTO MOVERS, INC. RE MOVING SERVICES INTO NEW GOVERNMENT CENTER, as outlined in the Agenda Submittal from General Services dated August 10, 2004, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County and County Administrator authorized to sign amendments to contract in an amount not to exceed \$50,000.

17. RESOLUTION NO. 2004-153 DECLARING AUGUST 2004 AS WORLD BREASTFEEDING MONTH, adopted. (see Resolution Book)

18. FEDERAL ANNUAL CERTIFICATION REPORT WITH UNITED STATES DEPARTMENT OF TREASURY AND DEPARTMENT OF JUSTICE FOR FISCAL YEAR ENDING JUNE 30, 2004, as outlined in the Agenda Submittal from the District Attorney dated August 10, 2004, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

19A. RESOLUTION NO 2004-154 ACCEPTING LAND FOR ROAD PURPOSES FROM JOHN COONEY, AND AUTHORIZING ITS RECORDATION IN ACCORDANCE WITH CHAPTER 26 OF THE SOLANO COUNTY CODE, adopted. (see Resolution Book)

19B. RESOLUTION NO. 2004-155 ACCEPTING PROPERTY FOR ROAD PURPOSES FROM RIDLEY TAYLOR, AUTHORIZING ITS RECORDATION IN ACCORDANCE WITH CHAPTER 26 OF THE SOLANO COUNTY CODE AND ACCEPTING THE AGREEMENT IN REFERENCE TO IMPROVEMENTS FOR CERTIFICATE OF COMPLIANCE CC-04-11, adopted. (see Resolution Book)

ORDERS

20. TWO YEAR AGREEMENT WITH LIGOURI ASSOCIATES RE SECURITY SERVICES FOR FAIRFIELD CIVIC CENTER LIBRARY AND JOHN F. KENNEDY LIBRARY, APPROVED

The Board was provided with an Agenda Submittal from the Library dated August 10, 2004, incorporated herein by reference, regarding security services.

Donald Tipton, Vallejo expressed concern with the number of years this contract has gone on, feels an RFP should be done, and questioned why the Library is maintaining security, and why only at these two libraries?

Responding to questions posed by Supervisor Kromm regarding why an RFP was not done, Director of Library Services Ann Cousineau noted there have been security services at the JFK Library for over seventeen years, problems with other security services and police cadets prior to Ligouri Services doing the security. Ms. Cousineau discussed the need for security in downtown Vallejo, the Courts recommending Ligouri in 1995 and the excellent job they have done, Ligouri staff are police officers with extensive training, and noted the depth and experience that Ligouri has that none of the other security firms has. At the Fairfield Library we began experiencing the same types of problems so we added security there.

Supervisor Kromm noted the excellent references Ligouri has, but voiced concern with staying with the same contractor for such a long time without opening up the bidding process, and suggested putting together an RFP or an RFQ process the next go round, responding Ms. Cousineau agreed to do an RFP in the future.

On motion of Supervisor Kromm and seconded by Supervisor Vasquez, the Board acted to approve the agreement with Ligouri Associates and to authorize the Director of Library Services to sign said contract on behalf of Solano County. So ordered by a vote of 4-0; Supervisor Kondylis excused.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:
East Vallejo Fire Protection District:

21. EXECUTION OF AUDIT PACKAGE FOR EAST VALLEJO FIRE PROTECTION DISTRICT (EVFPD) FOR THE FISCAL YEARS ENDING JUNE 30, 2003 AND JUNE 30, 2004, CONTINUED

The Board was provided with an Agenda Submittal from County Administrator's Office dated

August 10, 2004, incorporated herein by reference, regarding an audit of the EVFPD.

Responding to questions posed by Supervisor Kromm since there are no ongoing operational expenses, the money is all transferred to the City of Vallejo Fire Department, why an audit is done, Charlene Ping, County Administrator's Office, noted there are a few administrative costs for the EVFPD, and noted the \$2,500 audit fee is determined by the County Auditor.

County Counsel Dennis Bunting noted the mandated requirement to do audits and the provision for every 2 or 5 years based on the financial threshold as set by the Board.

There was consensus to bring this item back to allow time to explore the options.

23. NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT, ADOPTED

RESOLUTION NO. 2004-156 APPROVING GENERAL PLAN AMENDMENT G-04-01, ADOPTED

ORDINANCE NO 1651 AMENDING CHAPTER 28, SECTION 28-15 OF THE SOLANO COUNTY CODE TO REZONE PROPERTIES IN THE UNINCORPORATED CORDELIA AND ROCKVILLE AREAS FROM HIGHWAY COMMERCIAL CH AND RESIDENTIAL ESTATE RE1/3 TO NEIGHBORHOOD COMMERCIAL CN; EXCLUSIVE AGRICULTURE A-10 AND RESIDENTIAL ESTATE RE-1 TO PARK P; EXCLUSIVE AGRICULTURE A-20 TO RURAL RESIDENTIAL RR-2 ½ AND RESIDENTIAL ESTATE RE-1 TO EXCLUSIVE AGRICULTURE A-20, ADOPTED

Principal Planner Harry Englebright, Department of Resources Management, reviewed the information contained in the Agenda Submittal from his department dated August 10, 2004, incorporated herein by reference, regarding General Plan Amendments and rezoning in the Cordelia and Rockville areas.

Responding to questions posed by Supervisor Kromm regarding proposed alternative lanes for the truck scales by Solano Transportation Authority in the area being rezoned to Highway Commercial, and whether the Board can restrict development plans, Mr. Englebright noted until there is a right-of-way identified and the process has started to acquire the land the County can not stop someone from developing the property. County Counsel Dennis Bunting noted that if the Board tried to stop development it would create a potential for an inverse condemnation claim.

Mr. Englebright continued his presentation outlining the changes for the Rockville area.

Responding to questions posed by Supervisor Vasquez regarding rezoning Rockville Cemetery to Public Facilities, Mr. Englebright noted it had been rezoned from Residential Estate back to Exclusive Ag District, none of the County cemeteries are designated Public Facilities.

Director of Resources Management Birgitta Corsello discussed the changes to zoning for cemeteries.

Responding to questions posed by Supervisor Kromm regarding zoning of the Old Burgundy Farms Stables, rezoning of the White Wing property to Rural Residential 2 ½ to 10 acres per unit, and what the current density is in each of the areas, Mr. Englebright noted the area is zoned under the park district and discussed designations that would include stables. The White Wing property is currently zone Exclusive Ag and discussed an application for rezoning that property for development, and noted that A-20 is used as a holding zone for development. Mr. Englebright noted he did not know the current number of units in each area, but noted this is the theoretical holding capacity of the General Plan, but through zoning and development requirements you probably will never meet that full holding capacity.

There was a short discussion regarding sewer connections on properties fronting Suisun Valley Road and LAFCO policies.

Mr. Englebright noted under the Neighborhood Commercial and the Business Professional Office designation two policies are being added relative architectural character of any future development, and development in Cordelia would be developed consistent with the City of Fairfield's Development Standards for landscaping and parking. The Planning Commission has recommended deleting the West Central Plan from the General Plan.

Chairman Silva opened the Public hearing.

Dolores Johnson, Rockville, requested the Board deny this action since it is not consistent with two of the General Plan policies, and that State Law requires all policies must be consistent with all elements of the General Plan. Ms. Johnson discussed Measure A requiring anything municipal must be in the city, the County can not provide water or sewer treatment, and feels this plan can not be executed without annexing the area to the City of Fairfield. Ms. Johnson voiced concern that public meetings were not held with the affected areas prior to the Planning Commission meeting, that the plan was completed prior to public input, and requested the plan be rejected at this time.

Gail Bechtle, Cordelia, discussed her home built in 1899 and the extensive work they have done on the home as with other homes in Old Town Cordelia, noted the need for design standards that will

conform with the existing homes, voiced concern there were no community meetings, the twelve lots listed are not buildable lots, would like residents to have input on design standards, discussed all the work that has been done to improve the area, feels the one to four units per acre is excessive, noted the water problems in the area, and feels more work is needed.

Daphne Nixon, Cordelia Area Homeowners Association, supports parts of the plan, noted confusion on the designations in Old Town Cordelia, wants to ensure the historic nature of Old Town Cordelia is maintained, discussed preservation efforts of Old Town, discussed the Heritage and Railroad Day in Old Town Cordelia, and would like to work with the department to ensure the character of the area is maintained.

As there was no one further who wished to speak on this matter, the public hearing was closed. Responding to questions posed by Chairman Silva regarding notifying the property owners of the proposed changes, and why we would follow Fairfield's design standards, Mr. Englebright noted Public Notices were sent of the rezoning, letters were sent to both homeowners associations, the design standards presented were development standards relative to landscaping, parking and lighting. Architectural review for the current application will be done at a public hearing before the Planning Commission.

Supervisor Vasquez feels the County should set some baseline criteria for applicants to help keep in character of the area.

M. Corsello noted on page 72 of the staff report under policies does note that "Development shall be compatible with the existing architectural and site design character of the community", and to add "Within the Old Town Cordelia area, development shall be consistent with the City of Fairfield development standards". Development standards typically do not deal with architecture, and feels the Planning Commission would only approve structures that fit with the flavor of the community and Old Town Cordelia. There is an appeal process if the public is not happy with any decisions made by the Planning Commission. The department will work with the community to get some samples of things that would be considered historic.

Supervisor Kromm feels the Cordelia Homeowners Association should get early notification from staff of any development in the area for input, and further discussed the extensive input from the Green Valley Homeowners Association on a development in their area.

Supervisor Kromm voiced concern with the zoning designations that appear to increase the density, and questioned why not increase the parcel size on Suisun Valley Road, responding Mr. Englebright noted the area has been zoned Residential Estate 1 acre, the zoning is for minimum parcel size, and noted other areas that have the same type of appearance, and noted that when someone comes in for an application the constraints and restrictions are reviewed. On Suisun Valley Road and in Old Town Cordelia there are a large number of small parcels and by increasing the lot size the setback requirements are changed, discussed other problems if the lot sizes are increased, and noted the designation change is to reflect the existing communities and past development patterns.

Supervisor Kromm noted support by the Green Valley Landowners Association, and discussed the LAFCO restrictions that will curtail development in the area.

On motion of Supervisor Kromm and seconded by Supervisor Vasquez, the Board acted to adopt the Negative Declaration of Environmental Impact; to adopt Resolution No. 2004-156 Approving General Plan Amendment G-04-01; to adopt Ordinance No 1651 Amending Chapter 28, Section 28-15 of the Solano County Code to rezone Properties in the Unincorporated Cordelia and Rockville Areas From Highway Commercial CH and Residential Estate RE1/3 to Neighborhood Commercial CN; Exclusive Agriculture A-10 and Residential Estate RE-1 to Park P; Exclusive Agriculture A-20 to Rural Residential RR-2 ½ and Residential Estate RE-1 to Exclusive Agriculture A-20. So ordered by a vote of 4-0; Supervisor Kondylis excused.

ADJOURN - This meeting of the Board of Supervisors adjourned at 10:38 a.m.

John F. Silva, Chair

Maggie Jimenez
Clerk to the Board of Supervisors