

Minutes For February 11, 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 8:39 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; Property Negotiations: 2500 Claybank Road, Fairfield – negotiating parties: County Administrator, Fairfield-Suisun School District and City of Fairfield – subject of negotiation: price and terms of payment. The Board moved out of Closed Session at 8:55 a.m.

The Solano County Board of Supervisors reconvened on this day at 8:58 a.m. with the Pledge of Allegiance and a moment of silence.

PRESENTATIONS

(Item 7A) RESOLUTION NO. 2003-035 RECOGNIZING THE SOLANO SAFE FROM THE START PROJECT AS A COUNTYWIDE INITIATIVE TO REDUCE CHILDREN'S EXPOSURE TO VIOLENCE AND TO RECOGNIZE THE CALIFORNIA ATTORNEY GENERAL'S OFFICE FOR ITS SUPPORT, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2003-035 Recognizing the Solano Safe From The Start Project as a Countywide Initiative to Reduce Children's Exposure to Violence and to Recognize the Attorney General's Office for its Support. So ordered by a vote of 4-0. (see Resolution Book)

On behalf of the Board, Supervisor Kondylis presented Craig Pierini, Attorney General's Office with Resolution No. 2003-035.

On behalf of the Attorney General, Mr. Pierini thanked the Board for their recognition of Safe From The Start, and recognized Carolyn Thomas-Wold, Office of Family Violence Prevention, for her efforts in bringing Safe From The Start to the community.

Ms. Thomas-Wold thanked Mr. Pierini, the Attorney General's Office, and the Board for their support, noting that she feels this project is one that will truly make a difference.

(Item 7B) RESOLUTION NO. 2003-036 RECOGNIZING CLAUDIA BURNETT UPON HER RETIREMENT FOR HER MANY YEARS OF SERVICE TO SOLANO COUNTY, AND PLAQUE OF APPRECIATION, APPROVED

On motion of Supervisor Silva and seconded by Supervisor Vasquez, the Board acted to adopt Resolution No. 2003-036. The Board further acted to authorize

a Plaque of Appreciation for Claudia Burnett. So ordered by a vote of 4-0. (see Resolution Book)

Chairman Kromm noted that Ms. Burnett could not be present.

ITEMS FROM THE FLOOR

APPEARANCE BY CRAIG HEDRICK REGARDING A PROPOSED HOMELESS FACILITY AT CLAYBANK ROAD AND AIRBASE PARKWAY

Craig Hedrick, Fairfield, read a prepared statement, regarding a proposed Homeless Facility at 2500 Claybank Road, and referred to a 122 signature petition, incorporated herein by reference, noting neighbors and citizens opposed to the location because of residential safety, proximity to parks, an elementary school, and a future school. A lack of government services, transportation, and businesses that help support homeless individuals are almost non-existent and extremely far removed from the proposed site. A more creative effort is needed to find alternative locations for this type of facility, and additional sites should be considered that would have less effect on children, residents, and overall safety.

Chairman Kromm clarified that the County owns property adjacent to the Claybank Jail; the School District suggested that the County sell this piece of property to the District, what the District does with the property is open to speculation, and suggested that Mr. Hedrick stay active by attending meetings regarding this issue.

CONSENT CALENDAR – PUBLIC COMMENT

APPEARANCE BY DONALD TIPTON, VALLEJO RE RELEASE OF RESPONSIBILITY FOR UNACCOUNTED CONTROLLED ASSETS

Donald Tipton, Vallejo, voiced his concerns regarding item 17, approval of release of responsibility for unaccounted controlled assets, noting that the Sheriff's Department should investigate all County departments to see how security is handled within each department.

APPEARANCE BY ART GRUBEL, SEIU LOCAL 1280, RE EXPANDED HOURS OF OPERATION FOR COUNTY DEPARTMENTS TO PROVIDE HIGHER LEVELS OF SERVICE TO USERS OF COUNTY SERVICES

Art Grubel, Executive Director of SEIU Local 1280, requested that the

Board remove item 14 from the Consent Calendar in order to provide the Board with contract language from a Memorandum of Understanding with the County. Mr. Grubel referred to Section 5.B.1. noting that department heads may establish workweek schedules which differ from the normal schedule, upon recommendation of the County Administrator and approval by the Board of Supervisors. Mr. Grubel believes that this agenda item is an abrogation of the contract, and that SEIU Local 1280 was not notified in advance.

APPROVAL OF AGENDA

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

(Item 14) Authorize the County Administrator to implement expanded hours of operation for County departments to provide higher levels of service to users of County services, removed from the Consent Calendar.

(Item 16C) Approval of various contracts; amendments to contracts and appropriation transfers as outlined in the report, removed from the Consent Calendar.

So ordered by a vote of 4-0.

CONSENT CALENDAR

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

(Item 13) MINUTES OF THE BOARD OF SUPERVISORS SPECIAL MEETING OF JANUARY 21, 2003, as outlined in the Agenda Submittal from the Clerk of the Board dated February 11, 2003, incorporated herein by reference, approved.

(Item 15) REPORT ON THE INFORMATION SYSTEMS DEPARTMENT REQUEST FOR PROPOSALS FOR AN IMPLEMENTATION PARTNER TO UPGRADE THE PEOPLESOFT HUMAN RESOURCES MANAGEMENT SYSTEM TO VERSION 8, as outlined in the Agenda Submittal from the Chief Information Officer dated February 11, 2003, incorporated herein by reference, received.

CONTRACT WITH A.G. CONSULTING TO PROVIDE TECHNICAL AND FUNCTIONAL CONSULTING SERVICES, as outlined in the Agenda Submittal from the Chief Information Officer dated February 11, 2003, incorporated herein by reference, approved and County Administrator authorized to execute

said contract and any amendments on behalf of Solano County, provided they do not exceed 10% of the original contract.

(Item 16A) GRANT APPLICATION TO THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) FOR GRANT FUNDING TO PROVIDE RESIDENTIAL AND OUTPATIENT DRUG TREATMENT TO LATINO ADULTS IN SOLANO COUNTY, as outlined in the Agenda Submittal from Health and Social Services dated February 11, 2003, incorporated herein by reference, approved.

(Item 16B) AGREEMENT WITH THE BENICIA COMMUNITY ACTION COUNCIL TO PROVIDE FUNDS FOR THE SECOND CHANCE RENTAL ASSISTANCE PROGRAM, as outlined in the Agenda Submittal from Health and Social Services dated February 11, 2003, incorporated herein by reference, approved and the Chairman authorized to sign said agreement on behalf of Solano County.

(Item 17) RELEASE OF RESPONSIBILITY FOR UNACCOUNTED CONTROLLED ASSETS, as outlined in the Agenda Submittal from the Probation Department dated February 11, 2003, incorporated herein by reference, approved.

(Item 18) AMENDMENT #2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACK HARRISON OF HARRISON AND ASSOCIATES FOR THE TRI-CITY AND COUNTY COOPERATIVE PLANNING GROUP'S OPEN SPACE COORDINATOR POSITION, as outlined in the Agenda Submittal from the Department of Environmental Management dated February 11, 2003, incorporated herein by reference, approved and the Chairman authorized to sign said amendment on behalf of Solano County.

\$5,000 COUNTY CONTRIBUTION TOWARD THE DOCENT LEAD PUBLIC ACCESS PROGRAM FOR THE TRI-CITY AND COUNTY OPEN SPACE PROJECT AREA, as outlined in the Agenda Submittal from the Department of Environmental Management dated January 28, 2003, incorporated herein by reference, approved.

ORDERS

(Item 14) IMPLEMENTATION OF EXPANDED HOURS OF OPERATION FOR COUNTY DEPARTMENTS TO PROVIDE HIGHER LEVELS OF SERVICE, CONTINUED

The Board was provided with an Agenda Submittal from the County Administrative Office dated February 11, 2003, incorporated herein by reference, regarding expanded hours of operation for county departments. County Administrator Michael D. Johnson indicated that by Board rule, County

offices are typically opened 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding weekends and holidays. Section 5.B.1 of the Memorandum of Understanding, incorporated herein by reference, simply notes that the official workweek shall be forty hours of work in any seven consecutive calendar days, and the workweek schedule shall normally consist of five work days of eight hours work each. Mr. Johnson noted that the item before the Board is not changing language in the MOU; it simply would allow the County Administrator to approve requests from County departments to open early or late to allow the public to conduct County business, as the Registrar of Voters Office has done in the past. Employees will not be working any more than eight hours a day, forty hours a week, nor doing any flex time shift arrangements. Consistent with the language of the MOU, should a department come forward and make this proposal, and it is customer service oriented and approved by the County Administrator, then pursuant to the language of the MOU, the County Administrator would work with Human Resources and the affected department to meet and confer with the unions. It is not the County Administrator's intent to change the workweek, or any of the language in the MOU.

In response to a question posed by Supervisor Kondylis regarding flex time, Mr. Johnson clarified that employees will be working eight hour shifts, but the start time may be earlier or later than 8:00 a.m. The County Administrator's definition of flex time is when employees are allowed to work more than eight hours a day, to work eighty hours in nine days in order to get every other Friday off.

Supervisor Kondylis noted concern for employees who may have children in school; this may not be conducive to what they choose to do, and questioned whether employees will be able to voluntarily pick which shift they are going to work, and whether the County is going to make every effort to accommodate employee's home schedules.

Chairman Kromm noted that when the Registrar of Voters hours changed an item came before the Board for approval, and the language that Mr. Grubel has brought forward notes upon recommendation of the County Administrator and approval by the Board of Supervisors.

Mr. Grubel pointed out that there is a procedure negotiated into the MOU, and if the steps of the procedure are changed by removing the Board of Supervisors from that procedure, the MOU is being changed in mid term.

Supervisor Silva feels the Board has the responsibility to its constituency, the public, who we service, and feels the language in the MOU is clear, and that the Board of Supervisors can delegate responsibility to the County Administrator to accommodate the public. Supervisor Silva suggested that this matter be brought back before the Board, and requested a copy of the management rights clause portion of the contracts with all of the unions.

Responding to a question posed by Chairman Kromm regarding the Department of Child Support Services expanding their hours, Mr. Grubel indicated that he has not seen the full recommendation, and would like to meet with the union members to see how they feel.

Chairman Kromm noted that Mr. Grubel, the County Administrator, and Human

Resources will work out the policy issue, and that the Department of Child Support Services issue is one that is timely and needs to move forward quickly so that the County can provide better service.

There was a consensus of the Board to continue this matter to a later date.

In response to comments by Supervisor Kondylis regarding voluntary vs. mandatory time shifts, John Taylor, County Administrative Office, indicated that what his department would expect to see is a departmental proposal outlining how the department would implement it, to what extent staff supports that implementation, and how the department would be fully staffed on a voluntary basis at first implementation. If the program goes on for a period of time, new employees would be assigned to a shift.

(Item 16C) VARIOUS CONTRACTS; AMENDMENTS TO CONTRACTS,
APPROVED

APPROPRIATION TRANSFERS IN THE AMOUNT OF \$35,000 FROM SALARIES TO CONTRACTED SERVICES FOR CLIENTS TO FUND THE INCREASE IN STAFF CARE, INC. CONTRACT, APPROVED

APPROPRIATION TRANSFER IN THE AMOUNT OF \$28,999 FROM UNANTICIPATED REVENUE, APPROVED

APPROPRIATION TRANSFER IN THE AMOUNT OF \$6,083 FROM UNANTICIPATED FUNDS, APPROVED

The Board was provided with an Agenda Submittal from the Department of Health and Social Services dated February 11, 2003, incorporated herein by reference, relating to various contract and amendments to contracts.

In response to Chairman Kromm's concerns in regards to tying all of the information contained in the agenda transmittal together, Moira Sullivan, Assistant Director of Health and Social Services, noted that the children's mental health contracts are grouped together and some of the more routine contract changes are identified separately. The proposed changes are to the master list of agreements that the Board approved in June of 2002, which was developed in March of 2002. Between the development of that master list of agreements and the adoption of the final budget, the numbers changed, so the master list of agreements needs to be modified in order to be consistent with the final adopted budget. Ms. Sullivan explained that the master list of agreements developed in March for children's mental health services was above the dollar amount approved in the final budget, so the contract amounts need to be reduced, and in addition, the department is requesting that money be shifted based upon the need for services.

In response to a question posed by Chairman Kromm as to why the Alameda County STARS CTF (Continuous Treatment Facility) contract was cut in half, Kathy Cramer, Deputy Director of Mental Health, indicated that this particular contract was cut because the County was using the Contra Costa Seneca Center for CTF services, and when Health & Social Services worked to develop

the Seneca Program, in order to fund it, they had to look at the overall usage of CTF beds.

Chairman Kromm noted that it would be helpful to include an explanation as to why certain contracts are being reduced.

Britt Ferguson, County Administrator's Office, clarified that the total amount budgeted for contracts in children's mental health services in FY 2001/02 was approximately \$3,600,000. The department requested \$6,600,000 for FY 2002/03 which is the number reflected in the master list. The Board approved \$4,600,000 in the budget based on the County Administrator's recommendation. The amount for contacts in children's mental health services is roughly \$2,000,000 less than was requested and was reflected on the master list and roughly \$1,000,000 more than was provided for last fiscal year. Chairman Kromm suggested that when a budget item comes before the Board, the department begin their presentation with an overview process, and identify any big changes.

On motion of Chairman Kromm and seconded by Supervisor Silva, the Board acted to approve a contract with Resources for Community Development and amendments to contracts with Alameda County Mental Health Services, Caminar, Inc. (2), Contra Costa County, Echo Consulting, Inc., Mental Health Consumer Concerns, Santa Clara County, Seneca Center, Staff Care, Artoteles Tandinco, M.D., Napa Solano Health Project, Your Home Nursing (2), Ligouri Associates, Lighthouse Staffing, Care Network, and appropriation transfer requests as outlined in the report. So ordered by a vote of 4-0.

(Item 20) AUTHORIZATION TO IMPLEMENT TEMPORARY WORKFORCE REDUCTIONS DURING POPULATION DECLINES AT FOUTS SPRINGS YOUTH FACILITY, APPROVED

 HUMAN RESOURCES TO ENTER INTO NEGOTIATIONS WITH SEIU LOCAL 1280 TO DEVELOP AN AGREEMENT TO PROVIDE FOR CRITERIA FOR FUTURE FURLOUGH OF STAFF, APPROVED

John Taylor, County Administrative Office, reviewed the information contained in the Agenda Submittal from his office dated February 11, 2003, incorporated herein by reference, regarding temporary workforce reductions during population declines at Fouts Springs Youth Facility.

Art Grubel, Executive Director SEIU Local 1280, indicated that he met with Brian Cooley, Superintendent, Fouts Springs Youth Facility and Bertha Jenkins, Senior Personnel Analyst, Department of Human Resources, and discussed the possibility of taking a furlough approach. Fouts Springs is discussing with the Department of Probation the possibility of using some of the staff from Fouts at Juvenile Hall where there is chronic understaffing which could temporarily meet some of those needs so that no one who actually gets furloughed or laid off would necessarily lose their job. There have also been discussions about the possibility of having this somewhat on a voluntary basis to see whether employees who live in this area are willing to work at Juvenile Hall for a period

of time rather than having to commute to Fouts. There are a variety of things that are potentially being discussed in order to ameliorate the negative impact of what Fouts is potentially facing. Mr. Grubel does not want layoffs, but does understand the fiscal problem and will work with the County to come up with the best solution.

Supervisor Silva indicated that the employees at Fouts cannot easily be replaced, and supports working with the unions to have the ability to transfer employees to Juvenile Hall until they are needed at Fouts. Supervisor Silva noted that he is going to be very adamant at the next Fouts Board of Directors meeting supporting a program for young women at Fouts, and that the judges would like to have a program for young women.

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board acted to approve the departmental recommendations. So ordered by a vote of 4-0.

(Item 21) ORDINANCE NO. 1627 TO REZONE 2.5 ACRES AT 4724 GREEN VALLEY LANE FROM A-20, EXCLUSIVE AGRICULTURE, TO RR-2.5 RURAL RESIDENTIAL, AND MITIGATED NEGATIVE DECLARATION, ADOPTED

Scheduled on the agenda for this day was consideration of a proposed ordinance which would Rezone 2.5 Acres Located at 4724 Green Valley Lane, from A-20 Exclusive Agriculture to RR2.5, Rural Residential.

Mike Yankovich, Department of Environmental Management, reviewed the staff report dated February 11, 2003, incorporated herein by reference, noting that this item was continued from January 7, 2003, in order to allow the applicant time to get a lot line adjustment map together so the Board could approve a rezoning on only that 2.5-acre parcel involved in the lot line adjustment.

Chairman Kromm opened the public hearing.

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

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to adopt the proposed ordinance and mitigated negative declaration. So ordered by a vote of 4-0.

(Item 22A) SCOTT DE BIE AND DANA FOSS APPOINTED TO THE SILVEYVILLE CEMETERY DISTRICT, APPROVED

JAMES BOUNDS REAPPOINTED TO THE SILVEYVILLE CEMETERY DISTRICT, APPROVED

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Scott de Bie and Dana Foss to the Silveyville Cemetery District, and reappoint James Bounds to the Silveyville Cemetery District for terms to expire January 1, 2007. So ordered by a vote of 4-0.

(Item 22B) LOVELLA CHRISTOPHER-SMITH REAPPOINTED TO THE SOLANO COUNTY LOCAL MENTAL HEALTH BOARD, APPROVED

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint Lovella Christopher-Smith to the Solano County Local Mental Health Board for a term to expire February 11, 2006. So ordered by a vote of 4-0.

(Item 22C) LOUIS BURGELIN, HELEN ESTES, PETE SANCHEZ, DELWYN ZEIGLER, HAROLD HILL, AND KATIE RICKLEFS APPOINTED TO THE TOBACCO MASTER SETTLEMENT AGREEMENT (MSA) ADVISORY COMMITTEE, APPROVED

Supervisor Kondylis pointed out that one of her applicants requesting appointment is an executive director of a health advisory board paid position, and that working for an organization that may be eligible to apply for funds could be a conflict of interest.

County Counsel Dennis Bunting indicated that the Board could prohibit those individuals from applying, otherwise it's a case by case situation, meaning that when an issue comes up during discussion the committee member would have to abstain from voting. The other issue is that an applicant resides outside of Solano County and the Boards needs to decide whether they want a residency requirement, noting that if this item is approved today, the direction would have no residency requirement. Because of the lack of a quorum, the Department of Health and Social Services has been unable to prepare an agenda item regarding the Tobacco (MSA) Advisory Committee bylaws. Supervisor Kondylis would like a policy stating that Board representatives can not have a conflict of interest in terms of being in a paid position for an agency that may be applying for funds.

Christine Linville, Executive Director, First Five Solano, indicated that she has recently reviewed the conflict of interest forms completed by the First Five Solano Commissioners, and is aware of at least one commissioner that sits on a board of a local organization that has contracts with the commission. Ms. Linville noted that it's her understanding that these potential conflicts of interests were dealt with on a case by case basis by the member abstaining from the particular vote.

Mr. Bunting suggested that if there is going to be a conflict of interest code, the individual should be in a position to make financial decisions.

Chairman Kromm clarified that the Board would be prohibited from appointing a district representative who in any way would benefit from the potential funds out of the organization that they may be affiliated with, unless otherwise required by local, state or federal law.

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board acted to amend the above referenced agenda item to include the appointments of Louis Burgelin to represent District 1 and Delwyn Zeigler to represent District 4. So ordered by a vote of 4-0.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Louis Burgelin, Helen Estes, Pete Sanchez, Delwyn Zeigler, Harold Hill, and Katie Ricklefs to the Tobacco Master Settlement Agreement (MSA) Advisory Committee. So ordered by a vote of 4-0.

In response to a question posed by Supervisor Kondylis as to whether the two

community representatives are representing community based organizations or ordinary dedicated citizens, Britt Ferguson, County Administrator's Office, indicated that the Department of Health & Social Services was directed to come back with specific recommendations.

Supervisor Kondylis requested that Mr. Ferguson provide the Board with clarification at the next meeting.

ADJOURN - This meeting of the Board of Supervisors adjourned at 10:30 a.m.

Duane Kromm, Chair

Myra Chirila, Deputy
Clerk to the Board of Supervisors