

Minutes For March 1, 2005

SOLANO COUNTY BOARD OF SUPERVISORS

March 1, 2005

MINUTES

The Solano County Board of Supervisors met on the 1st day of March, 2005 in regular session in the Chambers of the Board of Supervisors of the County of Solano in the Solano County Court House, 580 Texas Street, Fairfield, California at 8:35 A.M. pursuant to County Code Section 2-1.103. Present were Supervisors Kromm, Reagan, Silva, Vasquez, and Chairwoman Kondylis. 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 8:36 a.m. to convene in Closed Session on the following matters:

Potential Litigation: 2 cases; Labor Negotiations: Public Employees Union, Local 1 Units 6 & 16, California Federation of American Physicians and Dentists, Teamsters, Local 228, Attorneys, In-Home Health Support Services (IHSS), Chief Negotiators: Craig Jory, Yolanda Irigon, Steve Janice, Jim Ferguson, and Wayne Page.

Agenda Item No. 4

Open Session

The Board of Supervisors reconvened in Open Session at 9:15 a.m. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 5

Report of Action in Closed Session

County Counsel Dennis Bunting noted that there were no reports from Closed Session.

Agenda Item No. 6

Salute to the Flag and Moment of Silence

Solano County Sheriff Gary Stanton led all in the Pledge of Allegiance to the Flag and a Moment of Silence.

Agenda Item No. 7

Presentations

The Board of Supervisors made the following presentations:

A) Health and Social Services

Presented Proclamation in support of Earn It! Keep It! Save It! Solano, a campaign to help working families access the Earned Income Tax Credit and recognize the role of local organizations and volunteers in providing free tax help

B) Health and Social Services

Presented Proclamation recognizing the Month of March 2005 as Social Worker Recognition Month in Solano County

C) Board of Supervisors

Received the Big Apple Trophy Award from the Food Bank of Contra Costa and Solano for winning the 2004 Counties Care Holiday Food Drive Challenge. Acknowledged Reggi Blancett for her leadership who was assisted by the following departmental coordinators: Connie Peterson, Ben Curtis, Barbara Myers, Carmen Curry, Nancy McKee, Karen Hart, Lori Wilson, Letitia Folds, Frances Taylor, Kimberly Hess, David Doelman, Linda Zebb, Janet Damm, Peggy Rourk, Mitch Mashburn, Theresa Rhoads, Mark Navarro, Paula McDowell, Dennis Bunting, Diane Metz, Maggie Luna, Billie Hendersen, Sherrie Filbert, Venis Boyd, Elizabeth Lunsford-Saitz, Sherry Huffman, Carol Elliot, Laurie Campos, Susan Turner, Mike Palmaffy, and Frank Martinez. Trophies were presented to the following departments for their achievements:

First Place:	Solano County Cooperative Extension
Second Place:	Solano County Administrator's Office
Third Place:	Veterans Service Office

Agenda Item No. 8
Items From the Public

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) Cathy Houck, Foreperson of the Solano County Grand Jury, introduced members of the Solano County Grand Jury and indicated that they have elected to issue individual reports as they are completed to the Board of Supervisors for response. Ms. Houck presented the Board of Supervisors with the first report from the 2004/2005 Grand Jury titled "Solano County Towing Policies - To Tow or Not to Tow"
- B) Donald Tipton, unincorporated Vallejo, expressed his continued concern with the increased rates for rent in relocating the Board of Supervisors Offices in Vallejo and requested further clarification. Mr. Tipton provided comments regarding County representation on the Greater Vallejo Recreation District (GVRD) and felt there should be representation from the unincorporated area of Vallejo on the GVRD, the Vallejo Sanitation and Flood Control District, and the Solano County Planning Commission. Mr. Tipton noted that the Board was considering moving the veterans to a new facility and felt that the old facility was a memorial to the veterans. Mr. Tipton expressed his concern that the Countywide Lighting District be provided with an 800 number to provide an easily accessible phone number to residents in the unincorporated area to call when lights burn out. Mr. Tipton noted that there were some outburst in the Board Chambers during the February 22, 2005 Board meeting and requested that only the Chairperson address the public during these situations.
- C) Supervisor Vasquez noted that the mosquito season was approaching and encouraged residents to take precautionary measures against the West Nile Virus.
- D) Supervisor Vasquez requested that this meeting of the Board of Supervisors be adjourned in memory of John Reed and Richard Maldonado.
- E) Supervisor Vasquez requested staff to review the matter of improved posting of offices in the new County Administration Center and a listing of phone numbers.
- F) Supervisor Reagan informed the Board that there was a second effluent spill at the Heritage Dairy in Dixon which was discovered on February 28, 2005 by the Reclamation District. Supervisor Reagan noted that he has encouraged the Solano County District Attorney to review this matter for criminal negligence and asked staff to review for cause of revocation of the Use Permit.
- G) Chairwoman Kondylis noted that the Solano Transportation Authority (STA) has requested her to appoint a Board members to the STA subcommittee on alternative modes.

H) Chairwoman Kondylis asked staff to provide the Board with a report outlining Solano County's involvement in the Parkway Boulevard Grade Separation Project.

Agenda Item No. 9
Additions/Deletions to the Agenda

The following two items were added to the agenda after a declaration was made that the issues arose after the posting the agenda and action needed to be taken by the Board prior to their next meeting of March 22, 2005:

- A) Closed Session – Potential Litigation 1 case.
- B) Property Negotiations: North County Government Center on Brown Street, Vacaville, California, Parcel Nos. 0129-320-020, 0129-320-150, 0129-320-170, 0129-320-180, 0129-320-190, 0129-320-200, 0129-320-250, 0129-320-270; negotiating parties: Vacaville Redevelopment Agency, Agency negotiator: Veronica Ferguson, General Services Director
- C) County Counsel Dennis Bunting noted that the Board would only be setting the public hearing at this time regarding Agenda Item No. 20 to discuss the Solano County Criminal Justice Administration (Booking) Fee.

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

Agenda Item No. 10
Public Comment on Consent Calendar

The Chairwoman invited individuals of the public to make public comment on Consent Calendar Items. The following comments were made:

- A) Donald Tipton, unincorporated Vallejo, requested that the minutes of the Board of Supervisors for February 22, 2005, under public comment, be amended to include the County Administrator was directed to review and provide a report to the Board regarding the implementation of an 800 number for County offices to allow all residents to contact the County without a charge.
- B) Donald Tipton, unincorporated Vallejo, noted that the salaries proposed for the Building Maintenance Assistant in Item No. 14 were not adequate for an individual to rent a two bedroom apartment in Solano County.
- C) Aaron McAlister expressed his concern regarding Item No. 22 pertaining to a contract with Partners for a Safer America for the purpose of managing bail bond advertisement in the county jails. Mr. McAlister noted that he was a local bail bond agent and was concerned that bail bond agents located out of the county would not be able to provide adequate service to its clients.

Agenda Item No. 11
Approval of Agenda

Approved the agenda for this meeting as submitted with the following items being removed from the Consent Agenda and placed on the Regular Agenda:

Item No. 21D renumbered to 25B – Appropriation Transfer Request to align the County's budget with the State allocation for the Adolescent Family Life Program. Amendment to an agreement with Planned Parenthood Shasta Diablo

Item No. 22 renumbered to 25A – Contract with Partners for a Safer America for the purpose of managing bail bond advertisements in the county jails and increasing revenue deposits to the Inmate Welfare Fund

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

Consent Calendar

Acted on the following Consent Calendar items:

13. Approved the minutes of the Board of Supervisors' meeting of February 22, 2005 as outlined in the Agenda Submittal from the Clerk of the Board dated March 1, 2005, incorporated herein by reference.
14. Adopted and authorized the Chairwoman to sign Resolution No. 2005-049 amending the Alphabetical Listing of Classes and Salaries to add the new classification of Building Maintenance Assistant, Unit 10, Stationary Engineers, Local #39, with an approximate annual salary of \$30,147 - \$36,644 and Resolution No. 2005-050 amending the Position Allocation List for the Department of General Services to add four (4) full-time equivalency (FTE), Building Maintenance Assistants and delete two (2) FTE Building Trades Assistants and two (2) FTE Stationary Engineer Assistants as outlined in the Agenda Submittal from the Department of Human Resources dated March 1, 2005, incorporated herein by reference. (see Resolution Book)
15. Adopted and authorized the Chairwoman to sign Resolution No. 2005-051 amending the Position Allocation List to add one (1.0) full-time equivalency (FTE), Systems and Programming Manager and delete one (1.0) FTE Programmer Analyst in the Solano County Integrated Property Systems (SCIPS) Division of DoIT as outlined in the Agenda Submittal from the Department of Information Technology dated March 1, 2005, incorporated herein by reference. (see Resolution Book)
16. Approved and authorized the General Services Director to sign an amendment, and any future amendments to the agreement that are within the approved contracted amount, to an existing agreement with Cambria Environmental Technology, Inc. of Emeryville, CA for an amount of \$80,771, bringing the total contract amount to \$120,487 to provide environmental consulting services for soil and groundwater contamination at the Solano County Corporation Yard, 3255 North Texas Street, Fairfield, CA as outlined in the Agenda Submittal from the Department of General Services dated March 1, 2005, incorporated herein by reference.
17. Approved and authorized the Chairwoman to sign a no-cost extension amendment to Contract #2003-05 (Planned Parenthood: Shasta-Diablo) to utilize unspent funds of up to \$5,340 to extend family support through June 30, 2005 as outlined in the Agenda Submittal from the First 5 Solano Children & Families Commission/CAO dated March 1, 2005, incorporated herein by reference.
18. Approved and authorized the Chairwoman to sign a no-cost extension amendment to Contract #2003-03 (Matrix Parent Network and Resource Center) to utilize unspent funds of up to \$6,805 to extend family support through June 30, 2005 as outlined in the Agenda Submittal from the First 5 Solano Children & Families Commission/CAO dated March 1, 2005, incorporated herein by reference.
19. Adopted and authorized the Chairwoman to sign Resolution No. 2005-052 authorizing the execution and delivery of a First Supplemental Indenture on behalf of the Dixon Unified School District as outlined in the Agenda Submittal from the Treasurer-Tax Collector-County Clerk dated March 1, 2005, incorporated herein by reference. (see Resolution Book)
20. Received the FY 2005/06 Solano County Criminal Justice Administration (Booking) Fee Report as outlined in the Agenda Submittal from the Auditor-Controller dated March 1, 2005, incorporated herein by reference, and set a public hearing for April 26, 2005. It was noted that the fee would be one-half of the Administrative fee.
- 21A. Approved and authorized the Chairwoman to sign an Agreement in the amount of \$99,000 with Global Vision Consortium for the time period March 1, 2005 to August 30, 2006 to assist with Bioterrorism and Public Health Emergency Planning as outlined in the Agenda Submittal from the

Department of Health and Social Services dated March 1, 2005, incorporated herein by reference.

21B. Approved the submission of the Bioterrorism Preparedness and Response Workplan for Fiscal Year 2004/2005 and a funding agreement in the amount of \$748,117 for the period July 1, 2004 through August 30, 2005. Authorized the Chairwoman of the Board to sign a Certification Against Supplanting. Approved an Appropriation Transfer Request in the amount of \$301,794 in unanticipated revenue to appropriate prior year State funds carried over into the fiscal year 2004/2005 budget as outlined in the Agenda Submittal from the Department of Health and Social Services dated March 1, 2005, incorporated herein by reference.

21C. Approved and authorized the Chairwoman to sign a contract for the period March 1, 2005 through June 30, 2006, with HORIZON SERVICES/COMMPRE in the amount of \$198,357 to provide consultant services to the Tobacco Master Settlement Health Improvement Initiative Reducing Rates Coalition as outlined in the Agenda Submittal from the Department of Health and Social Services dated March 1, 2005, incorporated herein by reference.

23A. Adopted Resolution No. 2005-053 authorizing the Chief Probation Officer to submit a sub-grant application up to a maximum of \$250,000 to the California State Board of Corrections and execute said grant agreement related to the Title V Community Prevention Grants Program. Assigned the County Administrator and/or Chief Probation Officer authorization to execute all grant related contracts as outlined in the Agenda Submittal from the Probation Department dated March 1, 2005, incorporated herein by reference. (see Resolution Book)

23B. Adopted and authorized the Chairwoman to sign Resolution No. 2005-054 amending the Probation's Position Allocation List adding two Full Time Equivalent Deputy Probation Officers and deleting two Full Time Equivalent Senior Deputy Probation Officers as outlined in the Agenda Submittal from the Probation Department dated March 1, 2005, incorporated herein by reference. (see Resolution Book)

24. Approved an Appropriations increase for Other Professional Services Revenue of \$59,759 to offset an increase in the Department's Fiscal Year 2004/05 budget of \$51,131 in Contracted Services and \$8,628 in Other Professional Services. Approved a contract amendment of \$8,400 with Ken Solomon for professional contract planning services to manage the Dove Creek Ranch (a.k.a. Cassil) Subdivision project and process the land use entitlements, and delegated authority to the Director of Resource Management to sign this contract amendment and all future amendments, as may be necessary, to complete the project as outlined in the Agenda Submittal from the Department of Resource Management dated March 1, 2005, incorporated herein by reference.

MOTION: Reagan. SECOND: Kromm.

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

Item No. 22

Bail Bond Advertisements

The Board received a report from the Solano County Sheriff-Coroner Gary Stanton requesting approval of a three year revenue generating contract with Partners for a Safer America for the purpose of managing bail bond advertisements in the county jails and increasing revenue deposits to the inmate Welfare Fund as outlined in the Agenda Submittal dated March 1, 2005, incorporated herein by reference.

In response to a question posed by the Board members, Aaron McAlister, bail bond agent with a headquarters located in Solano County, noted that he did provide services in other counties but that he had either an agent or a physical presence in that county. Mr. McAlister expressed concern that bail bond agents located out of the county would not be able to provide adequate service to its clients.

Sheriff-Coroner Stanton provided the Board with a copy of the proposed advertisement, a sign board made out of acetate that would be adhered to a glass door, all advertisements would be the same size, and that they would be rotated on the sign board in a random manner on a regular basis.

At the conclusion of discussion, the Board approved a revenue generating contract with Partners for a Safer America for a term of April 1, 2005 through March 31, 2008 and authorized the Sheriff to approve and sign amendments to the agreement.

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

Agenda Item No. 21D
 Planned Parenthood Shasta Diablo

The Board received an Agenda Submittal dated March 1, 2005, incorporated herein by reference, indicating that the State allocation for the Adolescent Family Life program was \$32,047 higher than budgeted when the fiscal year 2004/2005 budget was approved and requested that the Board act to align the State allocation to the County budget. It was also proposed that \$8,485 of the \$32,047 increased allocation be used to fund a contract amendment with Planned Parenthood for additional Social Worker staff time in the program and supply costs associated with operating the program.

Supervisor Reagan expressed his concern that this was contract that began in 2004, that funds would be used to fund permanent vs temporary staff time, and that \$32,045 would be used for 150 hours of consultation providing for a high hourly rate.

Staff noted that due to increased efforts during the previous year to serve Medi-Cal eligible clients, the County received an increase in State and federal funding. It was noted that the funds would be used toward the addition of a Social Worker to address a historical need in the program for which no funds were available. It was also noted that the additional funds would be used toward the Program Manager position to fund the actual percentage of time invested in the Program and operating expenses to cover supplies which were borrowed from other programs.

At the conclusion of discussion, the Board took the following action:

- A. Approved an Appropriation Transfer Request in the amount of \$32,047 in Unanticipated Revenue to align the County's budget with the State allocation for the Adolescent Family Life Program.
- B. Approved an amendment in the amount of \$8,485 to an Agreement with Planned Parenthood Shasta Diablo for a total contract amount of \$164,412 for the period July 1, 2004 through June 30, 2005.

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

Agenda Item No. 26
 In-Home Supportive Services
 Amendment to Policy - Registry

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

The Board of Supervisors recessed this meeting at 10:35 A.M. and reconvened at 10:45 A.M. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 27
 Housing Authority
 Administrative Plan - 2004

Minutes regarding this matter are contained in the Solano County Housing Authority Minutes Book.

Agenda Item No. 28

Appointment Authority

There were no appointments made or resignations accepted from various boards and commissions.

The Board of Supervisors recessed this meeting at 11:05 a.m. to attend a dedication ceremony at the County Administration Center. The Board of Supervisors reconvened at 12:05 p.m. in the new Board of Supervisors' Chambers, County Administration Center, 1st Floor, 675 Texas Street, Fairfield, California.

Agenda Item No. 30

Solano Transportation Authority Report

Received a power point presentation from Daryl Halls, Executive Director, concerning the Solano Transportation Authority's (STA) recent Board retreat and provided input on their priority projects and programs as outlined in the Agenda Submittal from the County Administrators Office dated March 1, 2005, incorporated herein by reference.

Agenda Item No. 33

Recess

The Board of Supervisors recessed this meeting at 12:55 P.M. and reconvened at 2:15 P.M. All members were present. Chairwoman Kondylis presided.

Agenda Item No. 32

Confined Animal Facilities (Dairies)

The Board of Supervisors continued the Public Hearing from February 1, 2005 concerning the First reading of an ordinance adding Chapter 27 to the Solano County Code and the First reading of an ordinance amending Chapter 28 (Zoning ordinance) of the Solano County Code, relating to confined animal facilities and outlined in the Agenda Submittal dated March 1, 2005, incorporated herein by reference.

The Board of Supervisors received an update report from Solano County Environmental Health Department regarding the release of effluent at Heritage Dairy in Dixon. Staff noted there were a series of errors that caused the spill including the malfunction of a gate valve and the lack of inspection of the property after a significant rain. Staff noted that they felt that the proposed ordinance would provide additional strength to the current regulations.

In response to a question posed by Supervisor Vasquez, staff noted that had the County implemented improved standards and regulatory oversight as outlined in the proposed ordinances pertaining to confined animal facilities, the operational and maintenance aspects would have been more closely monitored by having a Compliance Officer on site to walk the perimeter of the dairy, especially after a significant rain event. There would have assured that the dairy was operating properly and may have prevented a spillage event.

Staff reported that they were currently reviewing the provisions of the Conditional Use Permit for the Heritage Dairy that govern the operation and management of the facility itself and were put in place after the first spillage event. It was further noted that in regards to the revocation of the use permit process, the Zoning Administrator would need to determine if there was adequate grounds for revocation of the use permit and then take that request to the Planning Commission for a public hearing. If the event warranted a revocation of the use permit, staff would review what the County's options were to deal with another release of effluent from this facility. It was noted that the Heritage Dairy had a design modification that wasn't put into place and the design appeared to have had some defects.

Chairwoman Kondylis reopened the continued Public Hearing from February 1, 2005 concerning the First reading of an ordinance adding Chapter 27 to the Solano County Code and the First reading of an ordinance amending Chapter 28 (Zoning ordinance) of the Solano County Code, relating to confined animal facilities to the public and received the following comments. Chairwoman Kondylis noted that the purpose of this public hearing would be to determine that the Board's concerns are

addressed and to direct staff to contact experts to attend a future meeting to provide information regarding the concerns.

Charles Dimmick, City of Vacaville, noted that the County had made great strides to attract high paying industries to relocate to this area and felt it was important to maintain large buffers between dairies and industries.

Supervisor Vasquez indicated that the County has been attempting to strengthen the County ordinance and provide for more regulatory oversight.

Chairwoman Kondylis requested that the Vacaville City Council provide the County with a list of specific wants and needs to allow the County to address their issues.

Supervisor Kromm noted that Solano County was located next to the University of California at Davis which provides cutting edge research for the agricultural community and felt that he would like to see Solano County as a vibrant agricultural community.

Supervisor Silva commented that Solano County was an agricultural community with three universities and that if the dairy industry did not flourish in Solano County, then there would be some other farming industry taking its place.

Eric Warnken, Solano County Farm Bureau, noted that there is over five miles from Genentech to the nearest possible dairy and that the primary winds were from the Southwest. Mr. Warnken noted that it was unfortunate to have the recent spill from the Heritage Dairy in Dixon and felt that it was caused by poor workmanship. Mr. Warnken noted that much of the pollution and effluent came from the cities and that the cities should have the same stringent guidelines as the dairies.

Mr. Pool, Vacaville, suggested that the County regulate the dairies by listing the desired results and adding penalties for failure to meet the results. Mr. Pool indicated that he understood the desires of the cities not to have dairies in close proximity due to odors and other nuisances and suggested that the closer the dairy is located to a city the more stringent the standards.

David Avila, Western Design, indicated that he represented a client who purchased land in Solano County for the purpose of establishing a dairy which happened to be within one mile of the National Cemetery prior to the federal government purchasing the land for the National Cemetery. Mr. Avila noted that their permits were filed with the County prior to the interest in the cemetery and; therefore, requested that the Board consider a one-half mile setback from the cemetery to allow the dairy to go forward. Mr. Avila noted that he has been working with the San Joaquin Air District to design systems to address air quality issues which include greenhouse style dairies to address the odor issue.

Lyle DeVine, Vacaville, indicated that he felt that the largest concern to the general public is the odor from dairies and how much distance there would be from the cities to the dairies.

The Board of Supervisors recessed this meeting at 3:35 P.M. and reconvened at 3:45 P.M. All members were present. Chairwoman Kondylis presided.

The Board reviewed the identified concerns relating to confined animal facilities raised during previous Board meetings as outlined in Attachment 1 of the Agenda Submittal from the Resources Department dated March 1, 2005, incorporated herein by reference. It was determined by the Board that expert testimony would not be required regarding the testing of the wells, regulations to be adopted by the Central Valley Regional Water Quality Control Board, response time required to submit a plan should contamination occur, SB 700 requirements, compliance with Solano County Mosquito Abatement District and the number of flies associated with the dairies, and animal tracking for disease prevention. The Board directed staff to return to the Board for a workshop on April 5, 2005, April 19, 2005 (Special Meeting); or May 3, 2005 for an evening meeting to continue the public hearing with identified experts to provide information on the specific issues that the Board requested to be addressed.

Agenda Item No. 33
Adjournment

The Board of Supervisors adjourned this meeting at 4:25 P.M. to March 22, 2005 at 8:30 A.M. in memory of John Reed and Richard Maldonado.

Closed Session

The Board of Supervisors convened in Closed Session at 4:30 P.M. to discuss the following

matter:

Property Negotiations: North County Government Center on Brown Street, Vacaville, California, Parcel Nos. 0129-320-020, 0129-320-150, 0129-320-170, 0129-320-180, 0129-320-190, 0129-320-200, 0129-320-250, 0129-320-270; negotiating parties: Vacaville Redevelopment Agency, Agency negotiator: Veronica Ferguson, General Services Director

The Board of Supervisors adjourned from Closed Session at 5:15 P.M.

There were no reports from Closed Session.

BARBARA R. KONDYLIS, Chairwoman
Solano County Board of Supervisors

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

By
Patty Crittenden, Deputy Clerk