

## Minutes For November 2, 2004

THIS MEETING WAS HELD IN THE BOARD OF SUPERVISORS CHAMBERS,  
580 TEXAS STREET, FAIRFIELD

SOLANO COUNTY BOARD OF SUPERVISORS                      November 2, 2004  
HOUSING AUTHORITY, SPECIAL DISTRICTS,  
SOLANO FACILITIES CORPORATION,  
SOLANO BUILDING CORPORATION AND  
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

### MINUTES

The Solano County Board of Supervisors met in regular session on this day at 8:33 a.m. The meeting was called to order by Chairman Silva. All members were present.

CLOSED SESSION: The Board moved into Closed Session at 8:34 a.m. to discuss Public Employee Performance Evaluation: County Administrator. The Board moved out of Closed Session at 9:28 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:30 a.m. with the Pledge of Allegiance and a moment of silence.

### PRESENTATIONS

#### AUDITOR-CONTROLLER SIMONA PADILLA-SCHOLTENS SWORN INTO OFFICE

The Clerk to the Board Maggie Jimenez administered the Oath of Office to Auditor-Controller Simona Padilla-Scholtens to assume the office vacated by William Eldridge upon his retirement.

Supervisor Kromm noted Ms. Padilla-Scholtens is the first woman Hispanic CPA Auditor-Controller in the State of California, and discussed the hard work involved in attaining this distinction.

7A) RESOLUTION NO. 2004-196 RECOGNIZING NOVEMBER 11, 2004 AS VETERANS DAY, A TIME TO HONOR THE VALOR, SACRIFICE AND COMMITMENT OF OUR NATION'S VETERANS, ADOPTED

On motion of Supervisor Forney and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2004-196. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Vasquez presented the resolution to Edna Barnes; on behalf of all veterans, Ms. Barnes accepted the resolution, introduced the attending commanders, and read a brief statement, incorporated herein by reference, outlining the festivities occurring on Veterans Day.

Kathleen Heeren, American Legion Post 165, invited everyone to the festivities in Vacaville.

Cornelius Wood, Fairfield, thanked the County for recognizing the veterans, and commended Veterans Service Officer Bill Reardon and staff for all the services they provide.

7B) RESOLUTION NO. 2004-197 HONORING BILLIE MIDDLETON, EXECUTIVE DIRECTOR OF SOLANO COUNTY YOUTH AND FAMILY SERVICES, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to adopt Resolution No. 2004-197 honoring Billie Middleton upon her retirement after 22 years of service to the residents of Solano County. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Kondylis presented the resolution to Ms. Middleton, and noted what a great job Ms. Middleton has done and what a significant part she and Youth and Family Services have been in the County.

Ms. Middleton expressed appreciation for the opportunity to have such meaningful work in helping the people of Solano County, commended the staff at Youth and Family Services, and thanked the County for support of the agency.

## 7C) "2004 COUNTIES CARE HOLIDAY FOOD DRIVE CHALLENGE", ACCEPTED

Larry Sly, Food Bank of Contra Costa and Solano, discussed the holiday charitable challenge to Solano County employees by the employees of Contra Costa County, encouraged Solano County participation in raising funds to purchase food for the hungry, and discussed how the food bank can stretch those dollars to feed the hungry. Mr. Sly displayed the perpetual trophy noting the winner of the food drive would have the honor of displaying this trophy for an entire year.

Supervisor Kromm posed questions regarding accounting the total County contributions, Mr. Sly noted material has been distributed to the departments by the County coordinator Reggi Blancett in the County Administrator's Office, funds will be calculated on a per capita basis for the challenge calculation purposes, and noted that for every dollar the Food Bank gets they can get approximately \$5 worth of food out into the community.

The Supervisors accepted the challenge and committed to contributions of \$100.

## 7D) RESOLUTION NO. 2004-198 RECOGNIZING BRIAN L. COOLEY UPON HIS RETIREMENT FOR HIS MANY YEARS OF SERVICE TO SOLANO COUNTY, AND PLAQUE OF APPRECIATION, APPROVED

On motion of Supervisor Vasquez and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2004-198. The Board further acted to authorize a Plaque of Appreciation for Brian Cooley. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Vasquez presented Mr. Cooley with Resolution No. 2004-198 honoring him upon his retirement after 19 years of service to Solano County as Superintendent of Fouts Springs Youth Facility.

Supervisor Forney presented Mr. Cooley with a Plaque of Appreciation and discussed the girls program that is now closing, and the need to focus on mentoring the children after they graduate.

On behalf of the Solano Superior Courts, Executive Officer Chuck Ramey thanked the Board for the great resource of Fouts Springs Youth Facility, discussed the challenges Mr. Cooley has faced over the years, and presented Mr. Cooley a Plaque of Appreciation from the Judges of the Solano Superior Court.

Mr. Cooley noted his appreciation for the support by the Board, what a wonderful job this has been and urged the Board to keep the program going.

## ITEMS FROM THE FLOOR

## APPEARANCE BY DONALD TIPTON RE VARIOUS ISSUES

Donald Tipton, Vallejo, voiced his concerns regarding budget cuts to the Vallejo Housing Authority and the Housing and Urban Development (HUD) Section 8 Program, the increase in the portion tenants will have to pay on the Section 8 Program, with delayed telecast of the Board of Supervisors meetings on the Vallejo service channel, and the 5% franchise fee for cable television being charged to the residents in the unincorporated area.

## APPROVAL OF AGENDA

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to approve the submitted Agenda, incorporated herein by reference. So ordered by a vote of 5-0.

## CONSENT CALENDAR

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

13) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF OCTOBER 12, 2004; JOINT MEETING WITH SOLANO COUNTY FAIR ASSOCIATION OCTOBER 12, 2004; RURAL NORTH VACAVILLE WATER DISTRICT OCTOBER 12, 2004, as outlined in the Agenda Submittal from the Clerk of the Board dated November 2, 2004, incorporated herein by reference, approved.

14) DONATION AGREEMENT RE DONATION OF LAND BY SANCHEZ, ET AL, as outlined in the Agenda Submittal from General Services dated November 2, 2004, incorporated herein by reference, approved and County Administrator authorized to sign said contract on behalf of Solano County.

RESOLUTION NO. 2004-199 OF INTENTION TO ACCEPT DONATION OF REAL PROPERTY LOCATED NORTH OF FLANNERY ROAD AND EAST OF HIGHWAY 113 IN THE UNINCOPORATED AREA OF SOLANO COUNTY, CALIFORNIA (PORTIONS OF SOLANO COUNTY ASSESSOR PARCEL #0042-170-250, 0042-170-260, AND 0048-090-320), adopted. (see Resolution Book)

NOTICED/PUBLISHED HEARING RE DONATION AND FINAL DETERMINATION OF SIZE OF DONATION PARCEL, set for December 14, 2004 at 9:00 a.m.

15) COUNTY TREASURER'S QUARTERLY REPORT FOR THE PERIOD OF JULY 1, 2004 THROUGH SEPTEMBER 30, 2004, as outlined in the Agenda Submittal from Treasurer-Tax Collector-County Clerk dated November 2, 2004, incorporated herein by reference, received.

16A) NOTICE OF COMPLETION FOR THE SLURRY SEAL PROJECT 2004, COMPLETED BY CALIFORNIA PAVEMENT MAINTENANCE COMPANY, INC., as outlined in the Agenda Submittal from Resource Management dated November 2, 2004, incorporated herein by reference, approved.

16B) ANNUAL REPORT FOR THE ENGLISH HILLS TRANSPORTATION IMPACT FEE PROGRAM FOR FY2003-04, as outlined in the Agenda Submittal from Resource Management dated November 2, 2004, incorporated herein by reference, received.

16C) RESOLUTION NO. 2004-200 AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR FY 2005-06 AND FY 2006-07, adopted.

## ORDERS

18A) 2005 STATE LEGISLATIVE PLATFORM, APPROVED

Paul Yoder, Legislative Analyst, Gerber Shaw & Yoder, reviewed the information contained in the Agenda Submittal from County Administrator's Office dated November 2, 2004, incorporated herein by reference, regarding a status report on legislation of importance to Solano County. Mr. Yoder also discussed the continuing deficit of the State, the development of the Legislative Platform, and reviewed the level one-priority items 1 through 5.

Item 1 Sexual Abuse of Children: Supervisor Kondylis expressed concern regarding sexual abuse of children with relatives committing lewd acts with children receiving lighter sentencing than if a stranger committed the same act.

Supervisor Kromm expressed concern regarding Item 1 the proposed changes would remove the ability to grant probation, and noted the importance of counseling/treatment to solve the problem and break the pattern of abuse, and the need to provide treatment to the kids as soon as possible after the act.

Following a short discussion regarding this legislation, Chairman Silva suggested further review of Item 1 in the Level-One Priority items.

Item 2 County Surveyor: There was a brief discussion regarding Item 2 dealing with the history of the County Surveyor and the need for cleanup legislation to allow the Director of Resources Management to appoint the County Surveyor. Mr. Yoder noted Item 2 would be redrafted.

Item 3 Design Build: Supervisor Kromm noted support for a lower dollar threshold for eligible projects, voiced concern that cities and school districts are not eligible to do design build and feels the County should support use by other agencies of the design build method.

Item 4 Childcare Fraud Director of Health and Social Services Patrick Duterte noted Solano County is a leader in detecting fraud, there are many problems with childcare fraud with expenditures of funds and lack of accountability. It is important for Solano County to take a leadership roll due to our expertise.

Item 5 Social Services Overpayment Errors: Chairman Silva noted agreement with the recommendations.

Mr. Yoder noted agreement with Items 3, 4, and 5; Item 2 needs to be rewritten, and Item 1 revised

language will be brought back to the Board after further review.

Supervisor Kromm discussed the possible expansion of organized health care, some resistance in the legislature due to the bad perception of HMO's, noted the high customer satisfaction of the Partnership Health Plan, and the need for added education to eliminate the bad perception and expand health care access.

Chairman Silva noted Solano County was the second county in the State to do this, discussed a brief history of the program, expedited payment to the providers.

Supervisor Kromm noted the Partnership is now working at a loss due to reimbursement rates getting cut, concern with the decrease of reimbursement by the doctors, the need to increase the membership, and the need for Sacramento to hear how well this program is working.

Supervisor Kondylis discussed Kaiser Permanente being touted as a model HMO for the Country, which the Partnership Health Plan operation is very similar. Supervisor Kondylis expressed continued concern with the lack of data gathering for the number of children that are exposed to family violence and feels age and gender collection would be sufficient; this information is important to stressing the serious impacts family violence has on children throughout their lives.

Mr. Duterte noted witnessing violence does have an impact on children, we do need to show gathering that data will make a difference and suggested conducting a pilot to demonstrate what the impact of gathering this data and the longitudinal impacts of what happens with these children; this could demonstrate to the full legislature that it will make a difference to collect this data on a State wide basis. Mr. Duterte agreed to work with Mr. Yoder for possible development of a pilot program in several counties.

Supervisor Kromm noted regarding Item 37 the wording "Proposition A" needs to be replaced with "the Early Growth Initiative".

Donald Tipton, Vallejo, noted he is glad to see this support for Item 26 the restoration of the Vallejo Veterans Building Item 27, funding for the former County Free Library, Item 31 to maintain full funding for the Public Library, does not understand Item 34 exempting the County Librarian from Civil Service, and regarding Attachment G questioning why previous legislation for library funding is not being adhered to.

Mr. Yoder noted there is not a requirement in statute that the Library Foundation be funded at any certain level and has risen and fallen since the original legislation was enacted, and funding for the Old County Free Library is really a capitol need. One piece of legislation if for operating costs and the other for capitol/infrastructure needs.

Relative to the Long-Term Objectives on page 5, Supervisor Kondylis posed questions for the State buyout of the Courts, and the buyout of the County buildings the Superior Court occupies, responding County Administrator Michael Johnson feels that Solano County is next on the list for buyout by the State that would eliminate the maintenance of effort of approximately \$9 million. John Taylor, County Administrator's office, noted legislation SB 1732 sets the stage to transfer court facilities to the State, discussed the equity share of the buildings occupied by the Courts, transfer of costs for the buildings, and the State will have to pay for the space the courts currently do not occupy.

18B) RESOLUTION NO. 2004-201 AMENDING THE ALLOCATION LIST (1.0 LIMITED TERM BOARD CLERK/EXECUTIVE ASSISTANT, 1.0 MANAGEMENT ANALYST/SENIOR MANAGEMENT ANALYST), ADOPTED

County Administrator Michael Johnson reviewed the information contained in the Agenda Submittal from his department dated November 2, 2004, incorporated herein by reference, regarding adding a Limited Term Board Clerk/Executive Assistant and one Management Analyst/Senior Management Analyst, noting this action would allow training time for the replacement Board Clerk prior to the retirement of the current Board Clerk and to add an additional Management Analyst to deal with the increased workload.

Supervisor Kromm requested the vote for the positions be separated, noting concern adding the Management Analyst/Senior Management Analyst position outside the budget scope.

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to adopt Resolution No. 2004-201 and approve the addition of the position of Limited Term Board Clerk/Executive Assistant. So ordered by a vote of 5-0.

Supervisor Kondylis noted Management Analyst vacancies in the CAO's office, and the importance of keeping these positions filled.

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to adopt Resolution No. 2004-201 and approve the addition of the position of Management Analyst/Senior Management Analyst. So ordered by a vote of 4-1, Supervisor Kromm voted no.

19) ORDINANCE REGARDING SEWAGE DISPOSAL SYSTEMS ADOPTED ON FIRST READING;  
SECOND READING SET FOR DECEMBER 7, 2004

Scheduled on the agenda for this day was consideration of a proposed ordinance, which would amend the sewage disposal systems regulations.

On motion of Supervisor Vasquez and seconded by Supervisor Kondylis, the Board directed that the proposed ordinance be read by title only. So ordered by a vote of 5-0.

Chairman Silva opened the public hearing. As there was no one who wished to speak on this matter, the public hearing was closed.

Supervisor Kromm supports these changes, but would like to see periodic inspections of all septic systems, responding Terry Schmidtbauer, Department of Resources Management, noted traditional practices for installation of septic that should last for a long period of time, in 2001 improved site characterizations/alternative septic systems were adopted to address the more marginal areas for septic systems and those are monitored. Mr. Schmidtbauer noted considerations by the State for increased monitoring, and noted opposition by Environmental Health Managers since looking at every system is not a good use of resources and there is a need to focus on the areas where systems are installed in sensitive or alternative systems.

Supervisor Kromm noted there are old septic systems on smaller lots and agrees with differing standards of inspection, expressed concern with contamination, Director of Resources Management Birgitta Corsello noted a number of ways to know if there are problems with a septic system, knows the areas in the County where there are problems with the septic systems, that is not prudent to inspect all systems. There are better ways to fix septic failures and to help people when there is a problem. Ms. Corsello discussed septic systems overall. The department is finding where groundwater has been contaminated because of shallow wells and where the groundwater is high. Chairman Silva noted an early alert for well water through period testing.

Responding to questions posed by Supervisor Vasquez regarding inspection at the time of sale of the property, Mr. Schmidtbauer noted mortgage lenders do require inspection at the point of sale, further discussed water well testing and public education.

On motion of Supervisor Kondylis and seconded by Supervisor Forney, the Board acted to adopt the proposed Ordinance. So ordered by a vote of 5-0.

APPOINTMENTS/RESIGNATIONS TO BOARDS AND COMMISSIONS

On motion of Chairman Silva and seconded by Supervisor Vasquez, the Board acted to approve the following appointments to Boards and Commissions. So ordered by a vote of 5-0.

20A) DOROTHY BRYANT STEEL APPOINTED TO SOLANO COUNTY CHILD ABUSE PREVENTION COUNCIL, as outlined in the Agenda Submittal dated November 2, 2004, incorporated herein by reference, for a term to expire November 2, 2006.

20B) SUSAN ROTCHY APPOINTED TO THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY ADVISORY COMMITTEE, as outlined in the Agenda Submittal dated November 2, 2004, incorporated herein by reference, for a term to expire November 2, 2008.

CLOSED SESSION - The Board moved into Closed Session at 11:40 a.m. to discuss matters Meet and Confer: All Bargaining Units with Craig Jory, Chief Negotiator. The Board moved out of Closed Session at 12:35 p.m.

ADJOURN - This meeting of the Board of Supervisors adjourned in memory of Thelma Louise Ramey and Arlene J. (Hemenez) Morales at 12:35 p.m.

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John F. Silva, Chair

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Maggie Jimenez  
Clerk to the Board of Supervisors