

Minutes For March 25, 2003, Amended

The Solano County Board of Supervisors met in regular session on this day at 8:30 a.m. The meeting was called to order by Chairman Kromm. All members were present.

CLOSED SESSION: The Board moved into Closed Session at 8:31 a.m. to discuss in re PG&E, Debtor; Litigation: Rodriguez et al v. Solano County; Property Negotiations: 740 Coach Lane, Vallejo (APN 52-32-390); Negotiating Parties: Gerald Davis, Davis and Associates, Michael D. Johnson, County Administrator; Under Negotiation: price and terms of payment. The Board moved out of Closed Session at 8:51 a.m.

The Solano County Board of Supervisors reconvened on this day at 8:53 a.m.

(Item 5) COUNTY TO PARTICIPATE IN COUNTY COUNSEL PG&E BANKRUPTCY COMMITTEE LITIGATION

County Counsel Dennis Bunting announced that by a unanimous vote the Board has agreed to participate in the County Counsel PG&E Bankruptcy Committee litigation, to fund the proportionate share of \$18,867, and at the end of the litigation a request for reimbursement from the bankruptcy estate will be made. The Board also agreed we will be listed as amicus in a brief filed by the California Public Utilities Commission challenging the Federal District Court's ruling that Federal law preempts California's right to regulate PG&E.

The Board meeting continued with the Pledge of Allegiance and a moment of silence.

ITEMS FROM THE FLOOR

APPEARANCE BY DONALD TIPTON, RE REQUEST FOR INFORMATION

Donald Tipton, Vallejo, voiced concern regarding no responses to a written complaint. Mr. Tipton received a status report 2001 to 2003 on complaints filed, but did not receive information regarding prior years that had been requested. Mr. Tipton outlined his concerns and complaints regarding this status report, that he was charged for pages of a report that had nothing to do with Homeacres, and he feels Homeacres is blighted and needs more attention.

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 16A) Approval of the final map for the Pippo Subdivision (S-01-02); accept the offer of dedication on Cantelow Road and English Hills Road (Vacaville area); reject the offer of dedication along future roads, removed from the Consent Calendar.

(Item 16B) Approval of the parcel map and reject offer of dedication for the future road for the Burns Campbell Subdivision (MS-02-14) on Timm Road (Vacaville area); adoption of a resolution approving the agreement for improvement of the private road, removed from the Consent Calendar.

So ordered by a vote of 4-0.

CONSENT CALENDAR

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

(Item 12) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF FEBRUARY 25, 2003 AND MARCH 4, 2003, as outlined in the Agenda Submittal from the Clerk of the Board dated March 25, 2003, incorporated herein by reference, approved.

(Item 13) RESOLUTION NO. 2003-060 DECLARING THE WEEK OF MARCH 30 TO APRIL 5, 2003 AS SAFETY SEAT CHECKUP WEEK, adopted. (see Resolution Book)

(Item 14A) SUBMISSION OF GRANT APPLICATIONS TO THE SOLANO COUNTY CHILDREN AND FAMILIES COMMISSION RE PREGNANT AND POST-PARTUM TEENS, PREGNANT AND POST-PARTUM AFRICAN AMERICAN WOMEN, PREGNANT SUBSTANCE ABUSING WOMEN, as outlined in the Agenda Submittal from Health and Social Services dated March 25, 2003, incorporated herein by reference, approved.

(Item 14B) APPROPRIATION TRANSFER IN THE AMOUNT OF \$186,497 RE HEALTH RESOURCES AND SERVICES ADMINISTRATION GRANT, as outlined in the Agenda Submittal from Health and Social Services dated March 25, 2003, incorporated herein by reference, approved.

RESOLUTION NO. 2003-061 AMENDING THE ALLOCATION LIST (LIMITED TERM CLINIC PHYSICIAN AND NURSE), adopted. (see Resolution Book)

(Item 14C) SUBMISSION OF FY2002/03 SUBSTANCE ABUSE AND MENTAL HEALTH ADMINISTRATION GRANT RENEWAL APPLICATION, as outlined in the Agenda Submittal from Health and Social Services dated March 25, 2003,

incorporated herein by reference, approved.

(Item 15) CONTRACT AMENDMENT WITH HOUSE OF ACTS RE RESIDENTIAL ALCOHOL AND DRUG TREATMENT SERVICES, as outlined in the Agenda Submittal from Probation dated March 25, 2003, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

(Item 17) RESOLUTION NO. 2003-063 SUPPORTING THE ACTIVITIES OF THE TRI-CITY AND COUNTY COOPERATIVE PLANNING GROUP RELATED TO THE ACQUISITION OF LAND IN THE SKY VALLEY-CORDELIA HILLS OPEN SPACE PROJECT AREA, adopted. (see Resolution Book)

(Item 18) APPLICATION OF A PUBLIC LIBRARY STATE EDUCATION PROGRAM GRANT FROM THE CALIFORNIA STATE LIBRARY, as outlined in the Agenda Submittal from the Library dated March 25, 2003, incorporated herein by reference, approved.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

(Item 19) East Vallejo Fire Protection District:
Quarterly Meeting: No business to conduct

ORDERS

(Item 16A) FINAL MAP FOR PIPPO SUBDIVISION, APPROVED

OFFER OF DEDICATION OF LAND FOR ROAD PURPOSES ON CANTELOW ROAD AND ENGLISH HILLS ROAD, ACCEPTED

DEDICATION OF LAND FOR ROAD PURPOSES ALONG PROPOSED FUTURE ROAD ALIGNMENTS, REJECTED AT THIS TIME

(Item 16B) PARCEL MAP RE BURNS CAMPBELL SUBDIVISION, APPROVED

DEDICATION OF LAND FOR ROAD PURPOSES ALONG PROPOSED FUTURE ROAD ALIGNMENTS, REJECTED AT THIS TIME

RESOLUTION NO. 2003-062 APPROVING THE AGREEMENT FOR MINOR SUBDIVISION MS-02-14, ADOPTED

The Board was provided with Agenda Submittals from the Department of Transportation dated March 25, 2003, incorporated herein by reference, regarding approvals for the Pippo Subdivision and one for the Burns Campbell Subdivision.

Responding to questions posed by Chairman Kromm regarding runoff and flooding issues in the low lying areas of the English Hills area, Gary Crawford, Department of Transportation, noted currently drainage is handled under the

Grading Ordinance which is administered by Environmental Management. With parcels that are this large the County normally does not require retention systems, and drainage systems were not conditions of the subdivision maps. As the development and permits are issued drainage will be considered. Responding to questions posed by Supervisor Vasquez regarding a constituents' concerns of a roadway going through their property, Mr. Crawford noted the alignment of the future road is not set in concrete and the department will be flexible to work with people on that.

On motion of Chairman Kromm and seconded by Supervisor Silva, the Board acted to accept the final map for the Pippo Subdivision, the offer of dedication of land for road purposes on Cantelow road and English Hills road, and to reject the dedication of land for road purposes along proposed future road alignments at this time; to approve the parcel map regarding the Burns Campbell Subdivision, to reject the dedication of land for road purposes along proposed future roads at this time, and to adopt Resolution No. 2003-062 Approving the Agreement For Minor Subdivision MS-02-14. So ordered by a vote of 4-0. (see Resolution Book)

(Item 21) COOPERATIVE FACILITY MASTER PLAN AGREEMENT WITH THE CITY OF VALLEJO AND TRIAD COMMUNITIES, LP, APPROVED

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated March 25, 2003, incorporated herein by reference, regarding the development of a facilities master plan in Vallejo and to obligate the County to work with the City of Vallejo and Triad.

Responding to questions posed by Supervisor Vasquez regarding a Project Labor Agreement (PLA), Mr. Hayes noted the City of Vallejo is currently using PLAs and expects to use a PLA if a project is developed.

Chairman Kromm noted he would not support a sole source contract arrangement and feels it is not in the best interest of the County.

Supervisor Silva feels this is a unique situation where sole source makes sense, reviewed the process the City of Vallejo has gone through to choose Triad, and feels there will be negotiations on the construction of any buildings.

Supervisor Kondylis discussed the overall redevelopment in Vallejo and being able to tie the two development projects together with the same architect.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to approve a Cooperative Facility Master Plan Agreement with the City of Vallejo and Triad Communities, LP. So ordered by a vote of 3-1; Chairman Kromm voted no.

(Item 22) COUNTY TO WITHDRAW FROM THE CSAC EXCESS INSURANCE AUTHORITY PRIMARY WORKERS' COMPENSATION PROGRAM AND TO ESTABLISH A SELF-FUNDED WORKERS' COMPENSATION PROGRAM

RESOLUTION NO. 2003-062A AUTHORIZING APPLICATION TO THE

DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA FOR A CERTIFICATE OF CONSENT TO SELF INSURE WORKERS' COMPENSATION LIABILITIES, ADOPTED

William Sorrick, Risk/Safety Officer Human Resources, reviewed the information contained in the Agenda Submittal from his department dated March 25, 2003, incorporated herein by reference, regarding reestablishing a self-funded Workers' Compensation Program and withdrawing from the CSAC Excess Insurance Authority Primary Workers' Compensation.

Responding to concerns voiced by Chairman Kromm regarding Workers Compensation with increased risk of liability and costs for employers, Mr. Sorrick noted this analysis takes into consideration statute changes and includes approximately a 15% increased annual cost projection. Mr. Sorrick reviewed ways the County will be saving money through an aggressive safety program and the advantages of being self funded for the Workers' Compensation Program.

Supervisor Kondylis questioned the effects on other participants in the California State Association of Counties (CSAC) Insurance Program, responding Mr. Sorrick noted the County is only withdrawing from the Workers' Compensation Program, and will continue other insurance programs through CSAC.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to approve the withdrawal from the CSAC Excess Insurance Authority Primary Workers' Compensation Program, and to establish a County Self-Funded Workers' Compensation Program; Resolution No. 2003-062A Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self Insure Workers' Compensation Liabilities. So ordered by a vote of 4-0.

(Item 23A) AGREEMENT WITH COUNTY MEDICAL SERVICES GOVERNING BOARD (CMSP) RE PILOT PROJECT FOR INDIGENT RESIDENTS HEALTH CARE, APPROVED AS AMENDED

EXTENSION OF AGREEMENT WITH PARTNERSHIP HEALTHPLAN OF CALIFORNIA RE MANAGED CARE PILOT ADMINISTRATION

Assistant Director of Health and Social Services Moira Sullivan reviewed the information contained in the Agenda Submittal from her department dated March 25, 2003, incorporated herein by reference, regarding continuing the pilot project to provide indigent health care with the County Medical Services Governing Board (CMSP). Ms. Sullivan noted an amendment that was recently signed would be incorporated into the Year 2 Pilot contract, and would supercede said signed contract. Ms. Sullivan pointed out that the CMSP Governing Board has requested language be added to the contract for staff to make a concerted effort to assist clients to apply for and advocate for them in receiving SSI benefits.

There was a brief discussion regarding the Outpatient Behavioral Health

portion of the program.

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to approve an agreement, as amended, with County Medical Services Governing Board (CMSP) for the pilot project for health care to Solano County's indigent residents, and to approve an extension of the agreement with Partnership Healthplan of California for managed care pilot administration. So ordered by a vote of 4-0.

(Item 23B) SOLANO COUNTY SMALLPOX COUNTERMEASURE PROGRAM TO BE IMPLEMENTED AND PUBLIC HEALTH SMALLPOX RESPONSE TEAM TO BE MAINTAINED

Health Officer Thomas Charron reviewed the information contained in the Agenda Submittal from his department dated March 25, 2003, incorporated herein by reference, regarding implementation of a Smallpox Countermeasure Program and the to maintain a Public Health Smallpox Response Team. Dr. Charron reviewed a history of Smallpox, the eradication of Smallpox, dangers of the vaccination, and provided the Board with an informational packet on the Smallpox Vaccine, incorporated herein by reference. Dr. Charron further explained the development of the vaccine, statistics on current vaccinations, and prevention measures to ensure there are no accidental vaccinations.

Responding to questions posed by Supervisor Kondylis regarding refinement of the vaccine, and involuntary inoculation, Dr. Charron noted there are efforts to produce a cleaner vaccine, further research for development of a new vaccine, but no alternate vaccines have been approved by the Food and Drug Administration (FDA). Involuntary inoculation can only be done by direct contact, but the actual Smallpox virus is spread by air and direct contact and is very contagious.

Responding to questions posed by Chairman Kromm regarding volunteers, Dr. Charron noted there are 15 volunteers that will be inoculated, and further discussed how the virus has been replicated through self culture in laboratories, and how the virus has been kept alive for research and other purposes.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to authorize the implementation of the Solano County Smallpox Countermeasure Program, to proceed with planning and implementation of Phases One and Two, and to designate the requirement to maintain a Public Health Smallpox Response Team. So ordered by a vote of 4-0.

(Item 24A) PUBLIC HEARING OF APPEAL FOR MINOR SUBDIVISION MS-02-01 HARRY SCHRONTZ, LOCATED AT 3738 MORNINGBIRD LANE CONTINUED TO APRIL 22, 2003 AT 9:00 A.M.

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated March 25, 2003, incorporated herein by reference, regarding continuing the public hearing of the appeal of Minor Subdivision MS-02-01 Harry Schrontz, located at 3738 Morningbird Lane to

April 22, 2003 at 9:00 a.m.

On motion of Supervisor Kondylis and seconded by Supervisor Vasquez, the Board acted to continue the public hearing to April 22, 2003, at 9:00 a.m. So ordered by a vote of 4-0.

(Item 24B) SPECIAL EXCEPTION FOR A RECONSTRUCTION LOAN UNDER THE HOMEACRES HOUSING REHABILITATION PROGRAM, APPROVED

Senior Planner Matt Walsh, Department of Environmental Management, reviewed the information contained in the Agenda Submittal from his department dated March 25, 2003, incorporated herein by reference, regarding approving an exception for a reconstruction loan, and the suspension of the Housing Rehabilitation Program for a 2 year period.

Supervisor Kondylis excused herself from any discussion or consideration of this matter.

Supervisor Silva voiced concern with suspending the Housing Rehabilitation Program; wants to see the marketing efforts used by Mercy Housing, questioned a monthly \$1,200 relocation fee being paid, efforts to begin repayment of the loan, if this is a 2% loan, and if the applicant would be able to maintain the structure when construction is completed. Mr. Walsh reviewed a brief history of the special exception reconstruction project noting that the existing structure had been demolished, living arrangement problems of the homeowner, the loan is at a 2% rate, the reconstruction cost of \$207,000, believes the homeowner will be able to repay the loan, and if not the County will be in first position to take the property back.

Supervisor Silva agrees with approval of the exception, but does not want to suspend the program until there is full review of the marketing program done by Mercy Housing.

Chairman Kromm read a letter submitted by Charles Bailhache, President Homeacres Improvement Association, requesting the program not be suspended, that a more comprehensive approach be taken with the program, and that there be further consideration prior to any additional funding for this reconstruction project.

Donald Tipton, Vallejo, voiced concern with suspending the Housing Rehabilitation Programs, with problems getting loans, with Mercy Housing practices, the credibility of the program, and would like to see loans to landlords to improve the rental units in the area.

There was a brief discussion regarding the program management of Mercy Housing, and it was determined additional information would be brought back to the Board.

On motion of Supervisor Silva and seconded by Supervisor Vasquez, the Board acted to approval a special exception for a reconstruction loan under the Homeacres Rehabilitation Program. So ordered by a vote of 3-0; Supervisor Kondylis excused.

(Item 25A) CHARLOTTE DIGUE APPOINTED TO THE SOLANO COUNTY HISTORICAL RECORDS COMMISSION

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Charlotte Digue to the Solano County Historical Records Commission for a term to expire April 26, 2004. So ordered by a vote of 4-0.

(Item 25B) SHERYL FAIRCHILD APPOINTED TO THE FIRST FIVE SOLANO COMMISSION

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Sheryl Fairchild to the First Five Solano Commission for a term to expire June 8, 2005. So ordered by a vote of 4-0.

(Item 25C) JENNIFER FERNANDEZ, JIM MELVIN, AND MARIANNE RESTEL APPOINTED; COOKIE POWELL AND JUDITH ROUSE REAPPOINTED, AND THE RESIGNATION OF ROSE DANIELS, ROBIN WEIDMAN, JOYCE FOSTER AND JOE MOORE TO/FROM THE NORTHERN SOLANO HUMAN SERVICES ADVISORY BOARD, APPROVED

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to appoint Jennifer Fernandez, Jim Melvin, and Marianne Restel; reappoint Cookie Powell and Judith Rouse, and resignation of Rose Daniels, Robin Weidman, Joyce Foster and Joe Moore to/from the Northern Solano Human Services Advisory Board. So ordered by a vote of 4-0.

ADJOURN - This meeting of the Board of Supervisors adjourned in memory of Malik Davis at 10:22 p.m.

Duane Kromm, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors