

Minutes For August 13, 2002

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 Carroll. Present were Supervisors Kromm, Silva, Thomson, and Chairman Carroll, Supervisor Kondylis arrived at 9:58 a.m.

CLOSED SESSION: The Board moved into Closed Session at 8:35 a.m. to discuss Meet and Confer: All Bargaining Units with Yolanda Irigon, Agency Negotiator. The Board moved out of Closed Session at 8:47 a.m.

The Board of Supervisors reconvened on this day at 8:47 a.m. followed by the Pledge of Allegiance and a moment of silence.

PRESENTATIONS

(Item 7) PRESENTATION BY DR. RICHARD A. LUNDIN, SENIOR SENATOR RE THE CALIFORNIA SENIOR LEGISLATURE

Supervisor Silva gave a brief introduction for Dr. Lundin and a background synopsis outlining his widely varied professional experience.

Dr. Lundin discussed what the California Senior Legislature (CSL) is, the purpose and responsibilities of the CSL. Dr. Lundin noted legislation SB 1773 (Chesboro) regarding Veterans Home Renovations was recently passed, and encouraged involvement of all citizens.

ITEMS FROM THE FLOOR

APPEARANCES BY MARGI STERN, CAROLYN DOUGLAS, JUDY NEAL, AND ERIC KOEFOED REGARDING PLEASANTS VALLEY ROAD, VACAVILLE AREA

Margi Stern, Pleasants Valley Neighborhood Association, discussed previous widening work that had been done on Pleasants Valley Road and the detrimental effects of that bridge/widening project. Ms. Stern feels curves in the road and a narrower roadway would keep the road safer.

Carolyn Douglas, Pleasants Valley Neighborhood Association, read a prepared statement voicing concern with the Pleasants Valley Road Expansion Project. Ms. Douglas noted the Association wants to preserve the rural setting of the area and to provide for the safety and well being of all concerned, and requested discussions of the expansion project be reopened to address safety concerns.

Judy Neal, Pleasants Valley Neighborhood Association, requested discussions regarding the Pleasants Valley Road Improvement Project be reopened to address the unresolved issues and concerns with the design. Ms. Neal showed a number of photographs of the roadway pointing out areas of concern, such as tree removal and easement encroachment, with the project, and feels the

historic bridge at Cherry Glen Road deserves to be preserved.

Eric Koefoed, Pleasants Valley Road Neighborhood Association, voiced concern with increasing weekend traffic on Pleasants Valley Road, requested the discussions be reopened on improvement of this road, and wants to work with the County to make this a viable project.

APPEARANCE BY EDWARD FOX RE THE 2002 GRAND JURY REPORT RELATIVE TO THE HOMEACRES REHABILITATION PROJECT

Edward Fox, Vallejo, gave a brief history of the rehabilitation projects on his home and the many ongoing problems that he has incurred, current court costs of \$23,000, and more anticipated costs before the work is completed on his home.

LETTER FROM CHARLES BAILHACHE, PRESIDENT OF HOMEACRES IMPROVEMENT ASSOCIATION RE ACCESS TO PUBLIC RECORDS

Donald Tipton, Vallejo, read a letter from Charles Bailhache, President of the Homeacres Improvement Association dated August 12, 2002, incorporated herein by reference, regarding access to public records.

APPROVAL OF AGENDA

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

(Item 13A) Approval of a sublease agreement with Fidelity National Title Insurance Company to provide 24,000 square feet of temporary office space at 470 Chadbourne Road, Fairfield, beginning September 1, 2002 and ending on March 31, 2004 with a monthly base rent of \$21,600 for the Departments of Environmental Management, Public Guardian and Public Defender during construction of the Solano County Government Center; approve a sole-source agreement in the amount of \$147,300 with John F. Otto, Inc., Sacramento for tenant improvements at 470 Chadbourne Road, Fairfield; authorize the County Administrator to sign the agreement, removed from the Consent Calendar.

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

CONSENT CALENDAR

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

(Item 12) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF July 8

and July 23, 2002 and Budget Hearings July 8, 2002, as outlined in the Agenda Submittal from the Clerk of the Board dated August 13, 2002, incorporated herein by reference, approved.

(Item 13B) NOTICE OF COMPLETION RE BELDEN'S LANDING WATER ACCESS FACILITY PROJECT BY DUTRA MATERIALS, as outlined in the Agenda Submittal from General Services dated August 13, 2002, incorporated herein by reference, approved.

(Item 14) SIDE LETTERS RE COMPENSATION FOR TRAVEL TO REQUIRED TRAINING WITH SEIU LOCAL 1280, as outlined in the Agenda Submittal from Human Resources dated August 13, 2002, incorporated herein by reference, approved.

(Item 15) RESOLUTION NO. 2002-160 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS (HEALTH EDUCATION ASSISTANT), adopted. (see Resolution Book)

(Item 16) RESOLUTION NO. 2002-161 SUPPLEMENTING A DISPUTE RESOLUTION FUND PURSUANT TO THE DISPUTE PROGRAMS ACT OF 1986, adopted. (see Resolution Book)

(Item 17) RESOLUTION NO. 2002-162 TO AUTHORIZE THE PROBATION DEPARTMENT TO MAKE APPLICATION FOR FEDERAL FUNDING THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING (INTERMEDIATE SANCTIONS GRANT) AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN AND APPROVE THE GRANT AWARD AGREEMENTS, adopted. (see Resolution Book)

APPROPRIATION TRANSFER IN THE AMOUNT OF \$99,999 TO APPROPRIATE EXPENDITURES AND REVENUES, as outlined in the Agenda Submittal from the Probation Department dated August 13, 2002, incorporated herein by reference, approved.

RESOLUTION NO. 2002-163 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (SENIOR DEPUTY PROBATION OFFICER), adopted. (see Resolution Book)

(Item 18) RESOLUTION NO. 2002-164 CERTIFYING THE MAINTAINED MILEAGE OF SOLANO COUNTY ROADS AS OF DECEMBER 31, 2001, adopted. (see Resolution Book)

Rural North Vacaville Water District

(Item 19) RURAL NORTH VACAVILLE WATER DISTRICT

Minutes regarding this matter are contained in the Rural North Vacaville Water District Minutes Book.

ORDERS

(Item 13A) AGREEMENT WITH FIDELITY NATIONAL TITLE INSURANCE COMPANY FOR TEMPORARY OFFICE SPACE AT 470 CHADBOURNE ROAD, FAIRFIELD, APPROVED

AGREEMENT WITH JOHN F. OTTO, INC., FOR TENANT IMPROVEMENTS AT 470 CHADBOURNE ROAD, FAIRFIELD, APPROVED

The Board was provided with an Agenda Submittal from General Services dated August 13, 2002, incorporated herein by reference, regarding leasing additional office space for departments being relocated during the construction of the new Solano County Government Center.

Responding to questions posed by Supervisor Kromm regarding space availability at a lessor price on Enterprise Drive, Director of General Services Jim Werdell noted the three month search for space, the advantages of the property on Chadbourne Road, and the overall savings by going with the Chadbourne property.

Responding to questions posed by Supervisor Silva regarding the use of local contractors, Mr. Werdell discussed the advantages of using John F. Otto, Inc. for the project.

On motion of Supervisor Kromm and Seconded by Supervisor Silva, the Board acted to approve the sublease agreement with Fidelity National Title Insurance Company for office space at 470 Chadbourne Road, to approve the sole source agreement with John F. Otto, Inc. for tenant improvements at 470 Chadbourne Road, and the County Administrator to sign said agreement. So ordered by a vote of 4-0; Supervisor Kondylis excused.

(Item 21A) STATUS REPORT ON LEGISLATION OF IMPORTANCE TO SOLANO COUNTY RECEIVED

LETTER TO BE SENT TO SENATOR MACHADO INVITING DISCUSSION RE SB 1854 (MACHADO) ESTABLISHMENT OF THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY PROGRAM

Paul Yoder, Legislative Analyst, Shaw & Yoder, reviewed the information contained in the Agenda Submittal from County Administrator's Office dated August 13, 2002, incorporated herein by reference, regarding a status report on legislation of importance to Solano.

Responding to questions posed by Supervisor Kromm regarding SB 1975 regarding primary elections, SB 1521 regarding the Governor's Office of Planning and Research recommendations, and SB 1854 regarding delta protection. Mr. Yoder noted that SB 1854 has continued to move and deals with the establishment of the Sacramento-San Joaquin Delta Conservancy Program. Senator Machado has attempted to address the concerns voiced by Solano County, that no land will be acquired without a willing seller and to incorporate language for a roll by the Delta Protection Commission.

Responding to questions posed by Supervisor Silva on how SB 1854 directly

effects Solano County, how this is tied to the State Coastal Conservancy fund, and potential struggles with BCDL, Mr. Yoder does not know how this will effect the delta portions of the County, and feels the willing seller requirement is a benefit with this bill. Supervisor Silva expressed concern with this bill, and the potential loss of local control.

Supervisor Thomson noted the Delta Protection Commission is still active after 10 years, there are concerns with land authority if SB 1854 is approved, the Conservancy will be another layer of government that will not help agriculture, outside forces could create willing sellers, and noted he would not support the legislation as proposed.

Responding to questions posed by Supervisor Thomson on the intent of the bill, Mr. Yoder feels the Senator believes that farming is at risk in the Central Valley and is trying to preserve the land off the delta. Supervisor Thomson suggested Senator Machado be invited to discuss the issue with the Board.

Supervisor Kromm feels the bill is vague, that the Senator could explain how this would fit into the Cal-Fed Program, and also agrees the Senator should visit with the Board.

Mr. Yoder suggested drafting a letter expressing concerns, willingness to work with the Senator, and pointing out the opportunity for mutual cooperation if the Senator would come and speak with the Board.

BOARD EXPRESSED SUPPORT FOR SB 1975 (JOHNSON) RE STATEWIDE PRIMARY ELECTIONS WITH ONE PRIMARY ELECTION IN JUNE

Mr. Yoder noted the bill would require the statewide direct primary election would be held in June of each even-numbered year, in an attempt to rejuvenate voter interest.

Supervisor Kromm read a portion of the legislation noting the confusion of the proposed dates for elections.

Registrar of Voters Laura Winslow noted opposition due to the high cost to the County, the impossible logistics for ballots, recruitment and staffing.

Mr. Yoder noted discussion to not reimburse local governments for added costs.

Ms. Winslow recommended one primary in June with a runoff election in November.

Supervisor Kromm voiced concern for voter confusion thus creating a worse voter turnout, and supports taking the position for one primary to be held in June.

On motion of Supervisor Kromm and seconded by Supervisor Silva the Board acted to support one primary to be held in June with runoff elections to be held in November. So ordered by a vote of 4-0; Supervisor Kondylis excused.

BOARD EXPRESSED SUPPORT FOR SB 701 (TORLAKSON) CHANGES TO CALIFORNIA REDEVELOPMENT LAW

Mr. Yoder noted this bill does relate to the City of Fairfield in assisting them to comply with the housing element.

Responding to questions posed by Supervisor Kromm relating to manufactured housing being counted towards affordable housing in Fairfield and if the County would be effected by the many proposed changes, Mr. Johnson feels this is really just a cleanup bill and not changing the basic formulas for redevelopment agencies.

On motion of Supervisor Kromm and seconded by Supervisor Thomson, the Board acted to support SB 701. So ordered by a vote of 5-0.

BOARD EXPRESSED A POSITION OF WATCH FOR SB 1521 (KUEHL) ESTABLISHMENT OF LAND USE MODEL PLANNING PRACTICES AND POLICIES

Mr. Yoder gave a brief outline of the bill, and voiced concern with the details of the bill.

Mike Yankovich, Planning Division of Environmental Management, noted support for the overall concept, but voiced concerns with the enforcement provision since the details have not been developed. Further consideration could be given after the details are finalized.

Mr. Yoder noted some options the Board to consider, and that the bill is sponsored by the Governor.

Supervisor Silva voiced concern that the State is trying to take away local control, and is strongly opposed to this legislation.

Mr. Yoder noted that transportation funds would be prioritized pursuant to this bill.

Supervisor Kromm would like the detail process to go forward.

On motion of Supervisor Thomson and seconded by Supervisor Kromm, the Board acted to take a watch position on SB 1521. So ordered by a vote of 4-1; Supervisor Silva voted no.

BOARD EXPRESSED POSITION OF SUPPORT FOR SB 1677 (ALPERT) RE SURROGATE PARENTS; AB 2749 (CHAN) RE CHILD CARE; AB 2874 (FLOREZ) RE CHILD CARE LICENSING; AB 1652 (GOLDBERG) RE PUBLIC SOCIAL SERVICES; AB 2116 (ARONER) RE CALWORKS ELIGIBILITY WORK ACTIVITIES; AB 2386 (KEELEY) RE CALWORKS AID ELIGIBILITY EXTENSION; SB 1264 (ALPERT) RE HUMAN SERVICES; AB 2652 (CHU AND COHN) RE FORMATION OF THE CALIFORNIA DOMESTIC VIOLENCE COURT TASK FORCE; AB 52 (WIGGINS AND MATTHEWS) RE AGRICULTURAL LAND PRESERVATION - APPROPRIATION; SB 984 (COSTA) RE RANGELAND, GRAZING LAND AND GRASSLAND PROTECTION ACT; AB 2835 (LONGVILLE) RE COUNTY HOSPITALS; AB 1234 (PESCETTI) RE NATURAL GAS

BOARD EXPRESSED OPPOSITION TO SB 1486 (MCCLINTOCK) CALWORKS RECIPIENTS BENEFITS LIMITATION; AB 1866 (WRIGHT) RE HOUSING

BOARD EXPRESSED A WATCH POSITION ON AB 2175 (DAUSCHER) RE GENERAL PLAN: HUMAN SERVICES; SB 1374 (KUEHL) RE SOLID WASTE; SB 1916 (FIGUEROA) RE COASTAL PROTECTION; SB 482 (KUEHL) RE

ENDANGERED SPECIES AND MAKING AN APPROPRIATION THEREFORE; SB 1468 (KNIGHT) RE LOCAL PLANNING – GENERAL PLANS: MILITARY FACILITIES; AB 2594 (ELECTIONS COMMITTEE) RE ABSENTEE VOTING; AB 3046 (COMMITTEE ON HIGHER EDUCATION) RE ZONING; AB 3057 (ASSEMBLY AGRICULTURAL COMMITTEE RE LOCAL PLANNING; AB 1997 (THOMSON) RE LAND EASEMENTS

On motion of Supervisor Kondylis and seconded by Supervisor Thomson, the Board acted to approve the positions as recommended on the remaining bills in the Consent Calendar portion of the Agenda Submittal. So ordered by a vote of 5-0.

(Item 21B) MEMORANDUM OF UNDERSTANDING WITH THE CITY OF VACAVILLE RE TRANSFER OF 650 HOUSING UNITS OF THE REGIONAL FAIR SHARE HOUSING ALLOCATION TO THE CITY OF VACAVILLE, APPROVED

County Administrator Michael Johnson reviewed the information contained in the Agenda Submittal from his department dated August 13, 2002, incorporated herein by reference, regarding transferring 650 allocated housing units to meet the Regional Housing Needs Determination as assigned by the State Department of Housing and Community Development (HCD) and the cooperative agreement with the City of Vacaville.

Responding to concerns posed by Supervisor Kondylis regarding centralization of County services in Vacaville and the need for more satellite services, Mr. Johnson noted the County is using about 25,000 square feet of space in Vacaville, the number of problems with the spaces currently being leased, this is taking assorted spaces being leased and moving them into one location that would be built to County specifications that would be easily accessible with public transit, and could be a great benefit to the people being served. Supervisor Thomson noted how perfect the suggested location would be for the clients.

Supervisor Kondylis endorsed the cooperative agreement with the City of Vacaville, but noted opposition to redevelopment. Responding to these comments Mr. Johnson noted this redevelopment project puts more money into the County General Fund.

Responding to questions posed by Supervisor Kromm regarding support of the Vacaville tax base, Vacaville City Manager John Thompson discussed language modification as agreed upon during negotiations, the inclusion of a general statement that the City of Vacaville needs economic development in addition to the housing, and wanted a statement from the Board supporting Vacaville in the economic development plans without any specific ties to any project or annexation.

Responding to questions posed by Supervisor Kondylis if the City of Vacaville would be willing to entertain the idea of using some of the 20% set aside funds to help fund a shelter for victims of family violence, Mr. Thompson discussed the certified housing element in Vacaville, the improvement of the area being proposed for a County Social Services center.

Responding to questions posed by Supervisor Silva regarding the Nut Tree Airport and if the Airport Commission had been included in the negotiations, with funds from the City of Vacaville to participate in any studies that may benefit Vacaville, Mr. Johnson noted discussions with the Director of Transportation and the Airport Manager for input.

Supervisor Silva noted how ideal the Old Catholic Church building has been for the Rainbow Children's Center, the need to find an equally suitable location if the program is moved, Mr. Thompson noted there would be a lot of time to work out the details, that there is not currently a need for any further expansion in that area for at least 15 years.

Supervisor Thomson commended the City of Vacaville for helping the County regarding development of low and very low-income housing units.

Gene Horst, Program Director of Rainbow Children's Center, discussed a history of the program, the advantages of the Old Catholic Church location, voiced concern with a replacement location when the building is sold, and outlined facility needs. Mr. Horst noted there are currently no rental fees, and requested the Board to increase funding to offset any new rental charges.

Responding to questions posed by Supervisor Kromm regarding drafting a side letter, Mr. Thompson agreed to bring back a more formal agreement, which could include more detail. Vacaville does recognize the value of the Rainbow Center and the unique space needs.

On motion of Supervisor Thomson and seconded by Supervisor Silva, the Board acted to approve a Memorandum of Understanding with the City of Vacaville regarding the transfer of 650 housing units of the Regional Fair Share Housing Allocation to the City of Vacaville. So ordered by a vote of 4-1; Supervisor Kondylis voted no.

(Item 21C) PROBATION BUILDING TO BE INCLUDED WITH PHASE ONE CONSTRUCTION OF THE COUNTY GOVERNMENT CENTER PROJECT

TWO LIBRARY CONSTRUCTION PROJECTS TO BE INCLUDED IN THE GOVERNMENT CENTER FINANCING PACKAGE, ALLOWING FOR UP TO \$115.2 MILLION IN FINANCING FOR THE PROJECTS

LINHART, PETERSON, POWERS AND ASSOCIATES TO CONTINUE TO PROVIDE PROFESSIONAL SERVICES FOR COUNTY CAPITAL PROJECTS

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated August 13, 2002, incorporated herein by reference, regarding including a new Probation Building in Phase One construction along with the new County Government Center Project, and to include two Library construction projects in the financing package for these construction projects.

Responding to questions posed by Supervisor Kromm relative to the fifteen year refinancing, Mr. Hayes noted the term of the refinancing is tied directly to when the 1/8 cent sales tax measure would sunset.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the

Board acted to approve the Probation Building to be included with Phase One construction of the County Government Center Project, the two Library construction projects to be included in the Government Center Financing Package and to continue with Linhart, Peterson, Powers and Associates to provide professional services for County Capital Projects. So ordered by a vote of 5-0.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the Board acted to allow the County Administrator to secure up to \$115.2 million in financing for the projects. So ordered by a vote of 4-1; Supervisor Kondylis voted no.

(Item 21D) ALL ALTERNATIVE COUNTY WORK SCHEDULES TO BE RESEARCHED FOR FURTHER REVIEW BY THE BOARD

John Taylor, County Administrative Office, reviewed the information contained in the Agenda Submittal from his department dated August 13, 2002, incorporated herein by reference, regarding a 4-day workweek.

Supervisor Kondylis feels it is worth testing the modified work week, and hopes this would increase moral and productivity.

Chairman Carroll noted the importance of serving the public, analysis should be done on the effects to the public, agrees with a one-year trial, and an evaluation should be done on our hours of service.

Supervisor Silva questioned why offices are not open on Saturdays to accommodate people, noted several reasons that he does not support a four day work week, and suggested alternative 4 to Immediately investigate [replacing the word suspend] the current alternative employee scheduling and flexible work schedules in County departments, etc. All the County departments need to be reviewed before a decision is made.

Supervisor Thomson does not support the four-day work week, and noted day care is a major issue for younger employees that the Board needs to be sensitive to.

Art Grubel, SEIU Local 1280, noted representing employees in the Fiscal building that are interested in the modified work week, and voiced concern that the union was not included in any discussions of changing the work week. Mr. Grubel endorses a pilot study for the 4/10 schedule, but there are some concerns regarding child care and other family issues, and feels extended hours will benefit the public. Go ahead with the pilot study and evaluate it in a year.

Responding to comments by Chairman Carroll regarding industries that need access to government services 5 days a week, Mr. Grubel noted the Records Office would not be included in the initial study.

Supervisor Kromm noted we should always focus on service to the public, a mix of alternative schedules may benefit the public, opposition to closing a building on a regular work day, there is a potential in the future for extended hours of operation, and supports seeing what the departments are doing and why and how the alternative hours benefits the public.

Auditor-Controller William Eldridge noted about half of his staff have small

children and they are concerned relative to day care problems.

Supervisor Kondylis feels the employees need to be a part of this decision, there are extended day care hours, and feels times are changing and the County needs to change with them.

Supervisor Kromm suggested removing the word uniform from the last sentence of Alternative 4.

On motion of Supervisor Silva and seconded by Supervisor Kromm, the Board acted to approve Alternative 4 with replacing the word suspend with investigate and to remove the work uniform from the last sentence. So ordered by a vote of 5-0.

(Item 21E) MEMORANDUM OF UNDERSTANDING WITH THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO FOR FY2002/03, APPROVED

APPROPRIATION TRANSFER IN THE AMOUNT OF \$1,664,000 FROM GENERAL FUND CONTINGENCIES, APPROVED

County Administrator Michael Johnson gave a brief history and introduction and requested the 50/50 sharing plan be continued. John Taylor, County Administrative Office reviewed the information contained in the Agenda Submittal from his department dated August 13, 2002, incorporated herein by reference, regarding a Memorandum of Understanding (MOU) with Superior Court for Fiscal Year 2002/2003. Mr. Taylor noted the MOU is substantially the same as it has been over the last few years. Presiding Judge Scott Kays noted this is the 6th MOU Agreement, the many areas of Court and County cooperation, mutually supported programs, additional collaboration projects, the significant collaborative efforts in development of the MOU. Judge Kays noted the County Services the Court will be contracting for, and that the principle issue remaining to consider is the allocation of the undesignated Court generated local revenue. This revenue is 100% generated by Court services, operations and employees. For 2001/2002 the Court generated local revenue was about \$2,053,000, of which the Court receive \$1.246 million and the County received approximately \$807,000 as agreed in the previous MOU. The \$807,000 represents the 1994/1995 base year local revenue received by the County. With this split, the court was able to grant equity pay adjustments for Court staff that made the Court competitive with the County and other courts. Historically the Solano Courts have been under funded, and Trial Court funding comparisons have shown that the Court is over \$1 million below the State average. The Court operates with 22 Judicial positions, when by State standards there should be 28 judicial officers, with ever-increasing caseloads. Judge Kays noted prominent costs that are not being funded by the State resulting in a FY 2002/2003 shortfall of \$969,769, and provided the Board with a worksheet of Net Income by Fiscal Year, incorporated herein by reference, substantiating this shortfall. Judge Kays reviewed cost cutting steps being taken, and formation of a judges committee to monitor these efforts and further cost cutting strategies. The Court proposed Alternative 3 that would result in a County contribution to the

Court of approximately \$1,664,000. The Court will still have a deficit, but with the County recommendation of \$630,428 this would place the Court in a drastic financial situation effecting services and employees.

Responding to questions posed by Supervisor Kondylis if the contribution is below average, Mr. Johnson feels the Maintenance of Effort of \$9 million is not below average based on comparisons with other counties, but feels that State funding is unfair to the Courts and the counties.

Responding to questions posed by Supervisor Kondylis regarding funding Drug Court services, and with the legislative position on the funding fairness issue for the Courts, Judge Kays noted the County had allocated Tobacco Master Settlement Agreement money to fund the treatment portion of the program. The current Drug Court funds will get the program through October, and additional funds are needed to continue Drug Court, which the Court is working with Health and Social Services. For funding all courts are in competition for funding, there has been no effort at the State level to achieve parity, and that he will be going back to the State to request additional funding.

Supervisor Kondylis expressed concern with the County back filling the funding shortfalls for the Courts and the State not taking the responsibility to fully fund the courts.

Supervisor Kromm stated that this is a complex issue, funding for the Courts has remained flat over the last 3 years, discussed the needs of the citizens, and suggested Alternative 3 that supports the Court request.

Supervisor Silva noted the need for the Courts to serve all the citizens, supports with the request, voiced concern with potential impacts on the jail and other County services if programs are cut in the Court. The County needs to lobby our legislators to address full funding for the Courts.

Mr. Johnson discussed the fiscal relief given to the Counties when Trial Court Funding was approved, voiced concern with creation of a precedent to request any fiscal relief from the State.

Supervisor Thomson voiced concern with anticipated funding problems in FY 2003/2004 and noted opposition for additional funds being given to the Courts.

On motion of Supervisor Silva and seconded by Supervisor Kromm, the Board acted to approve a Memorandum of Understanding with the Superior Court of California, County of Solano for FY 2002/03, and to approve Alternative 3 with modified formulas for a total contribution of \$1,664,000, and to approve an appropriation transfer in the amount of \$1,664,000 from General Fund Contingencies. So ordered by a vote of 4-1; Supervisor Thomson voted no.

(Item 23) RESOLUTION NO. 2002-165 ESTABLISHING A 45 MPH SPEED LIMIT ON PLEASANTS VALLEY ROAD FROM CHERRY GLEN ROAD TO CANTALOW ROAD, AND ON CHERRY GLEN ROAD FROM INTERSTATE 80 TO THE VACAVILLE CITY LIMIT, AND ADOPTING TRAFFIC ORDER NUMBER 379 ESTABLISHING A 45 MPH SPEED LIMIT ON PLEASANTS VALLEY ROAD FROM CANTELOW ROAD TO THE YOLO COUNTY LINE, ADOPTED

Director of the Department of Transportation Charlie Jones, Jr. reviewed the

information contained in the Agenda Submittal from his department dated August 13, 2002, incorporated herein by reference, regarding speed limit changes on Pleasants Valley Road and on a portion of Cherry Glen Road in the Vacaville area. Mr. Jones noted that an additional speed survey was conducted July 24, 2002 that reinforced previous findings, reviewed other conditions that are to be considered, and determined that a 45-MPH and a 50-MPH would be enforceable.

Responding to concerns voiced by Supervisor Kondylis regarding why people are traveling faster between Cherry Glen and Foothill, Mr. Jones noted the road is straighter in that area.

Judy Neal, Pleasants Valley Neighborhood Association, feels the proposed speed reductions are a step in the right direction, but feels the 50-MPH in areas is still excessive. Ms. Neal feels the 50-MPH is still a threat to residents, noted other similar County roads that have 45- MPH speed limits, in areas that have been widened and straightened traffic moves at 60- MPH to 70-MPH, to truly create a safe road the speed limits on both roads needs to be reduced to 45-MPH.

Responding to questions posed by Supervisor Thomson regarding the speed limit on Peabody Road, and why the speed limit would be higher on Pleasants Valley Road, Mr. Jones noted the speed limit is 45-MPH on Peabody Road, and due to the results of the speed survey the speed limits for the Pleasants Valley area are being recommended as to not create a speed trap.

Supervisor Thomson feels the speed limit should be lowered to where it is safe for the drivers and the residents of the area, and suggested 45-MPH for the entire area, and if passed the Sheriff and the CHP should be asked to patrol and to give reminders to people when needed to help slow traffic down.

Chairman Carroll voiced concern with a potential liability issue.

Supervisor Silva feels people may not slow down, that it is not a good idea to reduce the speed to 45-MPH, and that any citations may be thrown out of court.

On motion of Supervisor Thomson and seconded by Supervisor Kromm, the Board acted to adopt Resolution No. 2002-165 Establishing a 45-MPH Speed Limit on Pleasants Valley Road from Cherry Glen Road to Cantelow Road, and on Cherry Glen Road from Interstate 80 to the Vacaville City Limit, and Adopting Traffic Order Number 379 Establishing a 45-MPH Speed Limit on Pleasants Valley Road from Cantelow Road to the Yolo County Line. So ordered by a vote of 4-1; Supervisor Silva voted no.

(Item 22) RENEWAL AGREEMENT WITH ROBERT P. DICKEY, M.D. TO PROVIDE MEDICAL CONSULTING SERVICES, APPROVED

The Board was provided with an Agenda Submittal from Health and Social Services dated August 13, 2002, incorporated herein by reference, regarding a renewal agreement with Robert P. Dickey, M.D.

Responding to questions posed by Supervisor Thomson regarding the RFP process, County Health Officer Dr. Thomas L. Charron noted his satisfaction with the professional work that Dr. Dickey has provided, and that an RFP has not gone out.

There was a brief discussion regarding the County policy on contracts. Assistant Director of Health and Social Services Moira Sullivan noted that Dr. Dickey is a contract County employee, and the agreement outlines the conditions and rate of pay for his services.

On motion of Chairman Carroll and seconded by Supervisor Silva, the Board acted to approve the renewal agreement with Robert P. Dickey, M.D. So ordered by a vote of 5-0.

(Item 24A) TONY PEARSALL APPOINTED TO THE ROCKVILLE CEMETERY DISTRICT

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to appoint Tony Pearsall to the Rockville Cemetery District for a term to expire March 1, 2006. So ordered by a vote of 5-0.

(Item 24B) WALTER WALLACE AND FRANK REMKIEWICZ APPOINTED AS ALTERNATES TO THE TREASURY OVERSIGHT COMMITTEE

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to appoint Walter Wallace and Frank Remkiewicz as alternates to the Treasury Oversight Committee. So ordered by a vote of 5-0.

(Item 24C) ROBERT FULTON REAPPOINTED TO THE SOLANO COUNTY ASSESSMENT APPEALS BOARD

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to reappoint Robert Fulton to the Solano County Assessment Appeals Board for a term to expire September 4, 2006. So ordered by a vote of 5-0.

(Item 25) RESOLUTION NO. 2002-166 OF VACATION OF A PORTION OF VACA STREET AND FIRST STREET IN ELMIRA, ADOPTED

Chairman Carroll opened the public hearing, and excused himself from the hearing.

Director of Transportation Charlie Jones, Jr. reviewed the information contained in the Agenda Submittal from his department dated August 13, 2002, incorporated herein by reference, regarding the vacation a portion of Vaca Street and First Street in Elmira.

Responding to questions posed by Supervisor Thomson regarding construction over the vacated easement, Mr. Jones discussed the manhole in the easement and that construction would not be allowed in the easement.

Responding to questions posed by Supervisor Kondylis regarding selling the easement to the adjacent property owners, Gary Crawford, Department of Transportation noted the vacation means that we are vacating the public use only.

Doug Dally, Elmira, showed a number of photos of the areas being vacated, incorporated herein by reference, and feels the vacation should be increased to

25 feet.

Responding to questions posed by Supervisor Kondylis relative to why we are not vacating more property, Mr. Jones noted the County must maintain the 60 feet of right of way as a County minimum requirement.

Joseph Cooke, Elmira, noted he installed sewer lines through the area being vacated, the high cost of the sewer lateral, and voiced concern about who would take ownership of the sewer line going through the easement.

Vice-Chairman Kromm questioned Mr. Cooke relative to installation of the sewer line, who the connection is with, and if he had any agreements with Vacaville for additional laterals connecting to the line he installed, Mr. Cooke noted he had installed the lateral line to his home at a cost of \$20,000. The land being vacated is right in the middle of the 40 feet of sewer line. Mr. Cooke noted the connection fee was paid to the City of Vacaville, but was given no consideration for additional lateral lines.

Mr. Cooke wants to ensure his sewer line will always be available for maintenance or repairs, and expressed a desire to purchase the property where the sewer line is.

Mr. Crawford noted in the last paragraph of the resolution the exceptions are for any existing utilities that remain in the vacated area.

Supervisor Silva noted no building is allowed over the easement. This property is only being vacated for the use of the street, and the County will retain the ownership of the easement. The easement can be used for setbacks from the roadway.

As there was no one further who wished to speak on this matter, Vice-Chairman Kromm closed the public hearing.

On motion of Supervisor Thomson and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2002-166 of Vacation of a Portion of Vaca Street and First Street in Elmira. So ordered by a vote of 4-0; Chairman Carroll excused. (see Resolution Book)

ADJOURN - This meeting of the Board of Supervisors adjourned at 2:25 p.m.

William J. Carroll, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors