

## Minutes For January 11, 2005

SOLANO COUNTY BOARD OF SUPERVISORS

January 11, 2005

### MINUTES

The Solano County Board of Supervisors met on the 11th day of January, 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 8:30 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 8:30 a.m. to convene in Closed Session on the following matters:

- A. Potential Litigation: 1 case
- B. Meet and Confer: SEIU, Local 1280; SEIU, Local 535; Public Employees Union, Local 1; Units 6 and 16; Chief Negotiator – Craig Jory

The Board of Supervisors adjourned from Closed Session at 9:10 A.M.

#### Agenda Item No. 4

Open Session

The Board of Supervisors reconvened in Open Session at 9:10 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

Christina Linville, First 5 Solano, 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. Adopted and presented Resolution No. 2005-004 to Kim Williams, Chief Financial Officer of Touro University, affirming Solano County's support of the 7th Annual Touro University tribute to Dr. Martin Luther King, Jr. and Humanitarian Award Presentation, January 16, 2005 at the Touro University campus on Mare Island at 5:30 p.m. (see Resolution Book)

MOTION: Kondylis. SECOND: Kromm.

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

B. Adopted and presented Resolution No. 2005-006 and Plaque of Appreciation to Lawrence Clement, Cooperative Extension Director, in recognition of 26 years of service to Solano County. (see Resolution Book)

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

Agenda Item No. 8  
 Items From the Public  
 And Board Member Comments

The Chairwoman invited individuals of the public to make statements on matters relating to the business of the Solano County Board of Supervisors. There was no public comment.

The following comments were made by members of the Board of Supervisors:

- A. Supervisor Silva requested that this meeting be adjourned in memory of Paul B. Tipton who was a founding member of the Homeacres Association in the Vallejo Area.
- B. Supervisor Reagan provided a report regarding the Base Realignment and Closure (BRAC) community presentation that was held on January 7, 2005. Supervisor Reagan noted that they testified to the military value of Travis Air Force Base, its geopolitical importance, ability to accommodate additional growth, and the amount of infrastructure added to the Base over the last 10 years. Supervisor Reagan noted that positive feedback was received from the Commissioners.
- C. County Administrator Michael D. Johnson Introduced Bob Lawton, new Deputy County Administrator who will be representing Health and Human Services departments.

Agenda Item No. 9  
 Approval of the Agenda

Approved the Solano County Board of Supervisors' agenda as submitted with the following amendments:

- A. Item No. 17 – Grant application for First 5 Solano to provide prenatal care services to pregnant women abusing or at risk of abusing substances removed from the Consent Agenda and renumbered to Item No. 19A
- B. Item No. 24 - Adjournment of the Meeting to January 25, 2005 at 12:00 noon to convene in Closed Session followed by Open Session at approximately 1:30 p.m.

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

Agenda Item No. 10  
 Public Comment on the Consent Calendar

The Chairwoman invited individuals of the public to make public comment on Consent Calendar Items. There was no public comment.

Consent Calendar

Acted on the following Consent Calendar items:

13. Approved the minutes of the Board of Supervisors meeting of January 4, 2005; Facilities Corporation, Inc. meeting of January 4, 2005; and Building Corporation, Inc. meeting of January 4, 2005, as outlined in the Agenda Submittal from the Clerk to the Board of Supervisors dated January 11, 2005, incorporated herein by reference.
14. Adopted and authorized the Chairwoman to sign Resolution No. 2005-005 affirming Solano County's support of the NAACP Program in Vallejo to recognize Dr. Martin Luther King, Jr. Day, Monday, January 17, 2005. (see Resolution Book)
15. Adopted and authorized the Chairwoman to sign Resolution No. 2005-007 authorizing execution and recordation of Notice of Withdrawal of Notice of Exercise of Power of Termination on an unimproved parcel in the City of Vallejo (Assessor Parcel Number 51-162-02), relating to the Wilson Avenue Phase 2 Improvement Project, as outlined in the Agenda Submittal from the County Counsel dated January 11, 2005, incorporated herein by reference. (see Resolution Book)
- 16A. Adopted and authorized the Chairwoman to sign Resolution No. 2005-008 commending the Solano County Library for 10 years of formal literacy service as outlined in the Agenda Submittal from the Library dated January 11, 2005, incorporated herein by reference. (see Resolution Book)
- 16B. Authorized the Director of Library Services, Ann Cousineau, to approve the closure and re-opening of the Vacaville Public Library – Cultural Center and the second floor of the John F. Kennedy Library in Vallejo re remodeling projects that will occur in early 2005 as outlined in the Agenda Submittal from the Library dated January 11, 2005, incorporated herein by reference.
18. Approved agreement with Ciber, Inc. which provides for a) development, licensing and installation of CRIMES software, b) pro-rated database maintenance agreement for three months beginning January 1, 2005, and c) annually renewable software and database maintenance agreements for three years beginning April 1, 2005. Ratified the District Attorney's execution of the contract and approved an Appropriation Transfer in the amount of \$60,779 increasing the District Attorney's operating budget expenditures and revenues accordingly. Funds for the Agreement are available from District Attorney Bad Check Trust Fund as outlined in the Agenda Submittal from the District Attorney dated January 11, 2005, incorporated herein by reference.

MOTION: Silva. SECOND: Kromm.

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

#### Agenda Item No. 19A

##### First 5 Solano Grant Application

County Health Officer Dr. Ronald Chapman reviewed the information contained in the Agenda Submittal dated January 11, 2005, incorporated herein by reference requesting the Board to ratify the submission of a grant application to First 5 Solano in the amount of \$1,659,490 for the time period July 1, 2005 to June 30, 2008 to provide prenatal care services to pregnant women abusing or at risk of abusing substances.

Supervisor Kromm expressed his concern with the vagueness of how the County would be measuring their success of this program and felt that there was a need for specific measurements. Supervisor Reagan noted that there was a need to articulate public policy outcomes for measurement purposes.

Christina Linville, Executive Director of First 5 Solano, noted that they were only at the application stage of the process with the next step being a site visit and extensive interview with the candidate agency about their outcomes and the expected results. Ms. Linville stated that when the contract came back to the Board, it would contain specific results and targets to be achieved.

Supervisor Kromm noted that while he felt it was important to have good contact with Child Protective Services (CPS), especially for those who do not seek or refuse services; there was a need to embrace those who do seek the needed services and that he was concerned that the involvement of CPS could be a detriment.

Supervisor Kromm requested staff to provide the Board with written policy regarding CPS in terms of protection of children in abusive environments and the philosophy of the Department of Health and Social Services.

Chairwoman Kondylis noted that children in at risk environments will have a better chance at being successful if someone is monitoring their situation. Chairwoman Kondylis stated that this grant would provide for follow-up after birth with assessments being done which provides for a safety net that includes the involvement of CPS.

At the conclusion of their discussion, the Board ratified the submission of a grant application to First 5 Solano in the amount of \$1,659,490 for the time period July 1, 2005 to June 30, 2005 to provide prenatal care services to pregnant women abusing or at risk of abusing substances.

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

#### Agenda Item No. 20 Board Committee Assignments

Considered appointments to Board committee assignments as submitted in the Agenda Submittal dated January 11, 2005, incorporated herein by reference, and took the following action with the exception of LAFCO, Personnel, Base Realignment and Closure Committee, and Veteran Affairs:

- A) Appointed Supervisor Mike Reagan to committee assignments held by former 5th District Supervisor Ruth Forney
- B) Appointed Supervisor Mike Reagan to replace Supervisor John Silva on the Criminal Justice Coordinating Committee, the Remote Access Network Board, and the Solano County Economic Development Corporation
- C) Removed Supervisor John Silva from the Northern California Counties Tribal Matters Consortium and placed in the category of regional committee
- D) Terminated the Board's representation on the SIDS Advisory Committee and the Downtown Fairfield Committee
- E) Appointed the Chairwoman and Vice-Chair as representatives to the Strategic Planning Task Force

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

#### Agenda Item No. 20 Board Committee Assignments - LAFCO

Appointed Chairwoman Kondylis and Supervisor Kromm as members on the Local Agency Formation Commission (LAFCO) and Supervisor Vasquez as alternate.

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

Supervisor Silva noted that Chairwoman Kondylis and Supervisor Kromm have served on LAFCO for a number of years and preferred a change in representation. Supervisor Reagan preferred that there be representation from the Board for those communities dealing with the most growth and annexations.

#### Agenda Item No. 20 Board Committee Assignments - Personnel

Established Personnel Subcommittee to review personnel matters relating to salaries, benefits, compensation for department heads, review of the 7 county survey and Management Incentive

Program. Appointed Supervisor Vasquez and Supervisor Reagan as the Board's representatives.

MOTION: Kondylis. SECOND: Silva.

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

#### Agenda Item No. 20

##### Board Committee Assignments - BRAC

Established Base Realignment and Closure (BRAC) Committee and appointed Supervisor Kromm and Supervisor Reagan as members and Supervisor Vasquez as an alternate.

MOTION: Kondylis. SECOND: Reagan.

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

#### Agenda Item No. 20

##### Board Committee Assignments – Veterans Affairs

Established a Veterans Affairs Subcommittee and appointed Supervisor Vasquez and Supervisor Reagan as the Board's representatives.

MOTION: Kondylis. SECOND: Silva

AYES: Kromm, Reagan, Silva, Vasquez, Kondylis

The Board of Supervisors recessed this meeting at 10:30 a.m. and reconvened at 10:45 a.m. All members were present. Chairwoman Kondylis presided.

#### Item No. 21

##### Regional Park System

Received report and power point presentation from Tony Norris, General Services, on the governance options for a Regional Park System as outlined in the Agenda Submittal from General Services dated January 11, 2005, incorporated herein by reference.

In response to a question posed by Supervisor Reagan regarding the inclusion of incorporated cities within the territory of a proposed regional district, staff noted that outreach has occurred with the staff of the represented cities and overall regional park efforts discussed. It was noted that staff was recommending that the Regional Park District be countywide and include all the territory within the cities as regional parks benefit all the citizens of the County.

Supervisor Reagan stated that there were several options available to create park districts that accomplish the same without the time pressures of this particular legislation. Staff noted that the time pressures are present because there has been interest to get this matter on the 2006 ballot.

Supervisor Silva noted that Friends of the Parks would like to take over the Lake Herman property and the Lake Herman Park that was developed by the City of Benicia at taxpayers expense with a state grant of funds. If Lake Herman Park came into the Regional Park District, a tax would be implemented and the citizens of the City of Benicia would be taxed twice.

Veronica Ferguson, Director of the Department of General Services, suggested that staff work through the financing options and developing the cost of others into the parks system and the cost of operating the parks. The County would then review to see if parks are transferred into the system with or without revenue.

Supervisor Reagan expressed his concern that the state legislators would be placed in a difficult position if the County has not worked through the public process prior to legislation being enacted.

Chairwoman Kondylis read a Resolution into the record from the City of Benicia supporting the efforts of the Friends of Solano Regional Park to identify options to form and fund a regional park district for Solano County to participate in discussions involving the creation of a regional park district.

Mike Helms, SEIU Local 1280, requested the Board to direct staff to work with them at the appropriate time to work through the meet and confer issues relating to a few represented employees.

Donna Harr, Solano County Citizens Land Alliance, expressed her concern that the process was being rushed and that the success of this proposal would need to include the consensus of all the involved stakeholders.

Bob Berman, Friends of Solano Regional Parks, expressed support for the County staffs' position to pursue legislation to establish a regional park district. Mr. Berman noted that they have been working to develop a consensus among the stakeholders which included the cities park and recreation commissions in Solano County, City Councils, the Solano County Park and Recreation Commission, the agriculture community and County employees. Mr. Berman noted that they would like to proceed with the introduction of legislation and commit to make this a reality.

Kathy Blume, docent for Solano Land Trust, expressed her support in having a regional park district that will allow lands to be opened to the public on a regular basis. Ms. Blume requested the Board adopt a resolution allowing County staff to work with the legislative analyst for a regional park district for Solano County.

Darla Guenzler, member of the Friends of Solano Regional Park District, expressed her support for the County staff and the Park and Recreation Commission recommendation to establish a regional park district. Ms. Guenzler noted that there has been a lot of growth in the population of this area and felt that there was a need to create greater resources for parks in this county.

John Mangels, Member of the Ag Advisory Committee and Director of the County Farm Bureau, noted that the agriculture community has participated in workshops with the Friends of the Solano Regional Park and expressed their concerns with respect to what a regional park system might mean and what type of neighbors the parks would be to the agriculture community.

Supervisor Kromm noted that the draft principles has a number of ag specific types of concerns and felt that it was the intent that if the ag community has concerns in the future, that they would be considered and addressed.

In response to a question posed by Supervisor Reagan, Mr. Mangels noted that it would be difficult to provide comments on specific language by the end of January.

Supervisor Kromm noted that he had received an email from Margaret Manzo, President of the Cordelia Area Homeowner's Association, which he read into the record, expressing support for a regional park district plan.

Supervisor Kromm noted that the formation of a regional park district along with a board of directors would bring both money and resources throughout Solano County and open up recreational areas for public enjoyment and further proposed that a third option be added to the legislation to elect a board of directors and 2 agricultural representatives

Chairwoman Kondylis noted that cities need to be notified that they will have the opportunity to option in or to option out and that there be a maintenance of effort agreement so that cities in the county do not add a financial burden.

Supervisor Silva expressed his concern relating to the governance of the proposed district and how it will be responsible to the citizens of Solano County. Supervisor Silva noted that to proceed with limited information would create mistrust between regional partners. Supervisor Silva indicated that he was not supportive of going to the State legislature to enact a special law to establish this special district and supported governance and the commitment of funds at the Board of Supervisors level to avoid duplication of effort.

Chairwoman Kondylis expressed her support for the initiative to open recreational areas to the public as it adds viability, livability, and the value of a community is dependent upon recreational opportunities. Chairwoman Kondylis stated that the County has an opportunity to move forward with a concept that has been proven in many other areas and if consensus isn't reached by the voter, then the legislation will not be implemented.

It was moved by Chairwoman Kondylis and seconded by Supervisor Kromm to direct staff to work with the Legislative Advocate on a proposal to add a Solano County Regional Park District under Public Resources Code 5500; ensure review by the Park and Recreation Commission, the Agricultural Advisory Committee, the Friends of the Solano Regional Park District and LAFCO. No vote was taken.

Supervisor Vasquez indicated that it was important to have the full support of the Board and expressed concern regarding the governance of the district. Supervisor Vasquez noted that he supported the Board of Supervisors being the governing body.

Supervisor Reagan noted that the legislation would provide an opportunity to have a different governing board other than the Board of Supervisors and did not feel there was consensus of the Board at this time to pursue legislation to create a special district.

Supervisor Kromm indicated that he felt it would be difficult to have a countywide focus without the creation of a special district and he would be supportive of setting benchmark timelines and

goals.

After further discussion, Chairwoman Kondylis noted that the following motion was on the floor:

On motion of Chairwoman Kondylis and seconded by Supervisor Kromm to direct staff to work with the Legislative Advocate on a proposal to add a Solano County Regional Park District under Public Resources Code 5500; ensure review by the Park and Recreation Commission, the Agricultural Advisory Committee, the Friends of the Solano Regional Park District and LAFCO. Motion failed by the following vote:

AYES: Kromm, Kondylis.

NOES: Reagan, Silva, Vasquez.

A substitute motion was made to refer this matter back to staff to work with the Friends of Open Space and Parks to further evaluate and analyze all options in creating a Park and Recreation District to be brought back to the Board for consideration.

MOTION: Vasquez. SECOND: Silva.

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

#### Agenda Item No. 22A

##### Vacating Toland Land and Stewart Lane

The Board of Supervisors reviewed the information contained in the Agenda Submittal from the Department of Resource Management dated January 11, 2005, incorporated herein by reference, regarding the adoption of a resolution vacating Toland Lane and Stewart Lane near Rio Vista. Chairwoman Kondylis opened the public hearing. As there was no one who wished to speak on this matter, the public hearing was closed.

The Board acted to adopt Resolution No. 2005-009 vacating Toland Lane and Stewart Lane near Rio Vista and approved and authorized the Director of Resource Management to sign the agreement with the Sacramento Municipal Utility District (SMUD) to provide easements to those property owners that use the vacated roads for access to their property. (see Resolution Book)

MOTION: Silva. SECOND: Vasquez.

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

#### Agenda Item No. 22B

##### Minor Subdivision Application

##### Lowrie Family Partnership

The Board of Supervisors reviewed the information contained in the Agenda Submittal from the Department of Resource Management, incorporated herein by reference, regarding a continued public hearing to consider approval of Minor Subdivision Application No. MS-04-10 of Lowrie Family Partnership to subdivide two parcels totaling 315 acres into three parcels of 80 acres, 80 acres, and 154 acres respectively; to adopt a resolution approving Minor Subdivision Application MS-04-10. Property located at 5688 Sievers Road in an "A-40" Exclusive Agricultural Zoning District. Chairwoman Kondylis opened the public hearing. As there was no one who wished to speak on this matter, the public hearing was closed.

The Board acted to adopt a Negative Declaration of Environmental Impact and adopted Resolution No. 2005-010 approving the Minor Subdivision Application MS-04-10 to subdivide two parcels totaling 315 acres into three parcels of 80 acres, 80 acres, and 154 acres located at 5688 Sievers Road (A-40, Exclusive Agriculture). (see Resolution Book)

MOTION: Silva. SECOND: Vasquez.

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

#### Agenda Item No. 23

##### Appointment Authority

Approved the appointment of Linda Watts, Deputy Director of Health & Social Services as the County Representative to the Solano Safety Net Consortium effective January 15, 2005 as outlined in an Agenda Submittal from the Department of Health & Social Services dated January 11, 2005, incorporated herein by reference.

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

Agenda Item No. 24  
Adjournment

The Board of Supervisors adjourned this meeting at 12:40 P.M. in memory of Paul B. Tipton, one of the founding members of Homeacres Association in the Vallejo area.

The next meeting of the Board of Supervisors will be January 25, 2005 beginning with a Closed Session at 12:00 Noon followed by Regular 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