

Minutes For May 28, 2002

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SOLANO COUNTY BOARD OF SUPERVISORS' MINUTES

May 28, 2002

The Solano County Board of Supervisors met in regular session on this day at 8:28 a.m. The meeting was called to order by Chairman Carroll. Present were Supervisors Kondylis, Kromm, Silva, and Chairman Carroll. Supervisor Thomson arrived at 8:30 a.m.

CLOSED SESSION: The Board moved into Closed Session at 8:29 a.m. to discuss Litigation:

Boler et al. v. Solano County Personnel; Public Employee Performance Evaluation – County

Counsel; Meet and Confer: Local 1, Unit 16, Mid Managers with Josie Jenkins, Assistant

Director of Human Resources. The Board moved out of Closed Session at 8:55 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:02 a.m. with the Pledge of Allegiance and a moment of silence.

PRESENTATIONS

(Item 7) RESOLUTION NO. 2002-110 DECLARING JUNE 2002 AS ELDER ABUSE PREVENTION MONTH, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted

to adopt Resolution No. 2002-110 Declaring June 2002 as Elder Abuse Prevention Month. So

ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Kondylis presented the resolution to Reverend Robert

Fuentes, Chairperson Elder Abuse Prevention Council.

Reverend Fuentes discussed the importance of elder care in our society.

ITEMS FROM THE FLOOR

APPEARANCE BY DONALD TIPTON RE CALIFORNIA DEVELOPMENT BLOCK GRANT FUNDS

Donald Tipton, Vallejo, brought a copy of the Vallejo Sanitation and Flood Control

District Master Drain Plan noting there are seventeen items in the report for repairs in the

Homeacres area, voiced concern that CDBG Grant funds were not fully expended resulting in potential projects not being done.

APPEARANCES BY PAT STOKES AND DR. CHLOE BOETTCHER IN OPPOSITION TO THE SPREADING OF BIOSOLIDS

Pat Stokes, Committee Against Biosolids - Rio Vista, read a prepared statement dated May 28, 2002, incorporated herein by reference, requesting the spreading of biosolids stop in the County, and noted many other counties have banned such spreading. Ms. Stokes feels there are many detrimental health effects for people and animals in the area, noted a number of animals in the area that have died due to bacterial infections, and voiced concerns with the odor and the contamination of the animals through grazing and feed. The people need to be protected.

Dr. Chloe Boettcher, Committee Against Biosolids – Rio Vista, voiced concern with the spreading of biosolids in the County. Dr. Boettcher noted wind spreads particulate, that the spreading of biosolids has been banned in many areas and around the world, people are getting sick in areas where biosolids are spread, noted some people in the Rio Vista area are developing serious illnesses since the biosolids have been spread, and requested the Board review the biosolids ordinance.

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 a contract in the amount not to exceed \$618,555 with Hubbert Systems Consulting to provide initial assessment and gap analysis for Health Insurance Portability and Accountability Act (HIPAA) Standards for the County; authorize the Chairman to sign the resulting contract; approve an

appropriation transfer in the amount of \$247,621 from General Fund Contingency; approval of an appropriation transfer in the amount of \$377,617 to increase Health and Social Services budget appropriation, removed from the Consent Calendar.

(Item 16B) Approval of a resolution to amend the allocation list to add one (1) Limited Term Program Specialist to the CalWIN Development and Implementation Project until June 30, 2004, removed from the Consent Calendar.

So ordered by a vote of 5-0.

CONSENT CALENDAR

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

(Item 12) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF MAY 7, 2002; IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY MAY 7, 2002, as outlined in the Agenda Submittal from the Clerk of the Board dated May 28, 2002, incorporated herein by reference, approved.

(Item 13A) RESOLUTION NO. 2002-111 PROVIDING FOR THE BORROWING OF FUNDS ON BEHALF OF THE VALLEJO CITY UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 2002-03 AND THE ISSUANCE AND SALE OF NOT TO EXCEED \$18,000,000 OF 2002-03 TAX AND REVENUE ANTICIPATION (TRANS) NOTES FOR SAID DISTRICT BY A NEGOTIATED SALE PURSUANT TO A NOTE PURCHASE CONTRACT, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID NOTE PURCHASE CONTRACT, AND AUTHORIZING EXECUTION OF NECESSARY CERTIFICATES, adopted. (see Resolution Book)

(Item 13B) VACAVILLE UNIFIED SCHOOL DISTRICT AUTHORIZED TO ISSUE 2002/2003 TAX AND ANTICIPATION NOTES (TRANS) AS PART OF THE CALIFORNIA SCHOOL BOARDS ASSOCIATION FINANCE CORPORATION, as outlined in the Agenda Submittal from the Treasurer-Tax Collector-County Clerk dated May 28, 2002, incorporated herein by reference, approved.

(Item 13C) RESOLUTION NO. 2002-112 PROVIDING FOR THE BORROWING OF FUNDS IN THE NAME OF THE FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT

FOR FISCAL YEAR 2002-2003 AND THE ISSUANCE AND SALE OF 2002 TAX AND REVENUE ANTICIPATION NOTES THEREFORE, adopted. (see Resolution Book)

(Item 14) LEASE AGREEMENT FOR INDUSTRIAL/COMMERCIAL SPACE FOR THE SHERIFF'S OFFICE, as outlined in the Agenda Submittal from General Services dated May 28, 2002, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

(Item 15) ORDINANCE NO. 1619 AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE SOLANO COUNTY BOARD OF SUPERVISORS AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE A SERVICE RETIREMENT BENEFIT OF 2% @ 50 FOR PROBATION OFFICERS, adopted. (see Ordinance Book)

(Item 16C) APPROPRIATION TRANSFER IN THE AMOUNT OF \$2,000,000 IN UNANTICIPATED REVENUE FROM THE COUNTY MEDICAL SERVICES PROGRAM (CMSP) GOVERNING BOARD RE INDIGENT ADULT HEALTH PROGRAM, as outlined in the Agenda Submittal from Health and Social Services dated May 28, 2002, incorporated herein by reference, approved.

(Item 17) RESOLUTION NO. 2002-114 AUTHORIZING THE APPLICATION FOR CONTINUATION FUNDING AND PLAN MODIFICATION UNDER THE JUVENILE JUSTICE CRIME PREVENTION ACT OF 2000, adopted. (see Resolution Book)

(Item 18) AUTHORIZATION TO ADVERTISE FOR BIDS RE REPLACEMENT OF SHILOH ROAD BRIDGE AT NO NAME CREEK, as outlined in the Agenda Submittal from the Department of Transportation dated May 28, 2002, incorporated herein by reference, approved and County Administrator authorized to award and execute a contract with the lowest responsible bidder.

(Item 19) COOPERATIVE AGREEMENT WITH THE FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT AND CITY OF FAIRFIELD RE SERVICES AT CORDELIA LIBRARY, as outlined in the Agenda Submittal from the Library dated May 28, 2002, incorporated herein by reference, approved.

(Item 20) RETURN OF DONATIONS TO AGRICULTURAL COMMUNITY RE GLASSY-

WINGED SHARPSHOOTER ENHANCED PUBLIC AWARENESS PROGRAM, as outlined in the Agenda Submittal from the Agriculture Department dated May 28, 2002, incorporated herein by reference, approved.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

(Item 21) East Vallejo Fire Protection District:
CONTRACT AMENDMENT WITH THE CITY OF VALLEJO RE FIRE PROTECTION SERVICES, as outlined in the Agenda Submittal from the County Administrator's Office dated May 28, 2002, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

ORDERS

(Item 16A) CONTRACT WITH HUBBERT SYSTEMS CONSULTING FOR PROFESSIONAL SERVICES RE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) STANDARDS, APPROVED

The Board was provided with an Agenda Submittal from Health and Social Services dated May 28, 2002, incorporated herein by reference, regarding the federal mandate to comply with the reforms to the health care system with provisions that improve the portability and continuity of health insurance, and to simplify the administration of health insurance.

Donald Tipton, Vallejo, voiced concern how this issue could involve so many departments, and with personal penalties for violations.

Responding to questions posed by Supervisor Silva regarding why the funds are going to

Health and Social Services when the department is excluded, Don Rowe, County Administrative

Office, noted that Health and Social Services is not listed in the analysis since much of the

analysis has already been done in Health and Social Services, and based on that analysis the need

to look at all the departments to ensure compliance with the Federal and State requirements.

Responding to questions posed by Supervisor Silva regarding why Tobacco funds were

not being used rather than General Fund money, Britt Ferguson, County Administrative Office

noted Tobacco funds could be used but funding for this analysis is not in the Tobacco MSA

Strategic Plan. Supervisor Silva noted this program is regarding maintaining

medical records and feels the MSA money should be used. Responding to questions posed by Supervisor Kondylis regarding the length of time it has taken since the legislation was passed in 1996 to come to the Board, and if this law will provide better quality care. Mr. Rowe noted changes in the regulations that came forward under the Clinton Administration, the final rules came out in 2001, discussed the difficulties in implementing the regulations, and discussed budgetary confines that only allowed for partial funding within the regular budget. The original overview analysis outlined the depth of the problem for Health and Social Services. This legislation has more to do with the preservation of the rights and privacy of individuals, Mr. Rowe discussed the actual availability of health information, the misuse of that information, and the implementation will better protect patient rights.

Responding to questions posed by Supervisor Kondylis if these regulations would be applied to private industry, Director of Health and Social Services Patrick Duterte noted this will apply to private industry and non-profits, and discussed the importance of the work that needs to be done to protect the rights of individuals.

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to approve the agreement with Hubbert Systems for professional services relating to HIPAA, to approve an appropriation transfer in the amount of \$247,621 from General Fund Contingency, and to the Health and Social Services General Fund, to approve an Appropriation Transfer in the amount of \$377,617 to increase the Health and Social Services budget. So ordered by a vote of 4-1, Supervisor Silva voted no.

(Item 16B) RESOLUTION NO. 2002-113 AMENDING LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (LIMITED TERM PROGRAM SPECIALIST TO CALWIN), ADOPTED

The Board was provided with an Agenda Submittal from Health and Social Services

dated May 28, 2002, incorporated herein by reference, regarding additional staffing to support the CalWIN Development and Implementation Project. Responding to questions posed by Supervisor Kondylis relative to approval of this item when there are many looming questions about the State Budget, the need for this person, and better quality of service, Director of Health and Social Services Patrick Duterte noted the CalWIN Project is the largest computer project in the State, current systems will be converted, penalties if the conversion is not completed, and discussed the need for dedicated staff to complete this project. Mr. Duterte noted some positions are being held open, some staff members have been reassigned, that the department will hold some vacant positions open until the budget crisis is mitigated. The Program Specialist does have specific skills and is essential, and this function should translate into better quality of service. Responding to questions posed by Supervisor Silva regarding what happens to the employees when the employment term is up, Mr. Duterte noted usually these people are moved over to fill vacant positions, and discussed how these employees could fill other positions that are vacant.

Vice-Chairman Kromm discussed the magnitude of this project.

On motion of Supervisor Kondylis and seconded by Vice-Chairman Kromm, the Board acted to adopt Resolution No. 2002-113 Amending List of Numbers and Classifications of Positions Within Solano County (Limited Term Program Specialist to CalWIN). So ordered by a vote of 5-0. (see Resolution Book)

(Item 23) SUPERVISOR KONDYLIS APPOINTED AS THE ABAG REPRESENTATIVE, SUPERVISOR SILVA APPOINTED AS ALTERNATE

SUPERVISOR SILVA APPOINTED AS REPRESENTATIVE TO THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT AND THE YOLO-SOLANO AIR QUALITY BOARD

The Board was provided with an Agenda Submittal from the Clerk of the Board dated May 28, 2002, incorporated herein by reference, regarding the annual

appointment to the

Association of Bay Area Governments (ABAG), and the discussion of Board representation to

the Bay Area Air Quality Management District (BAAQMD) and the Yolo Solano Air Quality Board.

Chairman Carroll thanked the Board for allowing him to serve the County on these

committees, recommended Supervisor Kondylis as the representative to ABAG, recommended

Supervisor Silva as the representative to the BAAQMD,

Supervisor Kromm voiced his willingness to serve on the BAAQMD noting the tie with

the Yolo-Solano Air Quality Board and the benefits to serving on both boards.

Supervisor Silva noted his interest to serve on the BAAQMD and the Yolo-Solano Air

Quality Board, and noted the unique opportunity.

Supervisor Kondylis noted the need for South County representation on the air boards,

and supports Supervisor Silva for the positions.

On motion of Chairman Carroll and seconded by Supervisor Thomson, the Board acted to

appoint Supervisor Silva as the representative to the BAAQMD and the Yolo-Solano Air Quality

Board. So ordered by a vote of 4-1; Supervisor Kromm voted no.

On motion of Supervisor Kromm and seconded by Supervisor Thomson, the Board acted

to appoint Supervisor Kondylis as the representative to ABAG with Supervisor Silva as the

alternate. So ordered by a vote of 5-0.

(Item 24) BOARD EXPRESSED WATCH POSITION FOR SCA 7 (BURTON) RE ACCESS TO PUBLIC RECORDS,

BOARD EXPRESSED A POSITION OF SUPPORT FOR AB 2719 (MALDONADO) RE ENHANCEMENT OF AIRPORT SECURITY, SB 1989 (KNIGHT) RE NOTIFICATION OF WIND ENERGY SYSTEMS WITHIN RESTRICTED MILITARY SPACE, SB 1468 (KNIGHT) RE TO INCLUDE DEVELOPMENT IMPACTS ON MILITARY INSTALLATIONS IN GENERAL PLANS, SB 1618 (KUEHL) RE INCREASES IN MARRIAGE LICENSE FEES TO SUPPORT DOMESTIC VIOLENCE PREVENTION PROGRAMS, S. 1483 (EELLSTONE) RE AWARDING COMPETATIVE GRANTS TO COMBAT DOMESTIC VIOLENCE, AND AB 2554 (STRICKLAND) RE HORSE RACING LAWS

Paul Yoder, Legislative Analyst, Shaw & Yoder gave a brief review of the status of the

State budget highlighting potential cuts such as the subvention of the Williamson Act and possible program elimination, other cuts, and a moratorium in reimbursing cities and counties for mandate programs imposed by the State.

Responding to questions posed by Supervisor Thomson relative to cuts in the Williamson

Act, Director of Environmental Management Birgitta Corsello noted the Board can consider

filing non-renewal on the contracts which will run the 9 years to come back to the normal market

rate, the Board does not have the authority to cancel the contracts, and noted recommendations to

remain with a status quo for the next year.

Mr. Yoder discussed work being done to maintain the subvention funds for the Williamson Act to support agriculture in the State.

There was a brief discussion on the budget approval process, and the potential for

increased taxes.

Responding to questions posed by Supervisor Kondylis relative to SCA 7 (Burton) and

the true implications of this bill, and if it would apply to all of the activities of the legislature, Mr.

Yoder noted this bill would not apply to all the activities of the legislature only to cities, counties

and special districts, discussed some of the effects of the bill to local government, and feels the

issue may be on the November ballot. Following this discussion a watch stance was

recommended with more definitive information to be brought back on the implications to the

County.

Mr. Yoder continued to review the information contained in the Agenda Submittal from

the County Administrator's Office dated May 28, 2000, incorporated herein by reference,

regarding a status report on legislation of importance to Solano.

There was a brief discussion relative to marriage license fees and why the State is

concerned with regulations of these fees.

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted

to take a watch position for SCA 7(Burton), to support AB 2719 (Maldonado), to support SB

1989 (Knight), to support SB 1468 (Knight), to support SB 1618 (Kuehl), to support S. 1483

(Wellstone), and to support AB 2554 (Strickland). So ordered by a vote of 5-0.

(Item 24B) FINAL NEGOTIATIONS WITH CMS VIRON ENERGY SERVICES
RE
EXPANSION OF THE FAIRFIELD COGENERATION PLANT,
APPROVED

COGENERATION EXPANSION PROJECT COSTS TO BE INCLUDED
WITH THE DOWNTOWN FAIRFIELD GOVERNMENT CENTER
PROJECT OVERALL FINANCING PACKAGE, APPROVED

Director of General Services Jim Werdell reviewed the information contained in the Agenda Submittal from his department dated May 28, 2002, incorporated herein by reference, regarding updating the Cogeneration plant and the many benefits of the update. William Kelly, Regional Manager CMS Viron, reviewed a visual presentation, a hard copy is incorporated herein by reference, discussing project goals and objectives, project components, the overall economics, and the benefits to the County. This project will be economically and environmentally more efficient with upgrades and old equipment replacement. Responding to questions posed by Supervisor Kromm as to why no solar panels are being installed on the roof of the new Government Center, Assistant County Administrator Darby Hayes discussed the overall upgrade of the system through the Cogeneration plant that is sized to meet the needs of the government center and other efficiencies. The Cogeneration plant will serve the downtown campus buildings south of Texas Street with heating and cooling. Responding to questions posed by Chairman Carroll regarding solar panel coverage, Mr. Kelly noted about 60% of the roof on the new Health and Social Services building will be covered with the PV panels and the remainder will be used for other mechanical equipment. On the parking garage the perimeter panels will be elevated and act as parking shade. Responding to questions posed by Supervisor Kromm regarding energy backup systems, Mr. Kelly noted the central plan has redundancy in each piece of equipment, there are multiple generators, multiple air conditioning chillers, as well as multiple heating units.

Mr. Werdell

noted that PG&E would still be available for backup electricity.

Responding to questions posed by Supervisor Kondylis regarding using the PG&E grid,

where we acquire natural gas, and with providing energy to the City of Fairfield, Mr. Werdell

noted a line would be coming in from PG&E for electricity if needed, natural gas is purchased

through a State group and is distributed by PG&E. The City of Fairfield was invited to

participate in the project, but declined. The economics do not work out to sell power back to the

grid. Mr. Kelly feels that addition of more PV panels may be a consideration in the future.

Responding to questions posed by Supervisor Kromm relating to the selling of power

back to the grid, and with increasing the number of panels, Mr. Kelly noted the County could

receive retail price for any solar power sold back to the grid, but for gas generation the sell back

rate is at wholesale prices. The State net metering provision may not be extended, and the State

incentive program for PV installations has been maximized at this point. Grants and incentives

may be available for future installations of solar power to make them cost effective, and Mr.

Kelly noted there is a maximum amount of incentives available per customer and the County is

one customer.

There was further discussion regarding the addition of solar panels to other County

buildings.

Supervisor Kondylis noted opposition to the downtown center, but feels these types of

energy projects are important.

On motion of Supervisor Kromm and seconded by Supervisor Thomson, the Board acted

to approve final negotiations with CMS Viron Energy Services for expansion of the Fairfield

Cogeneration plant, to authorize the County Administrator to sign the resulting agreements, to

approve the inclusion of \$14,436,835 project cost as part of the overall financing package for the

Downtown Fairfield Government Center Project. So ordered by a vote of 5-0.

(Item 24C) FINANCING PLAN FOR THE DOWNTOWN FAIRFIELD GOVERNMENT CENTER AND COGENERATION PLANT EXPANSION

PROJECTS, APPROVED

COUNTY ADMINISTRATOR TO SECURE FINANCING THROUGH CERTIFICATES OF PARTICIPATION OF UP TO \$109,000,000

MEMORANDUM OF UNDERSTANDING WITH THE CITY OF FAIRFIELD RELATED TO THE DOWNTOWN FAIRFIELD GOVERNMENT CENTER PROJECT, APPROVED

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated May 28, 2002, incorporated herein by reference, regarding financing options for the County Government Center and the Congregation plant Expansion project. Mr. Hayes noted there is now a tentative Project Labor Agreement for the project.

Responding to questions posed by Supervisor Kondylis regarding connecting Suisun Main Street with Union Avenue in Fairfield, and with spending \$4.6 million discretionary General Fund money for the debt service, Mr. Hayes noted the Solano Transportation Authority is working to get the crossing opened between Suisun and Fairfield at Union Avenue in the overall transportation plan and will be done where an exchange can be done with a substitute rail crossing. The projected debt service will be \$750,000 less than current debt service payments, and Mr. Hayes discussed the need to renew housing for general government operations.

Supervisor Kondylis expressed concern with spending so much General Fund money that could be spent on services for the citizens who need it.

Donald Tipton, Vallejo, voiced concern with security if there is to be shops or areas for business as noted in the original plans.

Supervisor Kromm feels this is a good time to borrow the money with the long-term interest rates being so low, the project is good for the local economy with supporting local trades, the City of Fairfield likes the project and would like to see local art in the plaza.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the Board acted to approve the financing plan for the County Government Center and Cogeneration Expansion

projects, the County Administrator securing financing through Certificates of Participation of up to \$109,000,000, and to approve a Memorandum of Understanding with the City of Fairfield related to County Government Center project. So ordered by a vote of 4-1, Supervisor Kondylis voted no.

(Item 25A) ORDINANCE REGARDING REVISING QUALIFICATION REQUIREMENTS FOR REASSESSMENT OF PROPERTY DAMAGED OR DESTROYED BY MISFORTUNE OR CALAMITY, ADOPTED ON FIRST READING; SECOND READING SET FOR JUNE 11, 2002

Scheduled on the agenda for this day was consideration of a proposed Ordinance, which would amend the Solano County Code to revise qualification requirements for reassessment of property damaged or destroyed by misfortune or calamity. County Counsel Dennis Bunting noted distribution of an amended proposed ordinance which adds a provision that allows the Assessor, on his own initiative, to reassess property that is damaged by misfortune or calamity. On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board directed that the proposed Ordinance be read by title only. So ordered by a vote of 5-0. Responding to questions posed by Supervisor Kromm regarding the cap of the reassessment, and eligibility for reassessment and qualification number 2, Mr. Bunting explained the clauses and noted the clauses are statutory language. This action is to update the County ordinance. There was a brief discussion of what constitutes a disaster, misfortune or calamity. On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt the proposed Ordinance. So ordered by a vote of 5-0.

(Item 25B) RESOLUTION NO. 2002-115 CREATING THE SOLANO COUNTY TRANSPORTATION IMPROVEMENT AUTHORITY, ADOPTED

SUPERVISOR SILVA APPOINTED AS THE COUNTY REPRESENTATIVE, AND SUPERVISOR KONDYLIS APPOINTED AS THE ALTERNATE MEMBER TO THE SOLANO COUNTY TRANSPORTATION IMPROVEMENT AUTHORITY

The Board was provided with an Agenda Submittal from County Counsel dated May 28,

2002, incorporated herein by reference, regarding the need to create the Solano Transportation Improvement Authority.

Responding to questions posed by Supervisor Kondylis regarding why the authority needs

to be created, and on administrative costs for the Solano Transportation Authority (STA), Chuck

Lamoree, General Counsel for STA, noted as a separate entity there is separate accountability and

funding mechanism. The general administrative charges are limited to 1%.

Responding to questions posed by Supervisor Kromm regarding borrowing of funds, Mr.

Lamoree noted the advantages of keeping the borrowing function separate from the STA for

accountability, and noted consensus of various bodies in the County to form the separate

authority, and the authority is modeled after other authorities in the State.

With the separate

entity you are assured to keep funds separate.

Supervisor Kromm voiced concern with an added layer of government, and feels there is

no compelling reason to create this authority when the STA could be designated to do these

functions.

County Counsel noted part of the process requires the cities approval, and feels a variety

of appointees on the authority may better meet the cities needs.

Supervisor Silva feels the separate authority would more fully address the work that

needs to be done, would monitor the expenditure plan, and will have dedicated meetings to this

business.

Mr. Lamoree discussed some of the particular requirements of the authority.

Director of Solano Transportation Authority Darrell Halls noted several other counties

have the two functions separately, feels with future potential liabilities will be less with separate

entities, will keep the missions separate, and does require a majority of the cities approve the

option.

James Williams, Elmira, feels the STA can meet the requirements for the sales tax

funding, and posed several questions regarding who would make the decision on use of State and

Federal funding, would the responsibilities of the STA change, and will the authority still be

established if the sales tax initiative does not pass.

Supervisor Kromm expressed concern regarding the majority of the weight of the voting body is with the cities when the majority of the land is under the Board of Supervisors, and feels the resolution should be modified to remove language pertaining to any sales tax measure, the expenditure plan, and the issuance of bonds until an expenditure plan is brought forward. There followed a discussion regarding language in the resolution and if it should be changed or removed since no expenditure plan has been adopted nor has the sales tax issue gone to the voters. County Counsel Dennis Bunting noted the recitals of fact in the resolution are recommendations of the STA. The Board is being asked to form this new entity, the membership can be changed to include more Board of Supervisors as members of the authority. The sales tax can not be proposed unless the expenditure plan is adopted. Mr. Lamoree noted under the Public Utilities Code the agency must be created first, then the agency takes the obligation of formulating the expenditure plan that must go to the Board of Supervisors and the cities for their approval. Nothing can happen until that expenditure plan is adopted by the various agencies. Supervisor Kondylis expressed concern with the wording in the resolution not being clear, feels the expenditure plan should be part of the ballot measure, and suggested added language to the resolution to make the resolution clear.

On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-115 creating the Solano County Transportation Improvement Authority, and to appoint Supervisor Silva as the County representative, and Supervisor Kondylis as the alternate member. So ordered by a vote of 3-2; Supervisors Kondylis and Kromm voted no. (see Resolution Book)

(Item 26) RESOLUTION NO. 2002-116 ADOPTING THE FINDINGS ON INCREASE IN THE CRIMINAL JUSTICE ADMINISTRATION FEE FOR THE SOLANO COUNTY SHERIFF'S DEPARTMENT FOR FISCAL YEAR 2002/2003, ADOPTED

The Board was provided with an Agenda Submittal from the Auditor-Controller's Office

dated May 28, 2002, incorporated herein by reference, regarding the continuance of a public hearing on the proposed Solano County Criminal Justice Administration (Booking) Fee for FY2002/03.

County Administrator Michael Johnson noted discussions with the City Managers Group and gave them assurances that during the year if streamlining of the process can be done fees would be reduced, and the City managers were comfortable with that proposal. Chief Jim Trimble, Solano County Chiefs and Sheriff Association, noted review of the analysis used to determine the fees with the Sheriff, the two outstanding issues are with new systems coming on line that will reduce time to book prisoners and the reduction in the cost of the Booking Fees, and restitution of the Booking Fees to the cities and the County from the prisoners.

John Taylor, County Administrative Office, noted restitution for Booking Fees will be

applied where possible, and discussed the accounting challenges.

Gary Stanton, Sheriff, feels there is a workable agreement, fees could be reduced in the

future and suggested review at Mid-year for adjustments if needed.

As there was no one further who wished to speak on this matter, the continued public hearing was closed.

On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-116 Adopting the Findings on Increase in the Criminal Justice Administration Fee for the Solano County Sheriff's Department for Fiscal Year 2002/2003. So ordered by a vote of 5-0. (see Resolution Book)

(Item 27) REQUEST FOR PROPOSALS TO BE ISSUED FOR DIRECT RECORDING ELECTRONIC (DRE) VOTING SYSTEM (TOUCHSCREEN)

Registrar of Voters Laura Winslow reviewed the information contained in the Agenda

Submittal from her department dated May 28, 2002, incorporated herein by reference, regarding the Decertification of the current Votomatic voting system and alternative replacement voting systems.

There was a brief discussion relative to voter data.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to authorize the Registrar to issue a Request for Proposal for Direct Recording Electronic (DRE) Voting System. So ordered by a vote of 5-0.

(Item 28) GRANT FUNDING FROM THE YOUTH DEVELOPMENT AND CRIME PREVENTION INITIATIVE IN THE AMOUNT OF \$2,424,564
ACCEPTED

RESOLUTION NO. 2002-117 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (HEALTH AND SOCIAL SERVICES), ADOPTED

RESOLUTION NO. 2002-118 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (PROBATION DEPARTMENT), ADOPTED

APPROPRIATION TRANSFER IN THE AMOUNT OF \$483,237 FROM UNANTICIPATED REVENUE, APPROVED

The Board was provided with an Agenda Submittal from Health and Social Services dated May 28, 2002, incorporated herein by reference, regarding acceptance of the Youth Development and Crime Prevention grant funds.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to accept Grant Funding from the Youth Development and Crime Prevention Initiative in the amount of \$2,424,564, to adopt Resolution No. 2002-117 Amending the List of Numbers and Classifications of Positions Within Solano County (Health and Social Services), and Resolution No. 2002-118 Amending the List of Numbers and Classifications of Positions Within Solano County (Probation Department), to approve various recommendations to implement the grant, and to approve an appropriation transfer in the amount of \$483,237 from Unanticipated Revenue. So ordered by a vote of 5-0.

(Item 29A) NANCY GOODMAN AND DEBBI DAVIS APPOINTED TO THE CHILDREN'S NETWORK COUNCIL

On motion of Supervisor Thomson and seconded by Supervisor Silva the Board acted to

appoint Nancy Goodman to the category of Child Welfare and Debbi Davis in the category of Community Based Organization to the Children's Network Council. So ordered by a vote of 5-0.

(Item 29B) ROBERT EHLERS AND CYNTHIA HELLMUTH APPOINTED TO THE SUDDEN INFANT DEATH SYNDROME (SIDS) ADVISORY COMMITTEE

On motion of Supervisor Thomson and seconded by Supervisor Silva, the Board acted to appoint Robert Ehlers and Cynthia Hellmuth to the Sudden Infant Death Syndrome (SIDS) Advisory Committee for a two-year term. So ordered by a vote of 5-0.

ADJOURN - This meeting of the Board of Supervisors adjourned at 12:42 p.m.

William J. Carroll, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors