

Minutes For April 02, 2002

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SOLANO COUNTY BOARD OF SUPERVISORS" MINUTES

April 2, 2002

The Solano County Board of Supervisors met in regular session on this day at 1:02 p.m.

The meeting was called to order by Chairman Carroll. All members were present.

CLOSED SESSION: The Board moved into Closed Session at 1:03 p.m. to discuss Meet and

Confer: Unit 6, Health and Social Services Supervisors; Unit 16, Mid Managers; Local 1280,

Probation, with Josie Jenkins, Assistant Director of Human Resources; Property Negotiations:

301 County Airport Road, Vacaville; negotiating parties - John Swizer, Nut Tree Airport

Manager and Michael D. Johnson, County Administrator and AESV, Inc.; under negotiation -

price and terms of payment. The Board moved out of Closed Session at 1:19 p.m.

The Solano County Board of Supervisors reconvened on this day at 1:20 p.m. with the

Pledge of Allegiance and a moment of silence in observance of Children's Day of Hope for the

three children that die each day of a violent death.

PRESENTATIONS

(Item 7A) RESOLUTION NO. 2002-052 RECOGNIZING APRIL 11, 2002 AS CHILDREN'S DAY OF HOPE, APRIL 19, 2002 AS SOLANO SAFE FROM THE START DAY, AND APRIL 26, 2002 AS CHILDREN'S MEMORIAL DAY, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to adopt Resolution No. 2002-052 Recognizing April 11, 2002 as Children's Day of Hope, April 19, 2002 as Solano Safe From the Start Day, and April 26, 2002 as Children's Memorial Day. So

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

On behalf of the Board, Supervisor Kondylis presented Resolution No. 2002-052 to Carolyn

Thomas-Wold, Coordinator of the Office of Family Violence Prevention.
Ms. Thomas-Wold introduced Rita Iravani Assistant Family Violence Prevention Coordinator and Lisa Scoggins the Interim Court Appointed Special Advocate (CASA) Coordinator.
Ms. Thomas-Wold reviewed many of the heartbreaking statistics of the many people that are effected by violence each day.

(Item 7B) RESOLUTION NO. 2002-053 RECOGNIZING APRIL 2002 AS CHILD ABUSE PREVENTION AWARENESS MONTH AND THE CHILD ABUSE PREVENTION COUNCIL FOR THE BLUE RIBBON CAMPAIGN, ADOPTED

On motion of Supervisor Thomson and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2002-053 Recognizing April, 2002 as Child Abuse Prevention Awareness Month and the Child Abuse Prevention Council for the Blue Ribbon Campaign. So ordered by a vote of 5-0. (see Resolution Book)
On behalf of the Board, Supervisor Thomson presented Kim Thomas, Director of the Children's Network, with Resolutions No. 2002-053.
Ms. Thomas thanked the Board for their support, and reviewed the events and activities that will take place in support of the Blue Ribbon Campaign.

(Item 7C) RESOLUTION NO. 2002-054 RECOGNIZING APRIL AS MONTH OF THE MILITARY CHILD, ADOPTED

On motion of Chairman Carroll and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-054 Recognizing April as Month of the Military Child. So ordered by a vote of 5-0. (see Resolution Book)
On behalf of the Board, Chairman Carroll presented Resolution No. 2002-054 to Lt. Colonel Jeff Leknes, Travis Air Force Base.
Lt. Colonel Leknes thanked the Board for their support, and recognized the Travis Air Force Base Family Advocacy staff that were present.

(Item 7D) RESOLUTION NO. 2002-055 RECOGNIZING THE MONTH OF APRIL AS SOLANO COUNTY SEXUAL ASSAULT AWARENESS MONTH, ADOPTED

On motion of Supervisor Kondylis and seconded by Chairman Carroll, the Board acted to adopt Resolution No. 2002-055 Recognizing the Month of April as Solano County Sexual Assault Awareness Month. So ordered by a vote of 5-0. (see Resolution Book)
On behalf of the Board, Supervisor Kondylis presented Resolution No. 2002-055 to Cheryl Franklin-Golden, Executive Director of SafeQuest Solano. Ms Franklin-Golden accepted the resolution on behalf of the many organizations working to halt domestic violence, and discussed the specific services available at SafeQuest Solano.

ITEMS FROM THE FLOOR

APPEARANCE BY CATHY ANN HEWITT RE IMPROVING THE LIVES OF CHILDREN

Cathy Ann Hewitt, Benicia, thanked the people that care about the well being of children.

Ms. Hewitt suggested other cities look at a Benicia model where the school district, the police department, and city personnel work together to create a "multi-entity approach" to help the children and community, and Ms. Hewitt discussed the benefits and improvements to the quality of life.

APPEARANCE BY DONALD TIPTON RE CODE ENFORCEMENT COMPLAINTS

Donald Tipton, Vallejo, voiced his concerns regarding code enforcement complaints in the Homeacres area and the issue of confidentiality, and is concerned since he was not allowed to play videotape that he brought to the Board meeting.

APPROVAL OF AGENDA

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

(Item 13) Approval of a contract renewal with Public Financial Management, Inc. for financial management advisory services for the period April 1, 2002 through March 30, 2005, removed from the Consent Calendar.

(Item 15A) Adoption of a resolution approving an application to the State for the Projects for Assistance in Transition from Homelessness (PATH) Grant Program for FY2001-02 in the amount of \$34,787; authorize the Chairman to sign the resulting agreement; approval of an appropriation transfer in the amount of \$10,754 from Unanticipated Revenue, removed from the Consent Calendar.

(Item 15C) Adoption of a resolution approving an application to the State to receive \$10,000 in funding for a Public Health Preparedness and Response to Bioterrorism Grant; authorize the Chairman of the Board to sign the resulting agreement and any amendments, removed from the Consent Calendar.

(Item 16) Adoption of a resolution authorizing an additional monetary penalty pursuant to Penal Code Section 1463.14 (b) to defray expenses to the County for blood, breath and urine analysis testing during law enforcement activities, 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 MARCH 12, 2002; RURAL NORTH VACAVILLE WATER DISTRICT MARCH 12, 2002, as outlined in the Agenda Submittal from the Clerk of the Board dated April 2, 2002, incorporated herein by reference, approved.

(Item 14) RESOLUTION NO. 2002-056 APPROVING RECORDS RETENTION SCHEDULES AND AUTHORIZING THE DESTRUCTION OF RECORDS (AUDITOR-CONTROLLER'S OFFICE), adopted. (see Resolution Book)

(Item 15B) SUBMISSION OF FY2001-02 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) GRANT RENEWAL APPLICATION, as outlined in the Agenda Submittal from Health and Social Services dated April 2, 2002, incorporated herein by reference, approved.

(Item 17) OFFER OF DEDICATION OF PROPERTY FROM NANCY M. NUSBAUM FOR ROAD PURPOSES ON BROWNS VALLEY ROAD, as outlined in the Agenda

Submittal from the Department of Transportation dated April 2, 2002, incorporated herein by reference, accepted and the Clerk of the Board authorized to sign the parcel map on behalf of Solano County.

ORDERS

(Item 13) CONTRACT RENEWAL WITH PUBLIC FINANCIAL MANAGEMENT, INC. RE FINANCIAL MANAGEMENT ADVISORY SERVICES, APPROVED

The Board was provided with an Agenda Submittal from the County Administrator's Office dated April 2, 2002, incorporated herein by reference, regarding continuing the financial management advisory services with Public Financial Management, Inc. Cathy Ann Hewitt, Benicia, noted the importance of safeguarding public funds, and awareness of how public funds are spent. Donald Tipton, Vallejo, voiced concern with the original agreement with Public Financial Management, Inc., the costs per hour, and what the actual costs have been to date.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the Board acted to approve the contract renewal with Public Financial Management Inc. So ordered by a vote of 5-0.

(Item 15A) RESOLUTION NO. 2002-057 DESIGNATION SIGNATORY FOR PATH GRANT AWARD AGREEMENT BETWEEN STATE OF CALIFORNIA DEPARTMENT OF MENTAL HEALTH, AND SOLANO COUNTY HEALTH AND SOCIAL SERVICES DEPARTMENT MENTAL HEALTH DIVISION, ADOPTED

APPROPRIATION TRANSFER IN THE AMOUNT OF \$10,754 FROM UNANTICIPATED REVENUE RE PATH GRANT, APPROVED

The Board was provided with an Agenda Submittal from the Department of Health and Social Services dated April 2, 2002, incorporated herein by reference, regarding the Projects for Assistance in Transition from Homelessness (PATH) Grant. Cathy Ann Hewitt, Benicia, feels a variety of housing is needed to meet different situations, and made some alternative housing recommendations.

On motion of Supervisor Kromm and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2002-057 Designation Signatory for Path Grant Award Agreement between State of California Department of Mental Health, and Solano County Health and Social Services Department Mental Health Division, and to approve an appropriation transfer related to this action. So ordered by a vote of 5-0. (see Resolution Book)

(Item 15C) RESOLUTION NO. 2002-058 APPROVING A GRANT APPLICATION FOR FUNDING FOR THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM LOCAL PLAN, ADOPTED

The Board was provided with an Agenda Submittal from the Department of Health and Social Services dated April 2, 2002, incorporated herein by reference, regarding a grant award for Public Health Preparedness. Donald Tipton, Vallejo, inquired as to the membership of the County Terrorism Working Group, if the training materials would be available for public use, and if the Neighborhood Watch Program could be included. Cathy Ann Hewitt, Benicia, noted a police emergency training that will be held in Benicia to help the public to become more prepared for a variety of disasters, and suggested a Countywide exercise.

On motion of Supervisor Silva and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-058 Approving a Grant Application for Funding for the Public Health Preparedness and Response to Bioterrorism Local Plan. So ordered by a vote of 5-0. (see Resolution Book)

(Item 16) RESOLUTION NO. 2002-059 AUTHORIZING AN ADDITIONAL PENALTY PURSUANT TO PENAL CODE SECTION 1463.14 (B), ADOPTED

The Board was provided with an Agenda Submittal from District Attorney's Office dated April 2, 2002, incorporated herein by reference, regarding an additional penalty assessment to more fully reimburse the County for testing blood, alcohol and/or urine for law

enforcement activities.

Chairman Carroll opened the public hearing.

Cathy Ann Hewitt, Benicia, feels that if people being tested should pay the entire cost of

the tests, so County funds can be spent on other needs in the County.

Donald Tipton, Vallejo, noted the costs to the County are high, inquired when the code

was amended to allow the increase, and why the County did not raise the penalty sooner.

Responding to questions posed by Supervisor Kondylis regarding who pays for the tests

when the test results are negative, John Taylor, County Administrative Office, noted the

collection of the fees is tied to the conviction of a person and the fines that person must pay. The

County pays all other test fees.

Responding to questions posed by Chairman Carroll regarding repayment of the actual

costs, Mr. Taylor explained sections of the code allowing a cumulative fee of \$100.

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

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

to adopt Resolution No. 2002-059 Authorizing an Additional Penalty Pursuant to Penal Code

Section 1463.14 (B). So ordered by a vote of 5-0. (see Resolution Book)

(Item 19) RESOLUTION NO. 2002-060 AUTHORIZING THE PURCHASE OF LAND FROM THE NATURE CONSERVANCY, ADOPTED

ACQUISITION AND MANAGEMENT AGREEMENT WITH THE CITY OF FAIRFIELD RE PORTION OF WILCOX RANCH

The Board was provided with an Agenda Submittal from the Department of Environmental

Management dated April 2, 2002, incorporated herein by reference, regarding actions to purchase a

portion of the Wilcox Ranch from the Nature Conservancy to ensure space for the expansion of

Travis AFB.

Director of Environmental Management Birgitta Corsello distributed a substitute

purchase agreement, incorporated herein by reference, gave a brief background, noted there are

deed restrictions for an agricultural easement, which would be held by the Nature Conservancy or their successor. Another key piece was to keep the property in grazing, but there has been difficulty in determining ways to ensure the property is not degraded. The current proposal does have a restriction on how the property would be grazed based on the number of pounds of residual dry matter (RDM) that remains on the property when the cattle are removed at the end of any grazing season, Ms. Corsello noted other restrictions to maintain the land, commented on the remaining documents in the packet, and noted there are a few remaining issues to be addressed with the Nature Conservancy and the City of Fairfield.

Responding to questions posed by Chairman Carroll regarding the Grant deed and the determination of a restriction to preclude and residential uses, Ms. Corsello noted the basis for the purchase is for the expansion of Travis and the needs relative to runways and supporting structures. Language was purposely left out of the agreement relative to housing. Once the military owns the land, the military will determine uses of the property, but noise in the area would be a deterrent to placing housing in the immediate area of the runways. Ms. Corsello noted participation by Travis AFB in the process, but noted that Travis AFB is not allowed to take a position with regards to land use off base.

Responding to questions posed by Supervisor Thomson regarding the term residual dry matter (RDM), the use of in the best practices of farming, the purchase agreement, and projected closing date of escrow, Deputy County Counsel Jim Laughlin noted the term RDM was suggested by the Nature Conservancy and is a common method of measurement, the City of Fairfield developed the draft purchase agreement, and that escrow should close in the next two to three weeks. Ms. Corsello noted RDM are the byproducts left when the animals are removed, and further discussed the difficulties of determining the number of animals that would be permitted to graze on the land, and measuring residual matter does take into consideration the weather and other natural effects on the land. Ms. Corsello noted alternative

terms have been sent to the Nature Conservancy for consideration, and the remaining issues that must be resolved prior to closing escrow. Supervisor Thomson expressed concern with the delays in closing escrow.

Responding to questions posed by Supervisor Kromm on the Restrictions of Agricultural Easement document and the two options under number two, and if the RDM approach makes sense, Mr. Laughlin noted the options deal with amending the current ag lease, and feels the RDM approach can be done.

Responding to questions posed by Supervisor Kromm regarding the County and the City of Fairfield backing out, and if there has been any contact with the Department of Defense (DOD) for further action relative to a potential willing buyer, Ms. Corsello noted the intent of the Nature Conservancy is to transfer the ownership of the land with the conservation easement and deed restrictions to another land trust, which all land would be transferred if the County and City backed out. The land would have additional restrictions placed on it if it is not purchased, and explained further consequences. Ms. Corsello noted some informal discussions with the DOD civilian staff, changes in philosophy to support more permanent options to preserve the land around bases.

Supervisor Kromm noted the importance of this project, and ensuring that legislation is enacted to allow purchase of this property in the future for expansion of Travis AFB.

Chairman Carroll continued the public hearing.

Cathy Ann Hewitt, Benicia, hopes there is cooperation to quickly finalize the purchase, noted the benefits of open space/parks that provide a wide variety of groups places to explore nature, the environmental component, responsible husbandry, and noted the need to preserve open space.

Donald Tipton, Vallejo, noted several goals of the County with this purchase, feels the military can expand any place it wants to, and feels the County should have shown such support for Mare Island.

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

hearing was
closed.

Supervisor Silva noted support for the short version of 2(a) on the Restrictions of Agricultural Easement, feels the purchase should move forward, and would like our legislative advocates in Washington to increase the level of work relative to this matter.

On motion of Supervisor Kromm and seconded by Chairman Carroll, the Board acted to recommend the short version of 2(a) of the Restrictions of Agricultural Easement, to agree that to the measurement of Residual Dry Matter, to adopt Resolution 2002-060 authorizing the Chairman to execute a Purchase and Sale Agreement with the Nature Conservancy to purchase a portion of the Wilcox Ranch, to authorize the County Administrator to utilize available funds in the Accumulated Capital Outlay fund to purchase the land, to authorize County staff to open escrow and submit and execute the necessary document to close escrow for the purchase of the land, and to authorize the Chairman to sign an Acquisition and Management Agreement with the City of Fairfield after completed. So ordered by a vote of 5-0.

(Item 20A) RESOLUTION NO. 2002-061 APPOINTING DOROTHY CHAMPION TO THE SOLANO COUNTY ELDER ABUSE PREVENTION COUNCIL, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-061 appointing Dorothy Champion to the Solano County Elder Abuse Prevention Council. So ordered by a vote of 5-0. (see Resolution Book)

(Item 20B) VELMA EWING REAPPOINTED TO THE SOLANO COUNTY EQUAL EMPLOYMENT OPPORTUNITY COMMITTEE

Donald Tipton, Vallejo, expressed concern regarding the attendance of Ms. Ewing and her reappointment.

On motion of Supervisor Kondylis and seconded by Supervisor Thomson, the Board acted to reappoint Velma Ewing for a term to expire April 7, 2004. So ordered by a vote of 5-0.

(Item 20C) RESOLUTION NO. 2002-062 REAPPOINTING JOANN JOYE TO
THE
SOLANO COUNTY CHILD ABUSE PREVENTION COUNCIL,
ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Thomson, the Board acted to adopt Resolution No. 2002-062 Reappointing JoAnn Joye to the Solano County Child Abuse Prevention. So ordered by a vote of 5-0. (see Resolution Book)

ADJOURN - This meeting of the Board of Supervisors adjourned at 3:37 p.m.

William J. Carroll, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors