



Solano County

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Fairfield, California 94533
www.solanocounty.com

Minutes - Final Board of Supervisors

*Michael J. Reagan (Dist. 5), Chair
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(707) 784-6136*
*Barbara Kondylis (Dist. 1)
(707) 553-5363*
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(707) 784-3031*
*John M. Vasquez (Dist. 4)
(707) 784-6129*

Tuesday, November 22, 2011

8:00 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 22nd day of November, 2011 in regular session in the Board of Supervisors Chambers of the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:00 a.m. Present were Supervisors Seifert, Spering, and Chair Reagan. Supervisor Kondylis arrived at 8:04 a.m. and Supervisor Vasquez arrived at 8:10 a.m. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.

ROLL CALL

Present 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Spering, John M. Vasquez and Michael J. Reagan

CLOSED SESSION

This meeting of the Solano County Board of Supervisors recessed to Closed Session at 8:01 a.m. to discuss the following matters:

1 [11-0584](#) Conference with Labor Negotiator:

Solano County representatives: Georgia Cochran, and Jeannine Seher
Employee organizations: SEIU Local 1021: Unit #2-Nurses, Unit #5-Health & Welfare Employees, Unit #7-Regulatory, Technical & General Services Employees, Unit #8-General Services Supervisors, Unit #9-Clerical Employees, Unit #12-Probation Employees, Unit #15-Supervising Probation Employees, and Units #82, #87, #89, and #90-Extra Help; Stationary Engineers Local 39 for Unit #10-Skilled

Crafts & Maintenance Employees; Teamsters Local 228 for Unit #1-Attorneys; PEU Local 1 for Unit #6-Health & Welfare Supervisors, and for Unit #16 & #16C-Middle Management; UAPD for Unit #11-Psychiatrists, Physicians, & Dentists; Solano County Sheriff's Custody Association for Unit #13-Correctional Officers; Teamsters Local 856 for Unit #14-Correctional Supervisors; Unrepresented Employees in Units #30-Confidential, #61-Executive Management, #62 & #62-C-Senior Management, #63-Mid Management-Confidential, #75-Senior Managers Civil Service, and #00-Unclassified Employees

Conference with Labor Negotiator:

In-Home Supportive Services Public Authority representatives: Bruce Heid and Georgia Cochran
Employee organization: SEIU Local 6434, In Home Support Services Unit

Potential Litigation: 2 cases

Existing Litigation: Winters v. Solano County

Conference with Real Property Negotiators: Property: 310 Beck Avenue, Fairfield; Agency negotiators: Birgitta E. Corsello and Nancy Huston; Negotiating parties: Ron Marlette and Timothy Lefever; Under negotiation: Price and terms

Attachments: [A - Memorandum](#)

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 9:05 a.m. All members were present. Chair Reagan presided.

REPORT OF ACTION IN CLOSED SESSION

County Counsel Dennis Bunting reported that by unanimous vote, the Board authorized the filing of two Nuisance Abatement Suits against the properties located at 1194 Fulton Avenue in Vallejo, California and 514 Ridge Avenue in Vallejo, California.

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

This meeting of the Solano County Board of Supervisors continued with the Salute to the Flag and a Moment of Silence in memory of fallen Police Officer James Capoot who was killed in the line of duty.

PRESENTATIONS

- 2 [11-0594](#) Adopt and present a resolution recognizing and congratulating the Greater Vallejo Tennis Association for their successful current and past tennis season (Supervisor Kondylis)

Attachments: [A - Resolution](#)

A motion was made by Supervisor Kondylis, seconded by Supervisor Seifert to adopt and authorize Chair Reagan to sign Resolution No. 11-281 recognizing and congratulating the Greater Vallejo Tennis Association for their successful current and past tennis season. (see Resolution Book)

Aye: 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Spering, John M. Vasquez and Michael J. Reagan

Enactment No: Resolution 11-281

- 3 [11-0593](#) Adopt and present a resolution recognizing November 24, 2011 as Morgan Nicole Gallegos "SAVE LIVES" Day in Solano County (Chair Reagan)

Attachments: [A - Resolution](#)

A motion was made by Chair Reagan, seconded by Supervisor Vasquez to adopt and authorize Chair Reagan to sign Resolution No. 11-283 recognizing November 24, 2011 as Morgan Nicole Gallegos "SAVE LIVES" Day in Solano County. (see Resolution Book)

Aye: 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Spering, John M. Vasquez and Michael J. Reagan

Enactment No: Resolution 11-283

- 4 [11-0578](#) Adopt and present a resolution and approve a plaque of appreciation honoring Isabelle J. Voit, Chief Probation Officer/Director of Probation for her twenty-seven years of service with the Solano County Probation Department (Supervisor Spering)

Attachments: [A - Resolution](#)

A motion was made by Supervisor Vasquez, seconded by Supervisor Kondylis to adopt and presented Resolution No. 11-282 and plaque of appreciation honoring Isabelle J. Voit, Chief Probation Officer/Director of Probation for her twenty-seven years of service with the Solano County Probation Department. (see Resolution Book)

Aye: 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Spering, John M. Vasquez and Michael J. Reagan

Enactment No: Resolution 11-282

ITEMS FROM THE PUBLIC

Chair Reagan invited members of the public to address the Board on matters not listed on the agenda, but within the subject matter jurisdiction of the Board. The following comments were received:

A. Donald Tipton, unincorporated Vallejo, urged the Board of Supervisors to use their political influence to urge Congress to pass a jobs bill to put the workers of America back to work.

B. Cathy Gilmore, Solano County employee, expressed support for the proposed employee contract for SEIU 1021. Ms. Gilmore noted that in these tough economic times, everyone should give more and take less. Ms. Gilmore noted that in good times, County employees received pay increases and benefits include medical, dental, and vision; deferred compensation; vacation days; sick leave; 12 paid holidays; bereavement days; an optional day; and longevity. In addition, there were discounts to health clubs; Wellness Programs; Commute Challenge; and Health Benefit Fair. Ms. Gilmore noted that she did not feel that the public would be supportive of the threatened strike should their proposals not be granted.

C. Linda Flagg, Jennifer LaRiviere, and Nadeen Roach, representing SEIU 1021, noted that they were understaffed and overworked and in opposition to the requested 12.9% salary reduction. It was noted that they felt disrespected and that morale was low. It was further noted that they felt there was still time to negotiate a labor contract.

Supervisor Spering noted that the County was making every effort to preserve jobs by adjusting to the difficult economic times and that everyone had a part. Supervisor Spering noted that he had heard from a number of employees that they were in support of the proposed contract. Supervisor Seifert thanked SEIU for coming forward to express their views in this forum.

Supervisor Seifert noted that the County's efforts were aimed at making the most minimal impact for the employees and appreciated SEIUs willingness to come to a conclusion in this matter.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

County Administrator Birgitta E. Corsello noted that there were no additions to or deletions from the agenda.

APPROVAL OF THE AGENDA

A motion was made by Supervisor Vasquez, seconded by Supervisor Kondylis, that the agenda be approved as submitted. The motion passed by the following vote:

Aye: 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Sperring, John M. Vasquez and Michael J. Reagan

PUBLIC COMMENT ON CONSENT CALENDAR

Chair Reagan invited members of the public to speak on matters listed on the Consent Calendar. No public comments were received.

APPROVAL OF THE CONSENT CALENDAR

A motion was made by Supervisor Kondylis, seconded by Supervisor Sperring, that the following Consent Calendar items be approved. The motion passed by the following vote:

Aye: 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Sperring, John M. Vasquez and Michael J. Reagan

- 5** **[11-0585](#)** Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors as required for compliance with Government Code Section 53232.3(d)

Attachments: [A - 2011 Board of Supervisors Appointments](#)

Received and Filed

- 6** **[11-0586](#)** Approve the minutes of the Board of Supervisors' meetings of October 25, 2011 and November 1, 2011

Attachments: [A - Minutes - October 25, 2011](#)
 [B - Minutes - November 1, 2011](#)

Approved

7 [11-0587](#) Accept the Board of Supervisors' calendar for 2012

Attachments: [A - 2012 Calendar](#)

Accepted

8 [11-0582](#) Approve an eligibility renewal application for the State and Federal Surplus Personal Property Program; Execute the certification regarding debarment, suspension, ineligibility and voluntary exclusion for all lower tier covered transactions; Adopt a resolution authorizing designated County representatives to acquire surplus property through the auspices of the California State Agency for Surplus Property; and Sign document OSP Form number 203, Assurance with Compliance with GSA Regulations under Title VI of the Civil Rights Act of 1964

Attachments: [A - Eligibility Renewal Application](#)
 [B - Certification](#)
 [C - Resolution](#)
 [D - Application for Eligibility](#)
 [E - Assurance of Compliance](#)

adopted

Enactment No: Resolution 11-284

9 [11-0583](#) Approve an Appropriation Transfer Request of \$95,000 within the Capital Outlay Fund in unused funds from the Vallejo Veterans Parking Lot Improvement Project (BU 1741) to the Benicia Veterans Building Improvements Project (BU 1783) to cover expenses associated with unforeseen conditions encountered during construction

Approved

10 [11-0575](#) Approve a revenue agreement authorizing Solano County Library to provide automation services to the Napa City-County Library from July 1, 2011 to June 30, 2012 for an annual maximum amount of \$325,000 with three one-year options to renew; and Authorize the County Administrator to execute the renewal agreements

Attachments: [A - Agreement](#)

Approved

- 11 [11-0581](#) Adopt a resolution authorizing the Solano County Sheriff to accept and administer a \$36,523 grant with the California Department of Boating and Waterways (CA DBW) to assist in the abatement of abandoned watercraft in Solano County waterways; and Authorize the Sheriff or his designees to sign operational contracts, modifications and reimbursement forms

Attachments: [A - Resolution](#)

adopted

Enactment No: Resolution 11-285

- 12 [11-0579](#) Adopt a resolution expressing support for an Intensive Probation Supervision for High-Risk Felony and Repeat DUI Offenders Program administered by the California State Office of Traffic Safety, authorizing the Chief Probation Officer to sign the Grant Agreement covering the grant period of October 1, 2011 through September 30, 2012, and any extensions or amendments, and submit any subsequent re-applications to the Office of Traffic Safety; and Approve an Appropriation Transfer Request of \$13,000 in unanticipated revenue from the Office of Traffic Safety (4/5 vote required)

Attachments: [A - Resolution](#)
 [B - Grant Agreement](#)

adopted

Enactment No: Resolution 11-286

- 13 [11-0588](#) Approve the appointment of Karol Heppe to the Greater Vallejo Recreation District Board of Directors, representing District 2 for a term to expire September 7, 2015

Approved

- 14 [11-0598](#) Approve the appointment of Sarah Johnson to the Napa-Solano Area Agency on Aging Board of Directors to fill an unexpired term ending June 30, 2012

Approved

- 15 [11-0592](#) Approve the appointment of Jim Kidder, Henry Olhava and Daniel Whitely as Trustees for Frost Lake Reclamation District No. 2129 for terms to expire at noon on December 4, 2015

Attachments: [A - Letter from Reclamation District No. 2129](#)

Approved

REGULAR CALENDAR

- 16 [11-0589](#) Consider adopting the terms of the Last, Best and Final Offer provided to the Solano County Probation Peace Officer Association on October 28, 2011; Consider adopting Resolutions paying and reporting the value of employer paid member contributions to CalPERS for Bargaining Units 12 & 15 effective November 27, 2011 and January 8, 2012; and Consider adopting Resolutions paying and reporting the value of employer paid member contributions to CalPERS for Bargaining Units 16, 16C & 16X effective December 25, 2011

Attachments: [A - Unit #12 Unit #15 Last Best Final Offer Resolution - SPPOA](#)
[B1 - EPMC Unit 15 Miscellaneous November 27, 2011](#)
[B2 - EPMC Unit 15 Miscellaneous January 8, 2012](#)
[B3 - EPMC Unit 16, 16C, 16X Miscellaneous December 25, 2011](#)
[C1 - EPMC Unit 12 & 15 Safety November 27, 2011](#)
[C2 - EPMC Unit 12 & 15 Safety January 8, 2012](#)
[C3 - EPMC Unit 16 Safety December 25, 2011](#)

The Board was requested to consider adopting the terms of the Last, Best and Final Offer provided to the Solano County Probation Peace Officer Association on October 28, 2011; Consider adopting Resolutions paying and reporting the value of employer paid member contributions to CalPERS for Bargaining Units 12 & 15 effective November 27, 2011 and January 8, 2012; and Consider adopting Resolutions paying and reporting the value of employer paid member contributions to CalPERS for Bargaining Units 16, 16C & 16X effective December 25, 2011.

Georgia Cochran, Interim Director of Human Resources, reported that the parties met in excess of 15 times since May 11, 2011 in the hopes of reaching an agreement. It was noted that tentative agreement was reached on 10 different proposals; however, at the end the parties were at a deadlock and impasse. Ms. Cochran noted that mediation with a State mediator did not produce an agreement. Ms. Cochran reviewed the provisions of the Last, Best and Final Offer which was previously requested of all other bargaining units. Ms. Cochran noted that this Last, Best and Final Offer contained \$997,000 in annual General Fund savings.

Donald Tipton, unincorporated Vallejo, noted that he felt that the members of the

Board should have reduced their salary in 2008 before requesting employees to take a salary reduction.

Tarita Moehrke, Group Counselors of Solano County, noted that they were committed to negotiating fairly and professionally but felt that the County's ability to impose a Last, Best, and Final offer eliminated the need for the County to negotiate in good faith.

Georgia Cochran, Interim Human Resources Director, noted that imposition of a Last, Best, and Final Offer did not prevent either side from requesting to come back to the bargaining table. Ms. Cochran noted that there was a Cost of Living Adjustment on the table which was removed when agreement was not reach by a certain date and the cost savings were not realized.

Jeannine Seher, Department of Human Resources, noted that inaccurate information had been provided regarding specific uniforms and protective equipment that was provided at Juvenile Hall which; when brought to the County's attention, was corrected and accurate information provided.

At the conclusion of discussion, Supervisor Spering made a motion which was seconded by Supervisor Vasquez, to adopt the staff's recommendation.

Supervisor Seifert made a substitute motion to postpone this matter to December 6, 2011. Motion failed for lack of a second.

Supervisor Kondylis noted that she felt that the terms of the imposition should also be imposed on the members of the Board.

Supervisor Seifert felt that this matter should be postponed to a later date when it was hoped that agreement would be reached by SEIU 1021.

At the conclusion of discussion, the Board took the following action:

On motion of Supervisor Spering, seconded by Supervisor Vasquez, the Board adopted and authorized Chair Reagan to sign the following resolutions: (see Resolution Book)

- 1) Resolution No. 11-287 adopting the terms of the County's "Last, Best, and Final Offer" to the Solano Probation Peace Officer Association (SPPOA) - Unit 12, Unit 15.**
- 2) Resolution No. 11-288 - paying and reporting the value of employer paid member contributions for Miscellaneous employees in Unit #15 effective November 27, 2011.**
- 3) Resolution No. 11-289 for employer paid member contributions for Miscellaneous employees in Unit #15 effective January 8, 2012.**
- 4) Resolution No. 11-290 for paying and reporting the value of employer paid member contributions for Miscellaneous employees in Unit #16, #16X, #16C effective December 25, 2011.**
- 5) Resolution No. 11-291 for paying and reporting the value of employer paid member contributions for Safety employees in U nit #12 & #15 effective November 27, 2011.**

6) Resolution No. 11-292 for employer paid member contributions for Safety employees in Unit #12 & #15 effective January 8, 2012.

7) Resolution No. 11-293 for paying and reporting the value of employer paid member contributions for Safety employees in Unit #16 effective December 25, 2011.

Aye: 3 - James P. Sperring, John M. Vasquez and Michael J. Reagan

Nay: 2 - Barbara R. Kondylis and Linda J. Seifert

Enactment No: Resolution 11-287, 11-288; 11-289; 11-290; 11-291; 11-292; 11-293

RECESS

This meeting of the Solano County Board of Supervisors recessed at 10:15 a.m. and reconvened at 10:30 a.m. All members were present. Chair Reagan presided.

17 [11-0590](#) Receive a presentation on the First 5 Futures Initiative

Attachments: [A - Futures Development Plan](#)
 [B - Power Point](#)

The Board received a presentation from First 5 Solano, on the First 5 Futures Initiative. It was noted that the First 5 Futures Initiative provided a manner in which to secure resources and pursue policy improvements for young children 0-5 to strengthen, expand, and sustain their program. Executive Director of First 5 Solano Christina Arrostuto outlined their fund development plan, their mission, vision, and goals for use in the prevention and early intervention services for children ages 0-5, their families, and the providers of their services.

18 [11-0580](#) Conduct a public hearing to consider adopting an ordinance to place a measure on the June 5, 2012 ballot to extend the existing transactions and use tax at a rate of one-eighth of one percent (0.125%) to benefit all public libraries in Solano County; Consider adopting a resolution placing the measure on the June 5, 2012 ballot; Direct the Solano County Library Director to negotiate with the Benicia Public Library and the Dixon Public Library District for their respective weighted share of election costs; and Establish a not to exceed amount of \$100,000 as the Library's share of the incremental cost for the election

Attachments: [A - Ordinance](#)
 [B - Resoluitiion](#)
 [C - Power Point](#)

Read by title only and waived further reading by a majority vote.

The Board held a public hearing to consider adopting an ordinance to place a measure on the June 5, 2012 ballot to extend the existing transactions and use tax at a rate of one-eighth of one percent (0.125%) to benefit all public libraries in Solano County. The Board was requested to consider adopting a resolution placing the measure on the June 5, 2012 ballot; to consider directing the Solano County Library Director to negotiate with the Benicia Public Library and the Dixon Public Library District for their respective weighted share of election costs; and establishing a not to exceed amount of \$100,000 as the Libraries share of the incremental cost for the election.

Chair Reagan opened the public hearing.

Cara Swartz, Assistant Solano County Library Director, noted that in 1998 voters approved a sales tax at the rate of one-eighth of one cent that was dedicated to local libraries for a sixteen year period. Ms. Swartz provided an overview of the services that had been provided by the Solano County Library due to the additional revenue which totaled 22 percent of their total budget. Ms. Swartz noted that they were requesting the Board to approve the placing of a library tax extension on the June 5, 2012 ballot to extend the tax that was due to expire in October 2014. It was noted that if successful, the new expiration date for the extended tax would be 2030. It was also noted that at stake was \$600,000 for the Benicia Public Library, or 30 percent of the total budget; and \$500,000 for the Dixon Public Library District, or 55 percent of the total budget. It was reported that the promises made in 1998 to increase the number of books, hours, and community programs were kept and made a difference to the quality and quantity of services offered.

Ann Cousineau, Former Solano County Library Director, noted that a telephone poll of 600 voters in October, 2011 showed that 82 percent would support or probably support the measure.

Donald Tipton, unincorporated Vallejo, did not feel that dollars were well spent as the Library had a structural deficit.

Craig Paterson, James Dunbar, Katherine Suboda, Carol Nail, and Ward Stewart expressed their support for the continuation of the 1/8 of one percent sales tax.

As there was no one else present who wished to speak on this matter, Chair Reagan closed the hearing to the public.

A motion was made by Supervisor Vasquez, seconded by Supervisor Kondylis to read the proposed ordinance to place a measure on the June 5, 2012 ballot to extend the existing transactions and use tax at a rate of one-eighth of one percent (0.125%) to benefit all public libraries in Solano County by title only and waived further reading by a majority vote.

A motion was made by Supervisor Vasquez, seconded by Supervisor Kondylis to adopt and authorize Chair Reagan to sign Resolution No. 11-294 placing the measure on the June 5, 2012 ballot. Directed the Solano County Library Director to negotiate with the Benicia Public Library and the Dixon Public Library District for their respective weighted share of election costs. Established a not to exceed amount of \$100,000 as the Library's share of the incremental cost of the election. Adopted and authorized Chair Reagan to sign Ordinance 11-1724 to place a measure on the June 5, 2012 ballot to extend the existing transaction and use tax at a rate of one-eighth of one percent (0.125%) to benefit all public libraries in Solano County. (see Resolution Book) (see

Ordinance Book)

Aye: 5 - Barbara R. Kondylis, Linda J. Seifert, James P. Spring, John M. Vasquez and Michael J. Reagan

Enactment No: Ordinance 11-1724; Resolution 11-294

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

Chair Reagan invited members of the Board to make comments and reports on meetings. The following comments and reports were received:

A. Chair Reagan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Officer James Capoot, Vallejo Police Officer, who lost his life in the line of duty.

B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Pfc. James Jimenez Gaitan who was a Prisoner of War from the Korean War.

C. Chair Reagan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Barry Wells who was an active member of the Vacaville community.

CLOSED SESSION

This meeting of the Solano County Board of Supervisors recess to Closed Session at 11:25 a.m. to discuss the following matters.

11-0584

Conference with Labor Negotiator:

Solano County representatives: Georgia Cochran, and Jeannine Seher
Employee organizations: SEIU Local 1021: Unit #2-Nurses, Unit #5-Health & Welfare Employees, Unit #7-Regulatory, Technical & General Services Employees, Unit #8-General Services Supervisors, Unit #9-Clerical Employees, Unit #12-Probation Employees, Unit #15-Supervising Probation Employees, and Units #82, #87, #89, and #90-Extra Help; Stationary Engineers Local 39 for Unit #10-Skilled Crafts & Maintenance Employees; Teamsters Local 228 for Unit #1-Attorneys; PEU Local 1 for Unit #6-Health & Welfare Supervisors, and for Unit #16 & #16C-Middle Management; UAPD for Unit #11-Psychiatrists, Physicians, & Dentists; Solano County Sheriff's Custody Association for Unit #13-Correctional Officers; Teamsters Local 856 for Unit #14-Correctional Supervisors; Unrepresented Employees in Units #30-Confidential, #61-Executive Management, #62 & #62-C-Senior Management, #63-Mid Management-Confidential, #75-Senior Managers Civil Service, and #00-Unclassified Employees

Conference with Labor Negotiator:

In-Home Supportive Services Public Authority representatives: Bruce Heid and Georgia Cochran
Employee organization: SEIU Local 6434, In Home Support Services Unit

Potential Litigation: 2 cases

Existing Litigation: Winters v. Solano County

Conference with Real Property Negotiators: Property: 310 Beck Avenue, Fairfield; Agency negotiators: Birgitta E. Corsello and Nancy Huston; Negotiating parties: Ron Marlette and Timothy Lefever; Under negotiation: Price and terms

Attachments: [A - Memorandum](#)

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 11:50 a.m. in memory of Vallejo Police Officer James Capoot, Pfc. James Jimenez Gaitan, and Barry Wells. Next meeting of the Solano County Board of Supervisors will be December 6, 2011 at 8:00 a.m., Board Chambers, 675 Texas Street, Fairfield, California.

MICHAEL J. REAGAN, Chair
Solano County Board of Supervisors

BIRGITTA E. CORSELLO, Clerk of the
Solano County Board of Supervisors

By _____
Patricia J. Crittenden, Chief Deputy Clerk