



# Solano County

675 Texas Street  
Fairfield, California 94533  
www.solanocounty.com

## Minutes - Final Board of Supervisors

*Michael J. Reagan (Dist. 5), Chair  
(707) 784-6130*  
*James P. Spering (Dist. 3), Vice-Chair  
(707) 784-6136*  
*Barbara Kondylis (Dist. 1)  
(707) 553-5363*  
*Linda J. Seifert (Dist. 2)  
(707) 784-3031*  
*John M. Vasquez (Dist. 4)  
(707) 784-6129*

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Tuesday, December 13, 2011

8:00 AM

Board of Supervisors Chambers

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### CALL TO ORDER

*The Solano County Board of Supervisors met on the 13th day of December, 2011 in regular session in the Board of Supervisors' Chambers of the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:03 a.m. Present were Supervisors Kondylis, Seifert, and Chair Reagan. Supervisors Spering and Vasquez arrived at 8:05 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 at 8:04 a.m. to Closed Session to discuss the following matters:*

1      [11-0657](#)      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

Attachments:     [A - Memorandum](#)

## RECONVENE

*This meeting of the Solano County Board of Supervisors reconvened at 9:00 a.m. All members were present. Chair Reagan presided.*

## REPORT OF ACTION IN CLOSED SESSION

*County Counsel Dennis Bunting noted that there were no reports from Closed Session.*

## 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.*

## PRESENTATIONS

- 2     [11-0663](#)     Receive a presentation of Commendation and Appreciation from the Partnership Healthplan of California to Linda Seifert for her three years of exemplary service as a PHC Commissioner

*Jack Horn, Partnership HealthPlan of California, presented Supervisor Linda Seifert with an award of Commendation and Appreciation for her years of service as a Partnership HealthPlan of California Commissioner.*

**Received**

## **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 public comments were received:*

*A. Jennifer LaRiveria, Bill Milton, Nadeen Roach, Diana Scanlon-Green, Travis Hicks, Linda Flagg, Brynne Rogers, Denise Kaufman, James Conradsen, Chris Daly, Skip Thomson, and Robyn Rains expressed concerns regarding the new labor contract ratified by SEIU 1021 as they felt that it was an unfair contract in which employees were being asked to make larger cuts to salaries and benefits than senior, legislative, and executive staff. Concern was expressed that they would not be able to provide the same level of service to the public who were the most vulnerable.*

*B. Richard Giddens, Suisun, expressed concern regarding the large amount of money that was spent in court pertaining to the payment of overtime to an employee. Mr. Giddens felt that that money could have been spent to assist the children and elderly of the County.*

*C. George Guynn, Jr., Suisun, expressed concern regarding a recent court trial on overtime paid to a County employee; the 3-1-1 Program; and salaries of the members of the Board.*

## **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 Kondylis, seconded by Supervisor Vasquez, that this agenda of the Solano County Board of Supervisors be approved as presented. So ordered by unanimous vote.**

**PUBLIC COMMENT ON CONSENT CALENDAR**

*Chair Reagan invited members of the public to address the Board on matters listed on the Consent Calendar. The following comments were received:*

*A. Donald Tipton, unincorporated Vallejo, noted that he felt that the appropriate time to hire an additional Deputy County Counsel would have been during the budget process.*

*B. George Guynn, Jr., Suisun, noted that if an additional Deputy County Counsel was authorized, it should be in an area that is not currently covered by the County Counsel's office so that outside counsel doesn't have to be hired.*

*County Counsel Dennis Bunting remarked that there has been a significant increase in Child Welfare Services appealate cases whereby parents' rights were being eliminated and children were being removed from homes and placed in foster care or with a guardian. Mr. Bunting noted that the County Counsel's Office represented the County in these appeals while the Public Defender represented the parent. Mr. Bunting noted that the County Counsel's Office was required to respond to each appeal and that either the County could pay the County Counsel's staff to represent these cases or could pay outside counsel which would be more costly. Mr. Bunting noted that revenues had increased in the County Counsel's Office due to the fact that the attorneys were working longer hours.*

**APPROVAL OF THE CONSENT CALENDAR**

**On motion of Supervisor Kondylis, seconded by Supervisor Vasquez, the Board approved the following Consent Calendar Items. So ordered by unanimous vote:**

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

- 3**      [11-0633](#)      Approve the minutes of the Board of Supervisors' meetings of November 8, 2011 and November 22, 2011

*Attachments:*      [A - Minutes - November 8, 2011](#)  
                                 [B - Minutes - November 22, 2011](#)

**Approved**

- 4**      [11-0659](#)      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 - List of Appointments](#)

**Received and Filed**

- 5      [11-0651](#)      Adopt a resolution to amend the Alphabetical Listing of Classes and Salaries to add the salary for the class of Public Health Microbiologist Trainee, with an annual salary of \$42,468-\$51,624

*Attachments:* [A - Resolution](#)

**Adopted**

**Enactment No: Resolution 11-304**

- 6      [11-0642](#)      Adopt amendments to the County's Background and Reference Check Policy to remain compliant with California Labor Code Section 1024.5 and California Consumer Credit Reporting Agencies Act (CCRAA) Section 1785.20.5 effective January 1, 2012

*Attachments:* [A - Policy \(with Track Changes\)](#)  
[B - Policy](#)

**Approved**

- 7      [11-0639](#)      Adopt a resolution amending the Office of the County Counsel's Position Allocation List to add 1.0 FTE Deputy County Counsel I-IV (Limited Term) position for a period of one year, effective January 8, 2012; and Approve an Appropriation Transfer Request to increase appropriations by \$60,000 to cover the estimated cost of the new position using unanticipated revenues from the Department of Health and Social Services

*Attachments:* [A - Resolution for LT Dep CC I-IV.pdf](#)

**Adopted**

**Enactment No: Resolution 11-305**

- 8      [11-0637](#)      Accept the Quarterly Review of the Statement of Assets of the Solano County Treasury as of June 30, 2011

*Attachments:* [A - 4th Quarter Final Report](#)

**Accepted**

- 9        [11-0638](#)        Accept the Quarterly Review of the Statement of Assets of the Solano County Treasury as of September 30, 2011
- Attachments:*        [A - Statement of Assets](#)
- Accepted**
- 10       [11-0634](#)        Award a construction agreement of \$1,611,700 for the Claybank Security Electronics Upgrade Project to Sierra Detention Systems, Inc.; and Delegate contractual signing authority to the Director of General Services within the established project budget
- Attachments:*        [A - Contract](#)
- Approved**
- 11       [11-0635](#)        Approve an Appropriation Transfer Request of \$80,330 to increase appropriations in Budget Unit 1713 to finance a partial lighting retrofit within the Fairfield Civic Center Library at 1150 Kentucky Street using unanticipated revenues from Kitchell CEM (4/5 vote required); and Delegate contractual signing authority to the Director of General Services provided it is within the established project budget
- Approved**
- 12       [11-0647](#)        Approve a contract with Netsmart Technologies, Inc. for \$1,830,633 for the period of December 1, 2011 through December 31, 2013 to purchase, implement, and maintain an electronic health record for the Mental Health and Substance Abuse Divisions; and Authorize the County Administrator to sign the contract and any necessary amendments
- Attachments:*        [A - Netsmart Contract](#)  
                                  [B - Annual Cost Worksheet](#)
- Approved**
- 13       [11-0649](#)        Accept a FY2011 Homeland Security Grant Program with a performance period of November 18, 2011 through April 30, 2014; Approve an increase in appropriations of \$624,716 in unanticipated grant revenue to provide resources allowing the Solano Operational Area to make enhancements to catastrophic incident planning, response and recovery and strengthen public safety communication capabilities of the Solano

Operational Area (4/5 vote required); Approve fixed asset purchases including a Mobile Mapping Software for First Responders; and Authorize the Sheriff, Undersheriff, Emergency Services Manager or the Director of Administrative Services to take action necessary to administer the grant, sign operational agreements, modifications and reimbursement forms

**Approved**

- 14      [11-0627](#)      Adopt a resolution to amend the Position Allocation List to delete 1.0 FTE Legal Secretary and add 1.0 FTE Office Assistant II position in the Department of Child Support Services

*Attachments:*      [A - Resolution](#)

**Adopted**

**Enactment No: Resolution 11-306**

- 15      [11-0628](#)      Approve an extension from December 31, 2011 through June 30,2012 to the revenue contract with the Administrative Office of the Courts under which the Public Defender and Conflict Defender represent adult clients in Juvenile Dependency Proceedings; Authorize the County Administrator to execute the agreement (4/5 vote required); Approve an Appropriation Transfer Request of \$164,025.78 in unanticipated revenue under the contract extension (4/5 vote required); and Adopt a resolution amending the Position Allocation List to extend 2.0 FTE (LT) Deputy Public Defender from December 31, 2011 through June 30, 2012

*Attachments:*      [A - Letter of Intent](#)  
                                 [B - Resolution](#)

*Enactment No. 11-307*

**Adopted**

- 16      [11-0612](#)      Approve the reappointment of James Wallace, Ph.D. to the Agricultural Advisory Committee, representing District 2, for a term to expire January 1, 2016

**Approved**

- 17      [11-0648](#)      Approve the appointment of Katherine (Katy) Miessner to the Solano County Fair Board of Directors, representing District 1, for a term to

expire December 2015

**Approved**

- 18      [11-0636](#)      Approve the appointments of Rosa Phillips, Indy Pahwa, Anand Patel, Gary Falati and Jerry Wilkerson as Business Representatives, and Ted Puntillo as a Community Based Organization Representative to the Board of Directors of the Workforce Investment Board of Solano County for a term to expire on June 30, 2013

*Attachments:*      [A - WIB Bylaws](#)  
                                 [B - Rosa Phillips](#)  
                                 [C - Indy Pahwa](#)  
                                 [D - Anand Patel](#)  
                                 [E - Gary Falati](#)  
                                 [F - Jerry Wilkerson](#)  
                                 [G - Ted Puntillo](#)  
                                 [H - WIB Board Membership](#)

**Approved**

## REGULAR CALENDAR

- 19      [11-0660](#)      Consider adopting a resolution approving Memoranda of Understanding with the Service Employees International Union (SEIU), Local 1021 for Bargaining Units #2, #5, #7, #8, #9, #82, #87, #89, #90 extending through September 28, 2013; Consider adopting resolutions reducing and eliminating employer paid member contributions to CalPERS for Bargaining Units #2, #5, #7, #8, #9, #82, #87, #89, and #90 effective December 25, 2011 and January 8, 2012; and Consider adopting a resolution eliminating employer paid member contributions to CalPERS for Bargaining Unit #30, effective January 8, 2012

Attachments:     [A - Summary of Major Proposals - MOU](#)  
                          [B - SEIU MOU Resolution](#)  
                          [C1 - EPMC SEIU Misc eff 12 25 11](#)  
                          [C2 - EPMC SEIU Misc eff 1-8-12](#)  
                          [C3 - EPMC SEIU Safety eff 12-25-11](#)  
                          [C4 -EPMC SEIU Safety eff 1-12-8 MOU](#)  
                          [C5 - EPMC Unit 30 12-25-11](#)  
                          [D 1 - 4 LIST OF ATTACHMENTS ON FILE WITH CLERK OF THE BOARD](#)  
                          [Attach E - SEIU Savings.xlsx](#)  
                          [F - Confidential Savings](#)

*The Board was requested to consider adopting a resolution approving Memoranda of Understanding with the Service Employees International Union (SEIU), Local 1021 for Bargaining Units #2, #5, #7, #8, #9, #82, #87, #89, #90 extending through September 28, 2013; Consider adopting resolutions reducing and eliminating employer paid member contributions (EPMC) to CalPERS for Bargaining Units #2, #5, #7, #8, #9, #82, #87, #89, and #90 effective December 25, 2011 and January 8, 2012; and Consider adopting a resolution eliminating employer paid member contributions to CalPERS for Bargaining Unit #30, effective January 8, 2012.*

*Interim Human Resources Director Georgia Cochran reviewed the terms of the negotiated Memorandum of Understanding which included permanent reductions to the EPMC, a lower retirement tier for future miscellaneous and safety employees, cost sharing of the employers retirement share of PERS rate, changes to the Health & Welfare Insurance to reflect 75% of the CalPERS Kaiser Bay Area Region family rate, the ability to implement 12 days of furlough, the elimination of floating holidays, and other operational items. Ms. Cochran noted that the term of the agreement would extend through September 28, 2013 and would provide a savings of approximately \$3.5 million to the County's General Fund.*

*It was the consensus of the Board that staff be directed to provide a full review to the Board in January, 2012 regarding any remaining EPMC for Executive, Senior, and Mid-Management.*

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

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

**Resolution No. 11-308 - Resolution Approving the Memorandum of Understanding with the Service Employees International Union, Local 1021, Units #2, 5, 7, 8, 9, 82, 87, 89, 90, adopting Successor Memoranda of Understanding through September 28, 2013.**

**Resolution No. 11-309 - Resolution of the Solano County Board of Supervisors for Paying and Reporting the Value of Employer Paid Member Contributions for Units #2, #5, #7, #8, #9, #82, #87, and #89 effective December 25, 2011.**

**Resolution No. 11-310 - Resolution of the Solano County Board of Supervisors for Employer Paid Member Contributions for Units #2, #5, #7, #8, #9, #82, #87, and #89 effective January 8, 2012**

**Resolution No. 11-311 - Resolution of the Solano County Board of Supervisors for Paying and Reporting the Value of Employer Paid Member Contributions for Safety employees in Unit #90 effective December 25, 2011.**

**Resolution No. 11-312 - Resolution of the Solano County Board of Supervisors for Employer Paid Member Contributions for Safety employees in Unit #90 effective January 8, 2012.**

**Resolution No. 11-313 - Resolution of the Solano County Board of Supervisors for Employer Paid Member Contributions for Miscellaneous employees in Unit #30 effective January 8, 2012**

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[11-0650](#)

Receive a presentation on the outcomes of the 2009 Farmers Market Promotion Program grant award; Consider authorizing the County Agricultural Commissioner and Sealer of Weights and Measures to execute a four-year trademark license and property transfer agreement and related amendments between Solano County and Solano Grown a (501(c)(6) organization effective December 13, 2011; Adopting a resolution authorizing the Agricultural Commissioner and Sealer of Weights and Measures to sign an agreement accepting a \$50,000 California Department of Food and Agriculture, Specialty Crop Block Grant for "Solano Grown Marketing" from October 1, 2011 to June 30, 2014; and Approving a \$20,000 Appropriation Transfer Request for Solano Grown specialty grant expenses in FY2011/12 (4/5 vote required)

Attachments:     [A - Trademark License and Property Transfer Agreement](#)  
                          [B - CDFA Grant Agreement](#)  
                          [C - Resolution](#)

*The Board received a presentation on the outcomes of the 2009 Farmers Market Promotion Program grant award and was requested to consider authorizing the County Agricultural Commissioner and Sealer of Weights and Measures to execute a four-year trademark license and property transfer agreement and related amendments between Solano County and Solano Grown a (501(c)(6) organization effective December 13, 2011. The Board was further requested to consider adopting a resolution authorizing the Agricultural Commissioner and Sealer of Weights and Measures to sign an agreement accepting a \$50,000 California Department of Food and Agriculture, Specialty Crop Block Grant for "Solano Grown Marketing" from October 1, 2011 to June 30, 2014; and to consider approving a \$20,000 Appropriation Transfer Request for Solano Grown specialty grant expenses in FY2011/12.*

*The Board received an overview of the performance measures, accomplishments, and benchmarks of the Solano Grown Program.*

*At the conclusion of the presentation, the Board took the following action:*

**On motion of Supervisor Kondylis and seconded by Supervisor Seifert, the Board:**

**1) Approved and authorized the Solano County Agricultural Commissioner and Sealer of Weights and Measures to sign a four-year trademark license and**

property transfer agreement and any amendments to the agreement between Solano County and Solano Grown a (501)(c)(6) organization effective December 13, 2011;

2) Adopted and authorized Chair Reagan to sign Resolution No. 11-314 authorizing the Solano County Agricultural Commissioner and Sealer of Weights and Measures to sign an agreement accepting \$50,000 in grant funding from the California Department of Food and Agriculture (CDFA) Specialty Crop Block Grant Program for "Solano Grown Marketing" from October 1, 2011 to June 30, 2014. (see Resolution Book); and

3) Approved an Appropriation Transfer Request of \$20,000 for the Specialty Product Block Grant, "Solano Grown Marketing" program costs in FY2011/12.

Enactment No: Resolution 11-314

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[11-0655](#)

Review and discuss Solano County's Draft 2012 State and Federal Legislative Platform and provide general direction to staff

Attachments: [A - Draft 2012 Legislative Platform](#)

*The Board reviewed and discussed Solano County's Draft 2012 State and Federal Legislative Platform which identified priority issues as well as general policies and principles on legislative issues that may be advanced by County Department Heads, their member associations, the California State Association of Counties (CSAC), the National Association of Counties (NACo) and other relevant stakeholder groups.*

*Amy Jenkins, County Administrators Office, reviewed proposed amendments to the draft Platform which included: 1) Delta Stewardship Councils DeltaPlan; 2) Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh; 3) All-Mail Ballot Elections; 4) Monetary compensation to local agencies in exchange for the approval of large-scale renewable energy systems on agricultural land; 5) Exclusion of Federal Financial Participation for medical care for "inmates of a public institution"; 6) Support the pursuit of a Suburban Strategy; 7) Elimination of language relative to the Orderly Growth Initiative; and 8) Support efforts to enhance and secure Travis Air Force Base against further budget reductions, downsizing, and future rounds of Base Realignment & Closure (BRAC).*

*Supervisor Seifert expressed her interest in supporting, in a broad manner, the ability of non-profits to negotiate agreements with the State in situations where State parks are recommended for closure which would include a procedure for non-profit organizations to assume operations of a State park, including liability issues and responsibility for remedial work needed on structures.*

*Supervisor Sperring expressed his interest in developing language to expedite funded transportation projects from being delayed by the inability to meet excessive U.S. Fish and Wildlife's mitigation rates and; therefore, affecting the local economy. Supervisor Sperring requested that there be language included in the platform to support funding to facilitate Family Justice Centers.*

*Donald Tipton, unincorporated Vallejo, noted that he felt that the highest priority should be to get people back to work.*

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

**On motion of Supervisor Vasquez and seconded by Supervisor Seifert, the Board approved Solano County's Draft 2012 State and Federal Legislative Platform as presented with the proposed amendments relating to: 1) Delta Stewardship Councils DeltaPlan; 2) All-Mail Ballot Elections; 3) Exclusion of Federal Financial Participation for medical care for "inmates of a public institution"; and 4) Support for efforts to enhance and secure Travis Air Force Base against further budget reductions, downsizing, and future rounds of Base Realignment & Closure (BRAC). So ordered by unanimous vote.**

**On motion of Supervisor Sperring and seconded by Supervisor Vasquez, the Board approved a proposed amendment to the 2012 State and Federal Legislative Platform to add language to oppose provisions in the Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh, issued by the California State Parks Planning Division that would undermine compatible land use decisions and negatively impact flight operations at Travis Air Force Base. So ordered by 3-2 vote; Supervisor Kondylis and Supervisor Seifert voted no.**

**(Supervisor Kondylis noted that she did not have adequate information to support this matter.)**

**On motion of Supervisor Kondylis and seconded by Supervisor Sperring, the Board approved a proposed amendment to the 2012 State and Federal Legislative Platform to add language to support efforts that would provide local agencies with a form of monetary compensation in exchange for the approval of large-scale renewable energy systems on agricultural land. So ordered by unanimous vote.**

**On motion of Supervisor Sperring and seconded by Supervisor Vasquez, the Board approved a proposed amendment to the 2012 State and Federal Legislative Platform to add language to support the pursuit of a Suburban Strategy that acknowledges that certain suburban regions have equal value as growth and job centers as urban areas. So ordered by 4-1 vote; Supervisor Kondylis voted no.**

**(Supervisor Kondylis noted that she did not have adequate information to support this matter.)**

**On motion of Supervisor Sperring and seconded by Supervisor Kondylis, the Board approved support for the Orderly Growth Initiative by opposing policies contrary to Solano County's Orderly Growth Initiative, which protects agricultural and open space land in the County by directing urban growth and development to existing cities. So ordered by unanimous vote.**

- 22      [11-0658](#)      Receive a presentation by the California State Association of Counties on proposed ballot measure language that would provide constitutional protections for 2011 Public Safety Realignment and provide general direction to staff

Attachments:      [A - Special Meeting Announcement](#)  
[B - CSAC Campaign Finance Plan](#)  
[C - CSAC Dues Proposal](#)  
[D - Side-by-side comparison](#)  
[E - Text of CSAC's Initiative](#)  
[F - Text of Governor's Initiative](#)

*The Board received an update on the California State Association of Counties (CSAC) efforts to secure constitutional protections for 2011 Public Safety Realignment by CSAC Executive Director Paul McIntosh. Mr. McIntosh reviewed the various options available for securing the constitutional protections and noted that CSAC staff would be seeking direction from the CSAC Board of Directors concerning whether or not to move forward with signature-gathering on its proposed initiative at a special meeting on January 5, 2012. It was noted that such efforts would require a substantial investment of non-public funds through CSACs Finance Corporation, which would need replacement funds beginning in FY2012/13 in order for CSAC to maintain existing levels of programs and services. It was noted that CSAC was recommending that such replacement revenue be provided through a temporary increase in member dues.*

*Supervisor Seifert noted that she felt it would be more cost effective to negotiate with the Governor to amend his Initiative in order for the counties to receive the necessary realignment funding.*

*Mr. McIntosh noted that funding for the CSAC Initiative would require a \$16,000 per year increase for the next six years to Solano County's dues and that the Board would be required to determine the cost to the County if the State failed to provide realignment funding to counties.*

**Received and Filed**

Solano County Fair Association:

- 23      [11-0654](#)      Receive an overview of the Solano County Fair activities; and Approve the 2012 Solano County Fair Association budget totaling \$3,312,158

Attachments:      [A - 2012 Budget Comparisons](#)  
[B - Proposed 2012 Budget](#)

*The Board received an overview of the Solano County Fair activities and was requested to consider approving the 2012 Solano County Fair Association budget totaling \$3,312,158.*

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

**On motion of Supervisor Vasquez and seconded by Supervisor Spering, the Board approved the 2012 budget for the Solano County Fair Association for total expenditures of \$3,312,158 and budgeted revenues and dedicated resources of \$3,312,158, which includes \$2,907,350 in operating revenues, \$273,086 from restricted reserves, and \$131,722 from unrestricted reserves. So ordered by unanimous vote.**

## RECESS

*This meeting of the Solano County Board of Supervisors recessed at 11:55 a.m. and reconvened at 1:30 p.m. All members were present. Chair Reagan presided.*

- 24**      **[11-0661](#)**      Approve the Public Works Five Year Capital Improvement Plan for FY2011/12 through FY2015/16

*Attachments:*      [A - Public Works Capital Improvement Plan 2012](#)

**On motion of Supervisor Kondylis and seconded by Supervisor Spering, the Board approved the Public Works Five Year Capital Improvement Plan for FY2011/12 through FY2015/16. So ordered by unanimous vote.**

## RECESS

*This meeting of the Solano County Board of Supervisors recessed at 1:45 p.m. and reconvened at 2:00 p.m. All members were present. Chair Reagan presided.*

- 25**      **[11-0618](#)**      Public hearing to consider an appeal of the Planning Commission's decision to approve Minor Revision No. 2 of Use Permit No. U-96-31 of Superior Farms Foundation Windpower allowing the construction and operation of a non-commercial wind turbine located at 7390 Highway 113 in unincorporated Dixon

*Attachments:*      [A - Resolution](#)  
[B - Appeal Request Form](#)  
[C - Planning Commission Minutes](#)  
[D - Planning Commission Resolution](#)  
[E - Planning Commission Staff Reports](#)  
[F - Site Plan \(Proposed and Alternate\)](#)  
[G - Site Plan Over Aerial \(Proposed and Alternate\)](#)

*The Board held a public hearing to consider an appeal of the Planning Commission's decision to approve Minor Revision No. 2 of Use Permit No. U-96-31 of Superior Farms Foundation Windpower allowing the construction and operation of a non-commercial*

wind turbine located at 7390 Highway 113 in unincorporated Dixon.

Staff noted that this matter was heard before the Planning Commission on November 3, 2011, at which time the Planning Commission took action to adopt a Mitigated Negative Declaration and approve a Minor Revision No. 2 to Use Permit Application No. U-96-31 for the construction and operation of a non-commercial wind turbine generator at the Superior Farms facility located in unincorporated Dixon. Subsequently an appeal was received from Ken Odom, a neighbor to the south, in regards to the proposal. Staff noted that this matter represented a convergence of a number of land use issues including: land use compatibility; green energy; as well as noise and visual impacts. Staff noted that there were adjustments made to the project in an attempt to address the concerns of the nearby property owners which included a modification to the location and the height of the proposed wind turbine. Staff noted that this project was located in an area zoned for agriculture and that the impacts associated with the project were compatible with agricultural uses.

Ken Odom, appealant, noted that they were appealing the action taken by the Planning Commission to approve Minor Revision No. 2 of Use Permit No. U-96-31 of Superior Farms/Foundation Windpower allowing the construction and operation of a non-commercial wind turbine. Mr. Odom noted that it was determined by the County that all of the environmental issues could be mitigated to a less than significant level. Mr. Odom noted that he felt that there would be issues with re-locating the wind turbine near the wastewater treatment ponds and that those issues were not mitigated in the Negative Declaration prepared for the project. Mr. Odom noted that it was unknown how construction activity could not take place without draining the ponds and an Interim Wastewater Management Plan was not included in the project description wastewater management plan if draining the ponds were required. In addition, Mr. Odom noted that the foundation excavation of the pond area to the water table would create a conduit for wastewater pollutants to travel directly to the groundwater. Mr. Odom noted that he did not feel that adequate environmental review was conducted on the proposed site. In addition, Mr. Odom expressed his concerns relating to the technology including noise, and blade throw distance in the event of malfunction.

Staff addressed issues raised by Mr. Odom pertaining to wastewater discharge requirements and noise.

Supervisor Seifert expressed concern relating to establishing a policy of locating wind turbines throughout the County and noted that wind turbines were visible from the landscape and would change peoples' choices of where they want to live; thereby, affecting property values to adjacent property owners.

Superior Farms/Foundation Windpower, Applicant, noted that they were interested in modifying their existing facility in Dixon to update their operations to make more efficient. It was noted that the wind turbine would provide 43 percent of their plant's energy consumption. It was further noted that reducing the height of the wind turbine from 326 feet to 282 feet would place it in a lower wind speed and reduce its productivity by approximately five percent. It was reported that the wastewater treatment ponds were dry due to the elimination of cattle processing and the reduction in lamb processing and that the ponds to the south were being utilized for rainwater collection. Superior Farms noted that their analysis addressed noise levels, blade strikes, biological impacts, wind resources, and setback requirements. It was further noted that the original proposed project location would be situated on the edge of the wastewater treatment pond and that any impact on the waste pond would require proper approval from the Regional Water Quality Control Board. Superior Farms reported that

efforts were being undertaken to utilize an alternative project location north of the proposed site which would provide an additional buffer to the neighbors to the south. Superior Farms/Foundation Windpower noted that they were requesting the County to approve the Solano County's Planning Commission's previous action, allowing them to move forward with the primary or alternate sites for the installation of a wind turbine.

Staff reported that the three property owners to the south of Superior Farms opposed the project due to the visual, noise, and safety issues associated with a wind turbine. In addition, they had concerns that the wind turbine would depreciate the value of their property. However, staff noted that the agricultural properties located to the south of the project were purchased a long time ago and that there would be minimal depreciation in value to those properties.

Michael Smith, Vacaville; and Ray Zenk, Bragg Crane; expressed support for the proposed project as it was green energy and would provide jobs to the local labor force and veterans.

Richard Bello and Jean Terry, neighbors directly to the south of the project, expressed opposition of the project due to the visual aesthetics, noise, possible water impacts, and depreciation of property values.

Ron Erny, representing the property to the north (Rio Del Oro Farms #4 LLC Property), noted that they had a 400 acre parcel that was easily farmed and that they were not interested in having an easement on their property. Mr. Erny noted that the property was purchased for residential development at a high price and was not sure Superior Farms would want to purchase for their investment.

Mr. Odom, noted that studies taken concluded that there was a property value depreciation of 17-74% depending on the proximity of land to a wind turbine. Mr. Odom noted that he did not feel that the proposed site to the north was a viable option and that the site to the south would require CEQA review due to the need to fill in part of the wastewater pond and contamination to the groundwater in the area.

Superior Farms/Foundation Windpower noted that the studies referenced regarding property values referred to property values next to a 100 wind turbine wind farm and that their affect on regional property values was taken at a time when real estate values across the country declined between 25-40 percent. It was noted that the proposed site to the north was to address the concerns of the property owners to the south and that they were willing to work with the Regional Water Quality Control Board for approval of the design of the wind turbine for the originally proposed site to the south.

Supervisor Kondylis suggested that there be mitigation for the three property owners to the south of the project for the planting of trees to block the view of the wind turbine.

Deputy County Counsel Jim Laughlin suggested that the Board add a condition that prior to issuance of the final certificate of occupancy for the wind turbine, the permittee shall contribute a maximum of \$15,000 for landscaping allowance toward rear yard landscaping to be installed on the three residentially developed parcels located immediately south of the project site (APN 0112-040-110, 0112-040-120, and 112-040-130). The permittee may make payments of \$5,000 directly to each of the three adjacent landowners, and provide proof of payment to the County. Alternatively, the three property owners may jointly submit a request to Superior Farms/Foundation Windpower that the maximum contribution of \$15,000 be distributed to them in

*unequal shares. The purpose of the payment would be to provide for the installation of rear yard landscaping, but actual installation of such would not be a condition of this permit.*

*At the conclusion of the public hearing, the Board took the following action:*

*Supervisor Vasquez moved, seconded by Supervisor Spering, that the Board deny the appeal and uphold the Planning Commission decision approving Minor Revision No. 2 of Use Permit U-96-31 of Superior Farms/Foundation Windpower allowing the construction and operation of a non-commercial wind turbine at either of the proposed sites located at 7390 Highway 113 in unincorporated Dixon at the original height of 326 feet at the tip of the blade with the condition that prior to the issuance of the final certificate of occupancy for the wind turbine, the permittee shall contribute a maximum of \$15,000 toward rear yard landscaping as noted above.*

*Supervisor Seifert expressed her opposition to the height of the wind turbine at 326 feet.*

*Supervisor Vasquez noted that a reduction in the height of the wind turbine would create a five percent loss of power and that businesses were leaving California due to the cost of doing business.*

*At the conclusion of discussion, the following substitute motion was made:*

**On motion of Supervisor Spering and seconded by Supervisor Kondylis, the Board adopted and authorized Chair Reagan to sign Resolution No. 11-315 denying the appeal of Mr. Odom and affirming the Planning Commission's approval of Minor Revision No. 2 of Use Permit No. U-96-31 of Superior Farms Foundation Windpower allowing the construction and operation of a non-commercial wind turbine at either proposed sites located at 7390 Highway 113 in unincorporated Dixon at the height of 282 feet at the tip of the blade with the condition that prior to issuance of the final certificate of occupancy for the wind turbine, the permittee shall contribute a maximum of \$15,000 toward rear yard landscaping to be installed on the three residentially developed parcels located immediately south of the project site (APN 0112-040-110, 0112-040-120, and 0112-040-130). The permittee may make payments of \$5,000 directly to each of the three adjacent landowners, and provide proof of payment to the County. Alternatively, the three property owners may jointly submit a request to Superior Farms Foundation Windpower that the maximum contribution of \$15,000 be distributed to them in unequal shares. The purpose of the payment is to provide for the installation of rear yard landscaping, but actual installation of such landscaping is not a condition of this permit. So ordered by unanimous vote.**

**Enactment No: Resolution 11-315**

26

[11-0664](#)

Receive a status report and consider recommendations from the County Administrator on the parameters to reduce the County's General Fund FY2012/13 costs up to \$9 million based on analyses of the Mandated/Discretionary Programs compiled by the County Departments

Attachments:     [A - Six Strategies for Budget Reductions](#)  
                          [B - Structural Deficit Projection](#)  
                          [C - Examples of Mandated-Discretionary Programs](#)  
                          [D - Summary, Mandated-Discretionary Programs Costs](#)  
                          [Power Point Presentation](#)

*The Board postponed, to January 10, 2012, consideration of recommendations from the County Administrator on the parameters to reduce the County's General Fund FY2012/13 costs up to \$9 million based on analyses of the Mandated/Discretionary Programs compiled by the County Departments.*

**Postponed**

27

[11-0653](#)

Receive a presentation and status report on efforts to reduce expenditures by consolidating space in buildings owned and leased by the County

Attachments:     [A - List of County-Owned and Maintained Office Buildings](#)  
                          [B - County Owned/Leased Office Building Occupancy Costs](#)  
                          [C - PowerPoint](#)

*The Board received a presentation and status report on efforts to reduce expenditures by consolidating space in buildings owned and leased by the County.*

*Director of General Services Michael J. Lango noted that the Space Consolidation Program provided opportunities to reduce building space costs, generate revenue by leasing underutilized space, selling surplus property, and centralizing building occupancy cost information. Mr. Lango noted that the program was a collaborative effort to evaluate department space requirements and reduce building expenses. Mr. Lango noted that they continued to identify and implement opportunities to increase revenues from surplus real property. Mr. Lango noted that a physical survey was taken of all County buildings and that of the approximately 800,000 square feet of office space, approximately 75,000 square feet was vacant. Mr. Lango reviewed space leased by the County which generated approximately \$552,000 in revenue annually. In addition, Mr. Lango noted that there were rent expenditures of approximately \$1.6 million for 115,000 square feet of space which represented a 56% reduction over the past five years. Mr. Lango noted that they would continue the evaluation process; identify and implement additional space consolidation opportunities; and initiate sale of surplus property.*

*George Guynn, Jr., Suisun, encouraged the County ton continue to address the structural deficit and to consolidate space.*

*Supervisor Spering encouraged staff to look for opportunities where those currently utilizing leased space could be relocated to a County building and the Family Justice Center could be located into the vacated space.*

**BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS**

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

*A. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of John Lopez who was an active member of the Vacaville community.*

*B. Chair Reagan noted that he attended the wreath laying ceremony at the Sacramento Valley National Cemetery on December 10, 2011 at which 9,000 wreaths were placed at the gravesites.*

**ADJOURN:**

*This meeting of the Solano County Board of Supervisors adjourned at 4:45 p.m. in memory of John Lopez. Next meeting of the Solano County Board of Supervisors will be January 10, 2012 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**