



Solano County

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

Minutes - Final Board of Supervisors

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

Tuesday, February 28, 2012

12:15 PM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 28th day of February, 2012 in regular session in the Board of Supervisors' Chambers of the Solano County Government Center, 675 Texas Street, Fairfield, California at 12:15 p.m. Present were Supervisors Reagan, Spering, Vasquez, and Chair Seifert. Supervisor Kondylis arrived at 12:18 p.m. Chair Seifert presided. 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

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.

CLOSED SESSION

This meeting of the Solano County Board of Supervisors recessed to Closed Session at 12:16 p.m. to discuss the following matters:

- 1 [12-0149](#) Conference with Labor Negotiators:
Solano County representatives: Marc Fox, 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, and Units #82, #87, #89, and #90-Extra Help; SPPOA: Unit #12-Probation Employees and Unit #15-Supervising Probation Employees; Stationary Engineers Local 39 for Unit

#10-Skilled Crafts & Maintenance Employees; Teamsters Local 150 for Unit #1-Attorneys; PEU Local 1 for Unit #6 Health & Welfare Supervisors, and for Unit #16, #16C & #16X-Middle Management; Solano County Deputy Sheriffs Association for Unit #3-Law Enforcement Employees, and Unit #4 Law Enforcement Supervisors; 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, and #00-Unclassified Employees

Conference with Labor Negotiators:
In-Home Supportive Services Public Authority representatives: Bruce Heid, Marc Fox and Georgia Cochran

Anticipated Litigation: one case

Attachments: [A - Memorandum
Resolution.pdf](#)
 [Minute Order.pdf](#)

Adopted

Enactment No: Resolution 12-025

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 12:45 p.m. All members were present. Chair Seifert presided.

REPORT OF ACTION IN CLOSED SESSION

County Counsel Dennis Bunting reported that by a 5-0 vote, the Board agreed to the following:

- 1. To accept the claim for excess tax proceeds filed by Alan Kikuchi, Trustee of the John F. Kikuchi and Dolores Y. Kikuchi 1983 Inter Vivos Trust with regard to the sale of APN 0046-110-260.*
- 2. To repeal Resolution No. 2011-296.*
- 3. Adopt and authorized Chair Seifert to sign Resolution No. 2012-025 authorizing the Auditor-Controller to distribute the excess proceeds on APN 0046-110-260 in the amount of \$30,364.46 as follows*
 - a. To the Solano County Tax Collector; the amount of \$311.68 for administrative costs;*
 - b. To Charles O. Youngquist; the amount of \$10,016.60;*
 - c. To James J. Spitzer, Trustee of the James P. Switzer Trust; the amount of \$10,016.59; and*

d. To Alan Kikuchi, Trustee of the John F. Kikuchi and Dolores Y. Kikuchi 1983 Inter Vivos Trust: the amount of \$10,016.59.

On motion of Supervisor Vasquez, seconded by Supervisor Reagan, the Board adopted and authorized Chair Seifert to sign Resolution No. 12-025 accepting the claims for excess proceeds from the tax-default sale and authorizing distribution of excess proceeds. (see Resolution Book)

RECESS

This meeting of the Solano County Board of Supervisors recessed at 12:50 p.m. and reconvened at 1:00 p.m. at the County Events Center; 601 Texas Street; Fairfield, California to conduct a Workshop on Furloughs.

RECONVENE - 1:00 P.M. County Events Center; 601 Texas Street, Fairfield CA; Board of Supervisors Workshop - Furloughs

Minutes of the Board of Supervisors' Workshop on Furloughs are contained under separate cover.

RECESS - 3:00 P.M.

The Solano County Board of Supervisors recessed from their Workshop on Furloughs at 2:40 p.m. and reconvened in regular session at 3:30 in the Board of Supervisors' Chambers; 675 Texas Street, Fairfield, California.

PRESENTATIONS

- 2 [12-0142](#) Adopt and present a resolution recognizing and congratulating the Youth and Family Services on their 30th anniversary of providing services to the Solano community (Chair Seifert)

Attachments: [A - Resolution.pdf](#)
 [Minute Order.pdf](#)

A motion was made by Supervisor Kondylis, seconded by Chair Reagan, that this Resolution be adopted. The motion passed by the following vote: (see Resolution Book)

Enactment No: Resolution 12-023

- 3 12-0117 Receive a presentation and awards from the Food Bank of Contra Costa and Solano for participation in the 2011 "Counties Care Holiday Food Fight" Challenge

Attachments: Minute Order.pdf

Received

- 4 [12-0133](#) Adopt and present a resolution and plaque of appreciation recognizing Chief Forensic Odontologist Roddy N. Feldman, D.D.S., for 43 years of distinguished services to Solano County (Chair Seifert)
- Attachments:* [A - Resolution](#)
 [MInute Order.pdf](#)
- A motion was made by Supervisor Kondylis, seconded by Chair Reagan, that this Resolution be adopted. So ordered by unanimous vote. (see Resolution Book)**
- Enactment No: Resolution 12-024**
- 5 [12-0127](#) Receive a presentation from the Public Defender on the selection of Sonya Mariscal for the "Employee of the Month Parking" for March 2012
- Attachments:* [Minute Order.pdf](#)
- Received**

ITEMS FROM THE PUBLIC

Chair Seifert 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. Donald Tipton, unincorporated Vallejo, expressed concern regarding the rate of sexually transmitted diseases in Solano County and noted that he would have preferred to have had the agenda for the Board of Supervisors' Furlough Workshop distributed prior to the meeting date.

B. June Guidotti, Suisun, noted that the minutes of the Board of Supervisors' meeting did not address her allegations that the County Government Center was built on marsh land which was causing tiles to raise, and people being injured.

C. Nadeen Roach, SEIU, expressed appreciation for the opportunity to participate in the Furlough Workshop held on this day. Ms. Roach noted that she did not support the item on the agenda reinstating the travel reimbursement for Executive Management employees at a time when furloughs were being considered.

D. George Guynn, Jr., Suisun, noted that he felt that the agenda for the Furlough Workshop should have been distributed ahead of schedule. Mr. Guynn noted that he felt that the public should be allowed to read newspaper articles during Items From the Public. Mr. Guynn noted that he felt that Agenda 21 should not be supported by 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; however, Agenda Item 11 should have reflected a 4/5 vote was required as the Board was being requested to appropriate unanticipated revenue.

APPROVAL OF THE AGENDA

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board, by unanimous vote, approved the agenda of the Solano County Board of Supervisors for February 28, 2012 with the following amendments

Item No. 11 - Appropriation Transfer Request for unanticipated revenues provided under ABX1 26 to reflect a 4/5 vote is required.

Item No. 14 - 2011 Annual Biosolids Land Application Report was removed from the Consent Calendar.

Approved

PUBLIC COMMENT ON CONSENT CALENDAR

Chair Seifert 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 reimbursing employees for the use of their own car would create additional staff work and that County cars should be utilized instead.

B. George Guynn, Jr., Suisun, expressed concern regarding changes to the travel policy to allow reimbursement for use of employee vehicles and if allowed, the reimbursement rate should be lower than the limit set by the State of California.

APPROVAL OF THE CONSENT CALENDAR

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board approved the following Consent Calendar items by unanimous vote:

- 6** [12-0135](#) 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 - 2012 Board Assignments](#)
 [Minute Order.pdf](#)

Received and Filed

- 7** [12-0151](#) Approve the minutes of the Solano County Board of Supervisors' meetings of June 20, 2011 and February 7, 2012

Attachments: [A - June 20, 2011 minutes](#)
 [B - February 7, 2012 minutes](#)
 [Minute Order.pdf](#)

Approved

- 8** [12-0120](#) Authorize the County's contribution of \$500 to benefit Fighting Back Partnership in Vallejo; \$500 to the Florence Douglas Senior Center in

Vallejo; \$500 to the Global Center for Success in Vallejo; and \$1000 to the Benicia Community Action Council from the General Fund contribution allocated to District 2 (Chair Seifert)

Attachments: [Minute Order.pdf](#)

Approved

- 9 [12-0143](#) Adopt a resolution to amend the County's Personnel and Salary Resolution, revising Division IX, Section 5: Travel Reimbursement for Executive Management, to authorize the reimbursement of in-county travel expenses for executive management employees and elected department heads; and Approve the revised Solano County Travel Policy reflecting the amended provision and other administrative changes

Attachments: [A - Resolution](#)
[B - Revised Travel Policy Redlined](#)
[C - Revised Travel Policy Final](#)
[Minute Order.pdf](#)

Adopted

Enactment No: Resolution 12-026

- 10 [12-0144](#) Adopt a resolution to amend the Alphabetical Listing of Classes and Salaries to add the salary for the class of Dental Hygienist, Registered with an annual salary of \$51,241.07 - \$62,283.84

Attachments: [A - Resolution](#)
[Minute Order.pdf](#)

Adopted

Enactment No: Resolution 12-027

- 11 [12-0134](#) Adopt a resolution amending the Position Allocation List to add 1 FTE Accountant-Auditor (Limited Term), expiring March 1, 2014, in the Auditor-Controller's Office to provide for the added duties and responsibilities imposed by the dissolution of redevelopment agencies under ABX1 26; and Approve an Appropriation Transfer Request to increase FY2011/12 appropriations by \$40,000 using unanticipated revenues provided under ABX1 26

Attachments: [A - Resolution](#)
[Minute Order.pdf](#)

Adopted

Enactment No: Resolution 12-028

- 12 **12-0132** Adopt a resolution to renew annual delegation of investment authority to the County Treasurer; and Approve the proposed County Investment Policy

Attachments: A - Resolution
 B - 2012 Investment Policy
 C - 2012 Investment Policy 2011 Redline Edition
 Minute Order.pdf

Adopted

Enactment No: Resolution 12-029

- 13 [12-0131](#) Approve an Appropriations Transfer Request for \$8,739 from the Valero Settlement Fund Contingencies for the City of Benicia to improve radio communications for Police and Fire Departments (4/5 vote required)

Attachments: [Minute Order.pdf](#)

Approved

REGULAR CALENDAR

- 14 [12-0130](#) Accept the 2011 Annual Biosolids Land Application Report from the Department of Resource Management

Attachments: [A - 2011 Annual Report](#)
 [Minute Order.pdf](#)

Supervisor Kondylis expressed her concern regarding the determination of who had the responsibility for ground water testing on property where there was land application of biosolids.

Terry Schmitdtbauer, Environmental Health Manager, reported that Chapter 25 of the Solano County Code pertaining to biosolids was due to sunset in October, 2012 and that staff would be prepared to return to the Board at that time with language that would provide clarification to this issue.

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

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board accepted the 2011 Annual Biosolids Land Application Report from the Department of Resource Management. So ordered by unanimous vote.

- 15 [12-0146](#) Receive an update from the County's State Legislative Advocate on State Budget developments, discuss legislation of interest to the County generally and legislation specifically related to water, and consider Board positions on state legislation; Receive a Federal Legislative update and consider approval of the 2012 Federal Priorities for Solano County in preparation for an upcoming Board trip to Washington D.C. in March 2012

Attachments: [A - Legislative Committee Agenda Feb 6 2012](#)
 [B - Solano County 2012 Bill List](#)
 [C - Water Legislation as of 2-17-12](#)
 [D - Draft Solano County 2012 Federal Priorities.doc](#)
 [E - FY2013 President's Budget](#)
 [F - Current County Delta Team State and Federal Legislative Update
Minute Order.pdf](#)

State Legislative Advocate Paul Yoder provided the Board with an update on State Budget developments. Mr. Yoder noted that the State Legislative Analysts continued to believe that there was \$6 billion less in the State's budget than being reported by the Department of Finance and the Governor. Mr. Yoder also noted that in regards to AB 109 -Realignment, Year 2 funding allocation numbers would soon be released. Mr. Yoder reviewed legislation relating to water noting that the Delta Stewardship Council stated that the five Delta Counties needed to join together and form a Joint Powers Authority for the purposes of flood protection, levee rehabilitation, and levee maintenance and to assess themselves and their citizens for those purposes. Mr. Yoder reported that there were efforts being made by legislators from Southern California to move toward regional water solutions including the recycling of wastewater for human consumption and to explore ways to obtain quality water. In addition, efforts were being made to reduce the water bond to \$8 billion - \$9 billion and that there could be a reduction in the required match by local communities. Mr. Yoder reviewed proposed State legislation that the Board was being requested to consider as recommended by the Board of Supervisor's Legislative Committee as follows:

Support

AB 324 (Buchanan) - Housing of juvenile sex offenders committed to Division of Juvenile Facilities

AB 1506 (Jeffries) - State responsibility areas: fire prevention fees

AB 1623 (Yamada) - Weights and measures: inspection fees

Proposition 218 - water, sewer, refuse collection service fees

Watch

SB 52 (Steinberg) - Jobs and Economic Improvement Through Environmental Leadership Act of 2011

SB 654 (Steinberg) - Dissolving redevelopment agency housing funds

AB 1532 (Perez) - California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction

AB 1560 (Fuentes) - CalFresh: categorical eligibility

AB 1562 (Jeffries) - Fire prevention and suppression: county inmate fire crews

AB 1569 (Allen) - Community mental health services

AB 1644 (Carter) - The California Military Base Reuse and Preservation Act of 2012

Chair Seifert invited members of the public to make comments and comments were received from: 1) George Guynn, Jr., Suisun City, noting that Paul Yoder represented the County well and did not feel that members of the Board should attend meetings on legislation in Sacramento and Washington. Mr. Guynn noted that he felt that the Board should hold their meetings with legislative advocates via teleconference in an effort to achieve efficiencies; 2) Donald Tipton, unincorporated Vallejo, expressed his support for the America Back to Work legislation; and 3) June Guidotti, Suisun, who expressed interest in the Delta Stewardship Council report.

It was moved by Supervisor Reagan, seconded by Supervisor Spering, that the recommendations of the Board of Supervisor's Legislative Committee as noted above be approved. So ordered by unanimous vote.

It was moved by Supervisor Reagan, seconded by Supervisor Vasquez to oppose SB 250 (Rubio) which would require the Department of Water Resources development of certain Delta conveyance facilities be completed on or before February 15, 2013 and would require that the construction of those facilities be completed by December 31, 2025. So ordered by 4-1; Chair Seifert voted no as she felt that all legislation should be reviewed by the Board of Supervisors' Legislation Committee prior to consideration by the Board.

The Board discussed various legislative bills pertaining to redevelopment dissolution and the retention of assets at the local level.

Assistant County Administrator Nancy Huston provided the Board with a Federal Legislative update noting that the requested action of the County's representatives in Washington D.C. was to adopt a federal budget that provides targeted, sustainable investment for key County priorities, including programs that support state and local job creation. In addition, support reauthorization of key federal program areas. Ms. Huston requested that the Board consider approval of the 2012 Federal Priorities for Solano County in preparation for an upcoming trip to Washington D.C. by members of the Board. Ms. Huston further noted that SCA priorities which included many infrastructure projects including I-80/680 and the Jepson Parkway were also being included as 2012 Federal Priorities. Ms. Huston reviewed priority areas for grants for public safety, community development, transportation, and human services. Ms. Huston reported that; in addition, the County would be advocating for Delta and water resources with the request to for the County's representatives to support legislation and policies that provide for the protection of the Sacramento-San Joaquin Delta, including policies that ensure water quality and supply, flood protection, environmental preservation and emergency response.

Supervisor Kondylis suggested that specific information be submitted pertaining the County's experience with America Recovery and Reinvestment Act (ARRA) funding and that the County be prepared to advocate for programs or expenditures in general that were similar to ARRA. In addition, Supervisor Kondylis felt that the federal government should contribute more funding to the In-Home Supportive Services program which allows the elderly and disabled to stay in their homes and relieves the federal government from the cost of nursing home services.

Supervisor Spering requested that, relative to the Transportation Reauthorization, the County be supportive of collapsing the number of transportation program categories to create funding flexibility. Ms. Huston reviewed Solano County's Federal Platform noting the Delta Counties Coalition opposition to HR 1837 and the County's support for legislation pertaining to the Delta Heritage Area. Ms. Huston noted that other issues on the County's Federal Platform addressed flood and levee issues.

On motion of Supervisor Kondylis, seconded by Supervisor Vasquez, the Board approved the County's Federal Legislative Platform as presented with additional language stating the County's interest in improving the local economy through jobs, infrastructure, funding for higher education and In-Home Supportive Services.

Supervisor Kondylis was excused from this meeting of the Solano County Board of Supervisors at 5:10 p.m.

- 16 [12-0141](#) Public hearing to review and consider adopting the Updated Solano County 5-Year Capital Facilities Improvement Plan for FY2011/12 through FY2015/16

Attachments: [A - 5 Year Capital Improvement Plan](#)
[Attachment B - CIP - Preliminary Project List](#)
[PowerPoint](#)
[Minute Order.pdf](#)

The Board was requested to conduct a public hearing to review and consider adopting the updated Solano County 5-Year Capital Facilities Improvement Plan for FY2011/12 through FY2015/16.

Director of General Services Michael J. Lango noted that the County's 5-Year Capital Improvement Plan served as a disclosure and validation document for identifying needs for renewal and maintenance of County facilities. Mr. Lango noted that the Plan also served as a planning document to establish project priorities, determine the financial capacity to fund projects, and to inform the Board and the public of the significant component of the County's real estate asset program.

Solano County Architect Kanon Artiche provided the Board with an overview of the Plan which included a list of projects completed or nearing completion; major projects in progress; and new projects. Mr. Artiche noted that current emphasis was being placed on new land and building due to the construction of the William J. Carroll Government Center and AB 900 Jail Facility construction. Mr. Artiche noted that other projects included the John F. Kennedy Library Renovation in Vallejo; County Corporation Yard Consolidation; Former Hall of Records HazMat Site Remediation in Fairfield; Law and Justice Fire Alarm Replacement in Fairfield; Suisun Veterans Building Improvements; and Health and Social Services Building ADA Improvements in Fairfield.

Chair Seifert opened the hearing to the public and the following comment was received from George Guynn, Jr., Suisun who noted the vacant space in the County Government Center in Fairfield and his opposition to the William J. Carroll Government Center in Vacaville.

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

On motion of Supervisor Vasquez, seconded by Supervisor Sperring, the Board adopted the updated Solano County 5-Year Solano County Capital Facilities Improvement Plan for Fiscal Year 2011/2012 through Fiscal Year 2015/2016. So ordered by 4-0 vote; Supervisor Kondylis was excused.

- 17 [12-0152](#) Consider the appointment of applicants to the public-at-large positions on the six oversight boards in Solano County; and the appointment of one alternate to each oversight board

Attachments: [A - List of Applicants for Oversight Boards](#)
[B - CSAC Letter](#)
[Minute Order.pdf](#)

Deputy County Counsel Daniel Wolk noted that on February 7, 2012, the Board of Supervisors considered their appointments to the various Redevelopment Oversight Boards. Mr. Wolk noted that at this time, the Board was being requested to select their Public-at-Large appointments and an alternate to the Public-at-Large members.

Chair Seifert invited members of the public to make comments and comments were received from: 1) George Guynn, Jr., Suisun City, who indicated that he did not feel that public officials should be appointed to the Public-at-Large position on the Redevelopment Oversight Boards and that more effort should have been given toward the recruitment process; and 2) Donald Tipton, unincorporated Vallejo, who noted that he felt that Supervisor Kondylis should have been included in appointment to a Redevelopment Oversight Board.

Assistant County Administrator Nancy Huston noted that outreach efforts included a number of articles published in the local newspapers as well as posting a significant amount of information on the County's website.

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

On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board appointed the following individuals as the Public-at-Large Member and Public-at-Large Alternates to the various Redevelopment Oversight Boards in Solano County

City of Suisun - Alvaro P. da Silva, primary
City of Fairfield - Anthony Russo, primary and Chuck Timm, alternate
City of Dixon - Ronald Mulligan, primary
City of Vacaville - Dilenna Harris, primary and Ralph Cotton, alternate
City of Vallejo - Alvaro P. da Silva, primary

So ordered by 4-0 vote.

Chair Seifert opposed the appointment of a Vacaville City Council member serving on behalf of Solano County

The Board directed that the remaining Public-at-Large position and alternates to the Public-at-Large positions be considered by the Board of Supervisors on March 27, 2012.

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

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

A. Supervisor Spering requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of James "Jim" McKennon Claffey, member of the Solano Community College Governing Board and active member of the community.

B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Neva E. Caplener who was an active member of the Vacaville community.

C. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Dorothea H. Paswater who was a positive influence on the youth in the Vacaville community.

D. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Mary Emma Rash who was an active member of the Vacaville community.

E. Chair Seifert requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Edward Anderson who was a life long rancher in the Montezuma Hills.

F. Chair Seifert requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Bernard J. Favaro, Sr. who was active in the legal community of Solano County.

G. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Regina "Reggi" Blancett who retired from the position of Executive Assistant to the Solano County Administrator/Clerk of the Board on December 30, 2004.

RECESS

This meeting of the Solano County Board of Supervisors recessed at 6:00 p.m. and reconvened at 7:00 p.m. Present were Supervisors Reagan, Sperring, Vasquez, and Chair Seifert. Chair Seifert presided.

7:00 P.M.

LAND USE/TRANSPORTATION

Resource Management:

- 18 [12-0145](#) Public Hearing to consider and adopt implementation measures to the 2008 General Plan and revisions to Chapter 28 (Zoning Regulations) which include adopting a Negative Declaration, adopting General Plan amendments (G-11-01), enacting an Ordinance repealing the current Chapter 28 (Zoning Regulations) and replacing with a new Chapter 28, (Zoning Regulations), and enacting an Ordinance amending the Zoning Maps (Z-11-02)

Attachments: [A - Background Staff Report](#)
[B - General Plan Amendments](#)
[C - Draft Chapter 28 Redlined](#)
[D - Zoning Map Amendments](#)
[E - Initial Study Negative Declaration](#)
[F - Planning Commission Hearing Materials](#)
[G - Public Notice - Board of Supervisors](#)
[H - Farm Bureau Letter Supporting Zoning Ordinance](#)
[I - Draft Chapter 28 Final Resolution.pdf](#)
[Ordinance 2012-1726.pdf](#)
[Minute Order.pdf](#)
[Item 18 Correspondence from Dan Smith.pdf](#)
[Item 18 Correspondence from Russ Lester.pdf](#)
[Item 18 Correspondence from Snut Harbor Resorts, LLC.pdf](#)
[Item 18 Correspondence from William S. Reustler Proposed Revision Gener](#)

Director of Resource Management Bill Emlen noted that there were several components before the Board at this time which included a Negative Declaration for the environmental assessment of the proposed changes; Resolution to articulate the changes being proposed under a General Plan amendment; and an Ordinance approving the zoning map changes as well as changes to the zoning text. Mr. Emlen noted that many of the changes to the zoning map were in name only to reflect and implement the new General Plan designations adopted in 2008. Mr. Emlen noted that he felt that the proposed zoning amendments would streamline their processes and be a document that the public could use easily, access information quickly, and understand what they were allowed to do with their property.

Planning Manager Mike Yankovich reviewed outreach efforts which were undertaken to inform the public of changes made by the adopted General Plan and to receive their input. Mr. Yankovich noted that there was concern expressed by the public in terms of agricultural processing and the percentage of product grown on a property; Mixed Use in Homeacres, Birds Landing, and Cordelia areas; and that the designation of the Green Valley Golf Course from Park to Commercial Recreation was overlooked and would be amended in future rezoning considerations.

Principal Planner Jim Leland reviewed the distribution of zoning map changes throughout the County that were before the Board for consideration at this time. Mr. Leland noted that a majority of changes in the Vallejo and Fairfield area represented neighborhoods where the Residential Traditional Community zoning was being implemented along with Birds Landing in the Montezuma Hills. It was noted that changes in the Vacaville and Rio Vista area represented areas being rezoned from Park to Commercial Recreation.

Mr. Leland noted that the four major elements being reviewed at this time included: 1) Traditional Communities implementation; 2) Exclusive Agricultural District overhaul; 3) Minor Amendments; and 4) Reformatting of the Zoning Regulations.

Mr. Leland noted that the Traditional Communities implementation included three elements which were: 1) General Plan Amendments; 2) Zoning Text Amendments; and 3) Zoning Map Amendments. Mr. Leland reviewed all proposed amendments pertaining to Traditional Communities.

Mr. Leland reported that program elements of the Exclusive Agricultural District overhaul included Zoning Text Revisions which were extensive and included expanding allowable land uses and reducing permitting requirements. Mr. Leland noted that new uses added included: 1) Pastured Poultry; 2) Commercial auctions of farm equipment; 3) Special events for all commercial agriculture in an effort to increase ag tourism in new areas; 4) Agricultural research facility; 5) Agricultural homestay; 6) Amusement and entertainment; 7) Certified Farmers Market; 8) Seasonal sales lot; and 9) Agricultural Commercial Kitchens.

Mr. Leland noted that efforts were made to reduce permitting requirements and that they implemented: 1) Administrative Permits; 2) Minor Use Permits; and 3) Use Permits. Mr. Leland noted that Administrative Permits were ministerial and not discretionary; only objective standards in the Code were required to be met; there were no public hearings, and they were not subject to CEQA. Mr. Leland noted that Minor Use Permits were heard by the Zoning Administrator, was a discretionary permit and subject to CEQA. Mr. Leland noted that Use Permits were heard by the Planning Commission, was a discretionary permit and subject to CEQA. Mr. Leland noted that their Permitting Reduction Strategy was to move away from the one size fits all and to utilize a tiered approach.

Mr. Leland noted that efforts were made to address minor amendments to the General Plan, Zoning Text, or Zoning Maps and reviewed those minor amendments pertaining to MG-1/2 parcels in agricultural areas; Solid Waste/Public Facilities and Services Element to correspond with the Siting Element; Use Permit improvements; Zoning Clearance procedure; Rezoning Park District to Commercial Recreation for Hidden Harbor, Recreational Vehicle Parks, Railroad Museum, and Snug Harbor; Reformatting the Zoning Code to exchange explicit standards in the Code for Discretionary Permits; and increased the use of Tables in the Code to clarify uses of property for permitting purposes.

Mr. Leland noted that the Board was being requested to adopt a Negative Declaration as part of the CEQA review for the proposed amendments; to adopt a Resolution amending the General Plan; and to adopt an Ordinance repealing and adopting a new Chapter 28 to the County Code and amending the Zoning Maps.

Mr. Leland noted that their proposed next steps would include review of the Code pertaining to Commercial and Industrial Districts; Updates to Sign Regulations, Environmental Guidelines; and Subdivision Ordinance; and a Study of the Homeacres Neighborhood as requested by the Planning Commission.

Chair Seifert opened the hearing to the public and the following comments were received:

Donald Tipton, unincorporated Vallejo, noted that he felt that there were inconsistencies in the various zoning maps and noted his opposition to any of the flag lots; the duplex zoning; and multiple units in the Homeacres area as it would change the character of the area.

June Guidotti, Suisun, noted that two letters were submitted from William Reustle expressing opposition to the proposed revisions of the General Plan to the extent that: 1) It failed to recognize her previously approved water to energy plant; 2) The Tonnesen Pet Cemetery could not be added as a solid waste facility as the Marsh Protection Plan prohibited additional solid waste facilities; 3) The designation "A-SM-160" was inappropriate as it was made in anticipation of some future actions which may or may

not happen; 4) An EIR was an appropriate environmental document to comply with CEQA due to the potential adverse effects upon the waters of Spring Creek as well as the surrounding wells and, in particular, the cumulative effects to the already impaired health of the Suisun Marsh; and 5) Measure "E" was passed by voters and revisions should adhere to Measure "E".

Cal McMurphy, President of Homeacres Improvement Association, noted that they felt that the streets in the Homeacres area of Vallejo needed to be widened to allow access for fire trucks and requested that the widening of the streets be a requirement of the developers prior to their infill project being approved.

Nicky Suard, Snug Harbor Resort, expressed concern that the commercial recreation designation would change the manner in which they conducted business and requested that boating facilities, marinas, restaurants, and tourist be included in the definitions.

Mr. Leland noted that the designation of Commercial Recreation District would replace a Park District and did not add marinas as a stand alone use. Mr. Leland noted that Snug Harbor was a recreational vehicle park and that the General Plan recognized it as a Park and its current use would be allowed to continue. Mr. Leland noted that the addition of Boating would be coming forward with the Local Protection Plan changes after coordination with BCDC.

Tina Jones, Elmira, expressed concern that if her home was destroyed, would she be allowed to rebuild since her home was located on a 1/2 acre site in an area now zoned Traditional Community 1-acre and considered illegal/non-conforming.

Mr. Leland noted that Elmira's residential portion of the town were divided between 1-acre and 1/2 acre zones and that they were only renaming the current zoning. Mr. Leland noted that in Elmira, there were lots of record that did not meet the lot size of their zoning district. However, they had a legal status that allows them to rebuild a single family home regardless of their zoning.

George Guynn, Jr., Suisun City, expressed concern regarding Potrero Hills Landfill and the implementation of Measure E and the affects of zoning on the Guidotti property.

Mr. Leland, noted that they were proposing a change to the General Plan that would identify an upcoming zoning district, "Agricultural/Suisun Marsh" as being the zoning that implements the Local Protection Plan. Therefore, there was not an item before the Board at this time that would change the current zoning of the Guidotti property from Agriculture Limited. Mr. Leland noted that Ms. Guidotti felt that the County was premature in changing the Ag Compatibility Table to reflect a zoning district that has not been created as of yet. Mr. Leland noted that staff did not object to removing that zoning designation from the Table and returning to the Board with the amended Table with the Local Protection Plan.

Maira Burke, representing the Agricultural Advisory Committee, expressed their concern regarding ag processing facilities and a proposal to reduce the amount of farmer grown product for processing. Ms. Burke noted that they were in support of 25% of the product processed at a Food Processing Facility come from production that the owner grew, on land owned or leased by that owner based on a 5 year average. Ms. Burke noted that reducing the percentage below 25% would be potentially detrimental to the County's infrastructure such as roads, ground water, and discharge and would increase the value of agricultural land making it difficult to purchase by young farmers. In addition, Ms. Burke noted that an agricultural processing zoning

area had been designated north of the City of Dixon to assist the farmers with the processing of their products.

Russell Lester, Dixon Ridge Farms and Chair of the Agricultural Advisory Committee, submitted a letter to the Board noting their support that at least 25% of the product processed at a Food Processing Facility come from production that the owner grew, on land owned or leased by that owner and that the 25% be based on 5 years' average to accommodate crop production variability.

Shamar Baz, Old Town Cordelia, expressed concerns regarding sewer and flood issues they had in their neighborhood.

Darryl Zadnik, Elmira, noted that his lot did not meet the proposed zoning changes and felt that the zoning should recognize old zoning requirements.

RECESS - This meeting of the Solano County Board of Supervisors recessed at 8:58 p.m. and reconvened at 9:05 p.m. Present were Supervisors Reagan, Spring, Vasquez, and Chair Seifert.

Jon Fadle, Solano County Farm Bureau, noted that they felt that the 25% agricultural processing quota had limitations and suggested that there be a tiered approach determined by the use permit process to identify the impacts that the project would bring forward.

Stan Lester, Winters, expressed concern regarding the 25% agricultural processing rule which would require at least 25 percent of the product be grown on land owned or leased by the operator. Mr. Lester noted that under those circumstances, he would no longer be able to operate his processing facility as he would be limited to one or two products and limited to processing those crops for a couple of months a year instead of processing crops grown elsewhere and processing for a longer period of time.

Joe Martinez, Solano County Farm Bureau, noted that as a grower and processor he supported the proposed ordinance and felt that 10 percent requirement of crops being grown onsite would provide the needed flexibility to the farmer.

Derrick Lum, Solano County Farm Bureau President, expressed support for a lower percent of product be grown onsite for processing purposes and support for lower fees for building permits and a more rapid processing of applications.

Jeff Dittmer, Agricultural Advisory Committee, noted that the suggested 25% of product processed at a processing facility come from production that the owner grew came from the Suisun Valley Plan to protect appalachian rights. Mr. Dittmer expressed his support in encouraging investments in processing and had no issue with lowering the threshold to 10%.

Dana Dean, representing Buckeye Equities, noted that she represented property zoned MG in the agricultural area that was part of the General Plan inconsistencies that appeared after 2008. Ms. Dean encouraged the County to amend the 2008 Solano County General Plan as proposed.

As there were no further comments from the public, Chair Seifert closed the public hearing.

Supervisor Spring expressed interest in a future designation of a Mixed Use area

along Cordelia Road and that 5% be the required amount of product grown on land owned or leased by the operator for a processing facility.

Supervisor Reagan noted that he felt it was important that there be processing facilities within Solano County to alleviate undue transportation cost that would be required in getting their products to outside processing facilities. Supervisor Reagan noted his support for a tiered permit scale to allow the farmer with a smaller operation to pay less. Supervisor Reagan noted that there was more and more non-farming income required to allow a farmer to remain in farming and that he was in support of removing barriers that impede their operation. Supervisor Reagan suggested that the County provide a letter for individuals with non-conforming lots to provide to lenders to acknowledge their legal historical status.

Chair Seifert noted that she felt there was a need to conduct a Homeacres Neighborhood Study to address the existing development pattern, including the possibility that additional development could occur on undeveloped or underdeveloped lots. Chair Seifert expressed her concern that the threshold for on-site product mix should be higher for Agricultural Processing Facilities as noted in the 2008 Solano County General Plan.

Staff requested that they be directed to remove the "A-SM-160" designation on Table LU-7 as it would be incorporated in a future action requested of the Board.

Staff suggested that agricultural processing facilities be allowed a threshold of 10 percent on-site product mix with an escape clause that the threshold could be lowered with a Use Permit.

Staff requested that the Homeacres Neighborhood Study, the Cordelia Special Study Area, and amendments to the Cottage Industry be referred back to staff for review and a report back to the Board with a work plan.

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

On motion of Supervisor Sperring, seconded by Supervisor Reagan, the Board directed that the proposed ordinance repealing the current Chapter 28 (Zoning Regulations) and adding a new Chapter 28, (Zoning Regulations), and the Zoning Maps (Z-11-02) be read by title only and waived further reading by a majority vote. So ordered by 4-0 vote.

On motion of Supervisor Sperring, seconded by Supervisor Reagan, the Board adopted a Negative Declaration for the General Plan, Zoning Text and Zoning Map Amendments. So ordered by 4-0 vote.

On motion of Supervisor Sperring, seconded by Supervisor Vasquez, the Board adopted and authorized Chair Seifert to sign Resolution No. 2012-030 amending the General Plan to amend Land Use Designation Table LU-5 to correct the density range for Traditional Community - Residential and Traditional Community - Mixed Use to 1-10 dwelling units per acres to reflect current residential densities in the unincorporated Vallejo and Collinsville areas, amend the General Plan/Zoning Consistency Table LU-7 to reflect new and renamed zoning districts and the removal of the A-SM-160 zoning designation, amend the Public Services Element to reflect recent changes in the County Siting Element for Solid Waste Facilities, restore the reference to General Plan consistency for certain lands zoned MG (Manufacturing-General) in the Midway Road area and amend the Land Use Diagram along a portion of

Rockville Road from Rural Residential to Residential Traditional Community for Oak Lane and Spring Lane. (see Resolution Book)

On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board adopted and authorized Chair Seifert to sign Ordinance No. 12-1726 repealing the current Chapter 28 and adding a new Chapter 28 reformatting and amending the existing zoning districts applicable to all areas of unincorporated Solano County and amending the Zoning Maps to rezone property in: unincorporated Vallejo, including Homeacres, Starr Subdivision, Sandy Beach and Springs Road unincorporated areas; Unincorporated Fairfield, including Old Town Cordelia, Green Valley, Rockville Road, Rockville Corners, Willotta Oaks and other Fairfield unincorporated areas; Property in the Elmira, Midway Road/Leisure Town Road unincorporated area; and Property in the Birds Landing area, Western Railroad Museum on Highway 12 and Hidden Harbor and Snug harbor properties on Ryer Island. So ordered by 4-0 vote; Supervisor Seifert voted no on the land use regulations relating to Agricultural Processing Facilities, Sections 28.71.20 A and 28.71.20 B. (see Ordinance Book)

On motion of Supervisor Reagan, seconded by Supervisor Sperring, the Board directed staff to review and report back to the Board with a workplan to address the Homeacres Neighborhood Study, the Cordelia Special Study Area, and amendments to the Cottage Industry. So ordered by 4-0 vote.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 10:00 p.m. in memory of Regina "Reggi" Blancett, Neva E. Caplener, Dorothea H. Paswater, Mary Emma Rash, Bernard J. Favaro, Sr., James "Jim" McKennon Claffey, and Edward Anderson. Next meeting of the Solano County Board of Supervisors will be March 13, 2012 at 8:00 a.m., Board Chambers, 675 Texas Street, Fairfield, California.

LINDA J. SEIFERT, Chair
Solano County Board of Supervisors

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

By _____
Patricia J. Crittenden, Chief Deputy Clerk