



# 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*

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Tuesday, April 10, 2012

8:30 AM

Board of Supervisors Chambers

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### CALL TO ORDER

*The Solano County Board of Supervisors met on the 10th day of April, 2012 in regular session in the Board of Supervisors' Chambers of the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:30 a.m. Present were Supervisors Reagan, Spering, Vasquez, and Chair Seifert. Supervisor Kondylis was excused. Chair Seifert presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.*

### ROLL CALL

**Present** 4 - Michael J. Reagan, John M. Vasquez, James P. Spering and Linda J. Seifert  
**Excused** 1 - Barbara R. Kondylis

### CLOSED SESSION

*This meeting of the Solano County Board of Supervisors recessed to Closed Session at 8:31 a.m. to discuss the following matter:*

- 1      [12-0247](#)      Existing Litigation: Reclamation District 501 v. California Department of Transportation and Solano County

Attachments:      [A - Memorandum](#)

### RECONVENE

*This meeting of the Solano County Board of Supervisors reconvened at 9:05 a.m. Present were Supervisors Reagan, Spering, Vasquez, and Chair Seifert. Chair Seifert presided.*

### REPORT OF ACTION IN CLOSED SESSION

*County Counsel Dennis Bunting noted that there was no report 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      [12-0238](#)      Adopt and present a resolution honoring Girls Scouts of America on the 100th Anniversary and recognize the Girls Scouts of Northern California and the Girls Scouts Heart of Central California for their contributions to Girl Scouts in Solano County (Supervisor Vasquez)

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

**On motion of Supervisor Vasquez, seconded by Supervisor Reagan, the Board adopted and presented Resolution No. 12-051 honoring Girls Scouts of America on the 100th Anniversary and recognized the Girls Scouts of Northern California and the Girls Scouts Heart of Central California for their contributions to Girls Scouts in Solano County. So ordered by 4-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-051**

- 3      [12-0243](#)      Adopt and present a resolution recognizing April 22-28, 2012 as National Crime Victims' Rights Week (Supervisor Reagan)

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

**On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board adopted and presented Resolution No. 12-052 recognizing April 22-28, 2012 as National Crime Victims' Rights Week. So ordered by 4-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-052**

## 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 comment was received:*

*A. George Guynn, Jr., Suisun City, expressed concern that the public was limited to its time to make public comments, opposition to the County's membership in ICLEI, and concern regarding the County's structural deficit.*

## 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

On motion of Supervisor Vasquez, seconded by Supervisor Sperring, the Board approved the Solano County Board of Supervisors' agenda for April 10, 2012 as submitted. So ordered by 4-0 vote.

## PUBLIC COMMENT ON CONSENT CALENDAR

Chair Seifert invited members of the public to address the Board on Consent Calendar items. There were no public comments.

## APPROVAL OF THE CONSENT CALENDAR

On motion of Supervisor Vasquez, seconded by Supervisor Sperring, the Board approved the following Consent Calendar items. So ordered by 4-0 vote.

- 4      [12-0246](#)      Approve the minutes of the Solano County Board of Supervisors' meetings of February 28, 2012, March 27, 2012, and April 3, 2012 and the Solano County Housing Authority Minutes of March 27, 2012

*Attachments:*      [A - Minutes - February 28, 2012](#)  
                                 [B - Minutes - March 27, 2012](#)  
                                 [C - Minutes - Housing Authority - March 27, 2012](#)  
                                 [D - Minutes - April 3, 2012](#)  
                                 [Minute Order.pdf](#)

**Approved**

- 5      [12-0239](#)      Approve a contract with Persimmony International, Inc. in the amount of \$153,080 for the period April 10, 2012 to June 30, 2015 for the purchase and implementation of a Public Health Nursing Electronic Data Management System; and designate the County Administrator to execute the agreement

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

**Approved**

- 6      [12-0231](#)      Adopt the Solano County 2012 Emergency Operations Plan (EOP) superseding the 2007 Solano County Emergency Operations Plan

*Attachments:*      [Minute Order.pdf](#)

**Approved**

- 7      [12-0236](#)      Approve the Notice of Completion for the Surface Rehabilitation Project 2011 in Lower Green Valley and unincorporated Vallejo, constructed by Graham Contractors, Inc. for a final cost of \$294,982

*Attachments:* [A - Location Map](#)  
[B - Notice of Completion.pdf](#)  
[Minute Order.pdf](#)

**Approved**

- 8      [12-0233](#)      Approve the Notice of Completion for Gibson Canyon Road Improvement Project in unincorporated Vacaville, constructed by Ghilotti Construction, for a final cost of \$1,133,095

*Attachments:* [A - Site Map.pdf](#)  
[B - Notice of Completion.pdf](#)  
[Minute Order.pdf](#)

**Approved**

- 9      [12-0235](#)      Approve the Notice of Completion for Robinson Road Bridge at the Big Ditch in unincorporated Dixon, constructed by R.A. Nemetz Construction Co., Inc. for a final cost of \$612,821

*Attachments:* [A - Location Map](#)  
[B - Notice of Completion.pdf](#)  
[Minute Order.pdf](#)

**Approved**

- 10     [12-0244](#)      Approve the appointment of Jessie Knight to the Alcohol and Drug Advisory Board (ADAB), representing District 2, for a term to expire April 10, 2015 (Supervisor Seifert)

*Attachments:* [Minute Order.pdf](#)

**Approved**

- 11     [12-0245](#)      Approve the appointment of Kit Wall to the Senior Coalition, representing District 2, for a term to expire April 10, 2014 (Supervisor Seifert)

*Attachments:* [Minute Order.pdf](#)

**Approved**

## **REGULAR CALENDAR**

- 12     [12-0237](#)      Receive a presentation from Jon Blegen, Manager Solano County Mosquito Abatement District; and Consider adopting a resolution of support to encourage the passage by the U.S. Senate of H.R. 872 Reducing Regulatory Burdens Act of 2011 to reduce costly and redundant regulations imposed by the National Pollutant Discharge Elimination System (Supervisor Vasquez)

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

*Supervisor Vasquez noted that the Solano County Mosquito Abatement District, along with over 60 other mosquito abatement districts in California and a letter from six of the western governors, have expressed their support for the passage by the U.S. Senate of H.R. 872 Reducing Regulatory Burdens Act of 2011 to reduce costly and redundant regulations imposed by the National Pollutant Discharge Elimination System which would take time away from the work in the field to reduce mosquito populations and add redundant paperwork to document what they have already done. Supervisor Vasquez noted that the important work was to stop the mosquito before it became a mosquito and to protect the public from vector borne diseases.*

*Jon Blegen, Manager of the Solano County Mosquito Abatement District, noted that they have historically been regulated under stringent regulations of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and that they did utilize pesticides to control mosquito production. Mr. Blegen noted that these pesticides had been shown not to impact the environment in a negative manner. However, over the past decade, Courts become involved in the misuse of pesticides under certain circumstances and as a consequence, the finding was made that their type of work was subject not only to the current regulations but also the Clean Water Act. Mr. Blegen noted that it was finally determined that this was not a court matter but a legislative matter and H.R. 872 "Reducing Regulatory Burdens Act of 2011" was introduced in an effort to reduce the costly and redundant regulations and allow for the discharge of pesticides or residue successfully registered under and subject to the regulations established by FIFRA. Mr. Blegen noted that H.R. 872 was approved by the U.S. House of Representatives after receiving substantial bi-partisan support and, although similar support exists in the U.S. Senate, the bill has not been allowed to reach the floor for full discussion and a vote. Mr. Blegen requested the Board of Supervisors assistance in bringing this issue to the attention of the County's federal legislative representatives to initiate this process.*

*Mr. Blegen noted that the Solano County Mosquito Abatement District operated on revenues from property taxes which have declined substantially over the past several years and that those limited revenues would be exhausted administratively in order to comply with monitoring and record keeping requirements. Mr. Blegen noted that it was imperative that the environment be protected; however, minimizing mosquitos in the environment was an environmentally important task as they spread disease to humans, mammals, and birds.*

*Supervisor Reagan noted that public health was the mission of the Solano County Mosquito Abatement District and that the available revenues would either be spent on bureaucratic processes or protecting the public health.*

*Chair Seifert noted that she would have preferred that this matter go through the Board of Supervisors Legislation Committee in order to receive input from appropriate individuals and County departments.*

*Jim Allan, Solano County Agricultural Commissioner/Sealer of Weights and Measures, noted that their State Association had taken a support position on HR 872 and that they were pleased that they House of Representatives had provided clarification that the original intent of their legislation was that Federal Insecticide, Fungicide and Rodenticide Act should occupy the field regarding pesticide applications and there*

*should not be redundant and overlapping regulations.*

*At the conclusion of discussion, the Board took the following action: On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board adopted and authorized Chair Seifer to sign Resolution No. 12-053 urging the U.S. Senate Majority Leadership to schedule H.R. 872 for a vote to provide clarity for the use of public health pesticides and to enable an essential public health service for the residents of Solano County. Authorized the Chair to sign a letter of support of H.R. 872 to the Senate Majority Leadership. So ordered by 4-0 vote. (see Resolution Book)*

**On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board adopted and authorized Chair Seifert to sign Resolution No. 12-053 urging the U.S. Senate Majority Leadership to schedule H.R. 872 for a vote to provide clarity for the use of public health pesticides and to enable an essential public health service for the residents of Solano County. Authorized the Chair to sign a letter of support of H.R. 872 to the Senate Majority Leadership. So ordered by 4-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-053**

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[12-0242](#)

Receive an update from the County's State Legislative Advocate on State Budget developments, and consider Board Legislation Committee recommendation on state legislative bills of interest to the County.

Attachments:     [A - Legislative Committee Agenda March 23, 2012](#)  
                          [B - Solano County March 2012 Bill List](#)  
                          [Minute Order.pdf](#)

*The Board received a presentation from State Legislative Advocate Paul Yoder on State Budget developments noting that a difference still existed on the size of the 2012/13 State Budget structural deficit with the State Legislative Analyst noting a \$13 billion deficit and the Governor noting a \$9 billion deficit. Mr. Yoder noted that the Budget Subcommittee process was underway in both the Senate and the Assembly and that they were waiting for the Governor's May Revise. Mr. Yoder noted that they were anticipating an announcement by the State Controller on revenues received in March, 2012 and that earlier reports had revealed revenues that were below the projected level. Mr. Yoder reported that the Speaker and the Speaker Pro Tem sued over the State Controller's ability to withhold pay if the State budget was late and that case will be heard in Court later this month.*

*Mr. Yoder reported that the Governor's Initiative for a tax increase (new version) which was a compromise with the California Teachers Association (CTA) was circulating for signatures and that the CTA had made monetary contributions to gather the necessary signatures by the end of June, 2012.*

*Mr. Yoder reported that components of the FY2012/13 budget included one time funding sources to address the structural deficit including funds that have been identified for housing under Redevelopment.*

*Mr. Yoder reported that Senator Steinberg stated that the 2012 Water Bond should be placed on the 2014 ballot. Mr. Yoder reported that there was a meeting at which the Delta Counties Coalition was represented which was led by the Planning and Conservation League to identify non-controversial projects that can be supported by a broad coalition of Delta and non-Delta interest.*

*Assistant County Administrator Nancy Huston reported that the Board of Supervisor's Legislation Subcommittee had met to review state legislative bills of interest to the County. The Board discussed AB 57 (Beall) and expressed concern that a representative from the Bay Conservation and Development Commission(BCDC) appointed to the Metropolitan Transportation Commission would be approved by the Mayor of San Francisco. It was the consensus of the Board to oppose unless amended to reflect that the BCDC appointment to the Metropolitan Transportation Commission would be approved by BCDC.*

*Assistant County Administrator Nancy Huston reviewed possible Proposition 218 Legislation which would provide relief from the unintended consequence of Proposition 218 of using taxpayers' dollars to cover operations and maintenance costs for those living in and benefiting from services within special districts or county service areas.*

*In response to a concern expressed by George Guynn, Jr., Suisun, Mr. Yoder noted that Proposition 29 was a proposal to increase the cigarette tax in the State of California and that he was not aware of any polling data at this time.*

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

**On motion of Supervisor Reagan, seconded by Supervisor Spering, the Board accepted the following Legislation Subcommittee recommendations. So ordered by 4-0 vote.**

**Support:**

**AB 1506 (Jeffries)  
AB 1589 (Huffman)  
AB 1901 (Jones)  
Proposition 218**

**Support with Amendments:**

**SB 974 (Evans)**

**Oppose:**

**AB 1590 (Campos)**

**Oppose Unless Amended:**

**AB 57 (Beall)**

**Watch:**

**AB 1532 (Perez)  
AB 2011 (Gatto)  
AB 2257 (Achadjian)  
SB 52 (Steinberg)  
AB 1560 (Fuentes)  
AB 1562 (Jeffries)  
AB 1569 (Allen)**

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[12-0251](#)

Receive an overview from the County's State Legislative Advocate and representatives from County and the City of Fairfield on proposed state legislation amending language in AB 26X Redevelopment Agency; and Consider developing local guiding principles regarding legislative proposals for the state mandated redevelopment agency dissolution process

Attachments:     [A - BOS Legislative Committee Meeting Agenda March 23, 12](#)  
                          [B - Summary of TI and Pass Thru-to CAO](#)  
                          [C - RDA Passthru Summary](#)  
                          [D - YTD Tax Increment thru 10-11](#)  
                          [E - CSAC Redevelopment Update](#)  
                          [F - County of Los Angeles Letter](#)  
                          [G - City of Fairfield AB 1585](#)  
                          [H - CSAC Comment Letter Re AB 1585](#)  
                          [I - Successor agency legislative principles.docx](#)  
                          [J - Redevelopment Status of Implementation of ABX1 26.pdf](#)  
                          [K - AB 1585 \(Perez\) Local Gov Letter.pdf](#)  
                          [L - AB 1585 LA Letter.pdf](#)  
                          [Minute Order.pdf](#)

*Assistant County Administrator Nancy Huston provided the Board with information relating to legislative bills at the State level concerning Redevelopment.*

*State Legislative Advocate Paul Yoder provided the Board with an update on the status of various legislative bills pertaining to Redevelopment. Mr. Yoder noted that he felt that Redevelopment would be addressed through the State budget as the Governor had not expressed a willingness to support any of the legislative bills pertaining to this matter.*

*Supervisor Reagan expressed concern that the Governor and the Legislature would divert housing fund balances from the individual Redevelopment Successor Agencies to balance the State's structural budget deficit.*

*Mr. Yoder noted that housing advocates felt that they had a variety of legal means should that shift occur; however, they were also in discussion about a long term, stable funding source for low and moderate income housing in the State of California.*

*Chair Seifert noted that the Board of Supervisors' Legislation Subcommittee was provided with a number of legislative bills related to Redevelopment which was a new, policy based, area and felt that there was a need to establish Guiding Principles to create a policy in determining action that should be taken by the Board. Chair Seifert urged the Board to adopt such Guiding Principles to guide County staff and the County's Legislative Advocate on how to proceed.*

*Supervisor Spering noted that observing the existing Redevelopment Pass-Through Agreements should be the foundation of the County's action. Supervisor Spering noted that AB 1585 threatened the loans between the redevelopment agencies and the cities could exhaust all the pass-through dollars that are available.*

*Dawn LaBar, Legislative and Special Projects Manager for the City of Fairfield, noted that it was important for the dialogue to continue between the cities, school districts, and the County during the dissolution of redevelopment agencies. Ms. LaBar noted that two issues of importance to the City of Fairfield were continuing their work with affordable housing and the Cordelia Loan Fund. Ms. LaBar noted that there was concern from counties that AB 1585 and the change in unenforceable obligation definition was too broad and would provide Oversight Boards with too much latitude in determining what loans would be considered enforceable. Ms. LaBar noted that it would not be their intent to take monies from the County, Special Districts, and School*

*Districts and would encourage ongoing dialogue among all agencies throughout the County.*

*Ms. Huston noted that AB 1585 (Perez) contained an urgency clause and was problematic for the County as there were no protections for Pass-Through Agreements and that if a loan was approved and deemed to be an obligation of the Successor Agency, that loan would prevail over any existing agreements that the County, special districts, or school districts could obtain. Ms. Huston noted that it would be recommended that the Board request protections for existing Pass-Through Agreements for AB 1585.*

*Chair Seifert invited comments from the public and a comment was received from George Guynn, Jr., Suisun City, who expressed concern regarding SB 214 (Wolk) - Infrastructure Financing Districts. Mr. Yoder noted that Infrastructure Financing Districts may be utilized in the future as a manner in which to revitalize downtown areas in California.*

*Supervisor Sperring suggested that the Board of Supervisor's Legislation Subcommittee meet with representatives from the cities who have Redevelopment Successor Agencies to discuss how to support legislative bills that were in conflict and establishing Guiding Principles.*

*Supervisor Reagan noted that he felt it was important to protect the existing funding streams going to all the taxing entities from the available revenues. Supervisor Reagan felt that the State should be held accountable for their budget issues caused by deficit spending and should be held accountable for their breeches of faith to the local business communities.*

**On motion of Supervisor Sperring, seconded by Supervisor Vasquez, the Board acted to invite representatives from the cities who have Redevelopment Successor Agencies to the Board of Supervisors' Legislation Subcommittee to discuss concepts that would constitute potential Guiding Principles. Directed the Board of Supervisors' Legislation Subcommittee to report back to the Board within 30 days. So ordered by 4-0 vote.**

## **BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS**

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

*A. Supervisor Reagan commended staff for their efforts to improve and expand the Emergency Management Plan which was being used as a model statewide.*

*B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Ethel Mae Ray, Frank Buss, Douglas Earl Murr, and Forrest "Dutch" Bristow who were long time residents of Solano County.*

## **PRESENTATION**

- 15      [12-0248](#)      Adopt and present a resolution proclaiming the week of April 15 to April 21, 2012 as National Volunteer Week in Solano County (Chair Seifert)

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

On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board adopted and presented Resolution No. 12-054 proclaiming the week of April 15 to April 21, 2012 as National Volunteer Week in Solano County. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Resolution 12-054

**RECESS - reception honoring Solano County volunteers; County Administration Center Board Chambers Foyer; 675 Texas Street, Fairfield, California**

*This meeting of the Solano County Board of Supervisors recessed at 11:00 a.m. to attend a reception honoring Solano County volunteers.*

**ADJOURN:**

*This meeting of the Solano County Board of Supervisors adjourned at 11:00 a.m. in memory of Ethel Mae Ray, Frank Buss, Douglas Earl Murr, and Forrest "Dutch" Bristow. Next meeting of the Solano County Board of Supervisors will be April 24, 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