



Solano County

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Fairfield, California 94533
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Minutes - Final Board of Supervisors

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*Barbara Kondylis (Dist. 1)
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*Michael J. Reagan (Dist. 5)
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Tuesday, April 24, 2012

8:30 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 24th 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 Kondylis, Reagan, Spering, Vasquez, and Chair Seifert. Chair Seifert presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.

ROLL CALL

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

CLOSED SESSION

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

- 1 [12-0274](#) Conference with Real Property Negotiators: Property: 310 Beck Avenue, Fairfield; Agency negotiators: Birgitta E. Corsello and Nancy Huston; Negotiating parties: Ron Marlette and Timothy LeFever; Under negotiation: Price and terms
- Existing Litigation: Upper Green Valley Homeowners Association v. County of Solano County
- Existing Litigation: Denise Winters v. County of Solano County
- Existing Litigation: Armstrong v. Brown
- Potential Litigation: one case

Attachments: [A - Memorandum](#)

RECONVENE

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

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

County Counsel Dennis Bunting reported that by an unanimous vote, the Board endorsed a letter being written by the California State Association of Counties (CSAC) to the State Department of Correction and Rehabilitation involving a jail plan in the case of Armstrong v. Brown.

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.

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 comments were received:

A. Donald Tipton, unincorporated Vallejo, expressed concern regarding the Greater Vallejo Recreation District.

B. June Guidotti, unincorporated Suisun, noted that she did not feel that adequate information was being provided to the public in the agenda packet and alleged that there were conflict of interest issues with the members of the Board of Supervisors.

C. Patrick Duterte, Director of Health and Social Services, informed the Board of the passing of Dr. Edward Lopez who served as a former Medical Director of the Solano County Public Health Department and County Hospitals.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

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

INTRODUCTION OF NEW APPOINTMENT

County Administrator Birgitta E. Corsello introduced Michelle Heppner as the newly appointed Legislative, Intergovernmental and Public Affairs Officer for Solano County.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez, seconded by Supervisor Reagan, the Board approved the Solano County Board of Supervisors' agenda for April 24, 2012

with the following amendment. So ordered by unanimous vote.

Item No. 9 - Funding Agreement with Solano Transportation Authority and the City of Vacaville regarding the implementation of the Vanden Road segment of the Jepson Parkway Project was removed from the Consent Calendar.

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, expressed his interest in the cost of the Board Members' legislative trip to Washington D.C. and felt that there may be an inaccurate measurement on the length of Carrot Lane.

Matt Tuggle, Department of Resource Management, noted that they would review this matter and felt that the road changed from Carrot Lane to Ridge Drive at the 90 degree curve.

APPROVAL OF THE CONSENT CALENDAR

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

- 2** [12-0270](#) 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 Appointments](#)
[Minute Order.pdf](#)
- Received and Filed**
- 3** [12-0277](#) Approve the minutes of the Solano County Board of Supervisors' meeting of April 10, 2012
- Attachments:* [A - Minutes](#)
[Minute Order.pdf](#)
- Approved**
- 4** [12-0259](#) Receive the Audit of the Property Tax Redemption Process for the period July 1, 2008 through June 30, 2011
- Attachments:* [A - Audit of Property Tax Redemption Process - Final Audit Report](#)
[Minute Order.pdf](#)
- Received and Filed**
- 5** [12-0261](#) Accept the Solano County Treasurer's Quarterly Report for the period of January 1, 2012 through March 31, 2012

Attachments: [A - Letter to the Board](#)
[B - Statement of Compliance](#)
[C - Investment Holdings](#)
[D - Charts](#)
[Minute Order.pdf](#)

Accepted

- 6 [12-0262](#) Approve a contract with Country Villa Merced Behavioral Health in the amount of \$987,000 to provide mental health rehabilitation services to seriously and persistently mentally ill consumers for the period April 1, 2012 through June 30, 2013; and Designate the County Administrator to execute the agreement

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

Approved

- 7 [12-0257](#) Adopt a resolution certifying the maintained mileage of Solano County roads as 585.007 miles as of December 31, 2011

Attachments: [A - Maintained Miles 2011](#)
[B - Resolution.pdf](#)
[Minute Order.pdf](#)

Adopted

Enactment No: Resolution 12-55

- 8 [12-0272](#) Authorize the Director of Resource Management to advertise for construction bids for the Gordon Valley Road Bridge Replacement Project, and to award and execute a contract with the lowest responsible bidder

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

Approved

- 10 [12-0263](#) Approve the appointment of Tony Robben to the Dixon Fire Protection District, representing District 4, for a four year term to expire March 1, 2016 (Supervisor Vasquez)

Attachments: [Minute Order.pdf](#)

Approved

- 11 [12-0265](#) Approve the appointment of Dr. Ronald B. Rushford, MD to the Vacaville-Elmira Cemetery District, representing District 4, for an unexpired term ending May 23, 2012; and Re-appoint Dr. Rushford for a four year term to expire May 23, 2016 (Supervisor Vasquez)

Attachments: [A - Letter from Dr. Rushford](#)
 [Minute Order.pdf](#)

Approved

REGULAR CALENDAR

- 9 [12-0273](#) Authorize the County Administrator to sign a Funding Agreement for \$1,793,000 with the Solano Transportation Authority and the City of Vacaville regarding the implementation of the Vanden Road segment of the Jepson Parkway Project

Attachments: [A - Site Map](#)
 [B. Draft Funding Agreement](#)
 [Final Adopted MOU.pdf](#)
 [Minute Order.pdf](#)

Supervisor Kondylis expressed her opposition to the \$1 million loan to the Solano Transportation Authority (STA) for the Jepson Parkway Project as it was originally a loan to the STA for the Suisun Parkway and that there should be an expectation that the money would be repaid to the County General Fund. Supervisor Kondylis noted that staff was being asked to reduce the Criminal Justice budget by \$3 million and the Health and Social Services budget by \$3 million; therefore, she did not support the loan.

Staff noted that there were savings from the Suisun Parkway Project which were diverted to the Jepson Parkway Project. It was noted that the loan was to the County Road Fund and that they were preparing a fee recovery structure to cover that cost against future growth and future development.

Chair Seifert noted that she did not feel that the General Fund loan was adequately addressed in the Agenda Submittal and felt that a repayment plan should have been included.

Staff noted that the \$1 million loan was previously committed to the Jepson Parkway and \$793,000 was designated toward the North Gate Project. However, the City of Fairfield amended their development plans to include a broader area and made the North Gate Project obsolete. Staff felt that those committed funds would be better served on the Jepson Parkway Project.

Supervisor Spering noted that the proposed project had been debated for a long time and that investing general fund dollars in infrastructure was appropriate. Supervisor Spering noted that this project also served Travis Air Force Base as well as the cities of Vacaville and Fairfield who were economic engines in the County.

Supervisor Vasquez noted that this project was a critical investment for the future and would assist in creating jobs for the area.

June Guidotti, unincorporated Suisun; and George Guynn, Jr., Suisun expressed their opposition to this project.

Supervisor Reagan expressed support for the project as he felt it was critical to

interregional mobility and the ability for the workforce to move between Vacaville and Fairfield and to Travis Air Force Base.

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

On motion of Supervisor Spering, seconded by Supervisor Reagan, the Board authorized the County Administrator to sign a Funding Agreement for \$1,793,000 with the Solano Transportation Authority and the City of Vacaville regarding the implementation of the Vanden Road segment of the Jepson Parkway Project. So ordered by 3-2 vote; Supervisor Kondylis and Chair Seifert voting no.

Chair Seifert noted that while she supported the use of General Fund dollars to support infrastructure projects, she felt that additional information was needed for the General Fund aspect of the funding for this project and repayment terms of the loan.

Supervisor Kondylis noted that she had opposed the project for many years as the project was a reliever route and felt that the responsibility for funding belonged to the State or the federal government.

12 [12-0268](#)

Public hearing to introduce a proposed ordinance amending Solano County Code sections 11-110.4 relating to Resource Management, 11-110.5 relating to the Public Guardian, 11-110.17 relating to Parks and Recreation and 11-110.18 relating to Animal Care Services; and Adding section 11-110.20 to the Solano County Code relating to the Department of Child Support Services

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

On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board approved reading the proposed Ordinance by title only amending Solano County Code sections 11-110.4 relating to Resource Management (replacing the Transportation Department with Public Works and Engineering fees); 11-110.5 relating to the Public Guardian (staff removed this proposed amendment from consideration); 11-110.17 relating to Parks and Recreation (reflecting that the Director of Resource Management was authorized to establish fees for the Parks and Recreation Department); and 11-110.18 relating to Animal Care and Control Services (reflecting that the Sheriff/Coroner was authorized to establish fees for Animal Care and Control); and adding section 11-110.20 to the Solano County Code relating to the Department of Child Support Services (reflecting the State requirement to charge a \$25 annual fee from the custodial party for families that have never received Temporary Assistance for Needy Families (TANF) if at least \$500 is collected annually on their behalf). So ordered by unanimous vote.

At the conclusion of the public hearing at which June Guidotti, unincorporated Suisun, expressed concern regarding the Sheriff's Department receiving funding for the disposal of dead animals and how it affected her property, the Board took the following action:

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board introduced the proposed ordinance amending Solano County Code sections 11-110.4 relating to Resource Management; 11-110.17 relating to Parks and

Recreation and 11-110.18 relating to Animal Care Services; and Adding section 11-110.20 to the Solano County Code relating to the Department of Child Support Services. So ordered by unanimous vote.

13

[12-0271](#)

Public Hearing to consider the proposed new and revised user fee schedules; and Consider adoption of fee schedules by separate resolutions amending Chapters 2.4 and 11 of the Solano County Code, modifying and establishing various fees, effective July 1, 2012 for various departments

Attachments: [A - Department Fee Summaries](#)
 [B - Fee Resolutions.pdf](#)
 [Minute Order.pdf](#)

The Board of Supervisors held a public hearing on the proposed new and revised user fee schedules and was requested to consider adoption of fee schedules by separate resolutions amending Chapters 2.4 and 11 of the Solano County Code, modifying and establishing various fees, effective 30 days after its adoption and operative on July 1, 2012 for various departments.

Chair Seifert opened the public hearing and comments were received from Donald Tipton, unincorporated Vallejo; June Guidotti, unincorporated Suisun; and George Guynn, Jr., Suisun; who noted that those who requested services should pay a fee and that the fee for copies should be uniform throughout the County.

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

In response to a concerns expressed by Supervisor Reagan, staff reported that the Department of Resource Management established tiered fees for agricultural uses to streamline the permit process and reduce fees. In addition, a convenience fee was established to cover the cost of bank charges for the use of credit cards for payment and a deposit fee established to reserve a date for a marriage ceremony which was credited to the fee charge to perform the ceremony.

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

On motion of Supervisor Kondylis, seconded by Supervisor Sperring, the Board adopted the following Fee Resolutions amending Chapters 2.4 and 11 of the Solano County Code, which modifies and establishes various fees for various departments effective 30 days after adoption and operative on July 1, 2012. So ordered by unanimous vote. (see Resolution Book)

Resolution No. 12-56 - Agriculture Department - Exhibit I

Resolution No. 12-57 - Assessor/Recorder - Exhibit II

Resolution No. 12-58 - Resource Management - Environmental Health Division - Exhibit III-A

Resolution No. 12-59 - Resource Management - Planning Services Division - Exhibit III-B

Resolution No. 12-60 - Resource Management - Building and Safety Division - Exhibit III-C

Resolution No. 12-61 - Resource Management - Public Works - Exhibit III-E

Resolution No. 12-62 - Public Guardian - Exhibit IV

Resolution No. 12-63 - Tax Collector/County Clerk - Exhibit V

Resolution No. 12-64 - Auditor/Controller - Exhibit VI

Resolution No. 12-65 - Registrar of Voters - Exhibit VII
Resolution No. 12-66 - Clerk of the Board - Exhibit VIII
Resolution No. 12-67 - County Counsel - Exhibit IX
Resolution No. 12-68 - County Administrators Office - Exhibit X
Resolution No. 12-69 - Health and Social Services - Exhibit XI
Resolution No. 12-70 - Sheriff - Exhibit XIII
Resolution No. 12-71 - Probation - Exhibit XIV
Resolution No. 12-72 - Resource Management - Parks & Recreation - Exhibit XVI
Resolution No. 12-73 - Animal Care Services - Exhibit XVII
Resolution No. 12-74 - Department of Child Support Services - Exhibit XIX
Resolution No. 12-75 - General Services - Nut Tree Airport - Exhibit XX

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[12-0267](#)

Consider adopting a resolution authorizing the transfer of available County funds to local schools districts as mandated under Sections 42620 and 85220 of the Education Code to meet current expenses of maintenance for the school districts as of result of State deferrals; and Adopting a second resolution authorizing the transfer of up to 85% of fiscal year 2012/13 anticipated tax revenues from the Treasury Pool funds to local school districts as mandated under Article XVI Section 6 of the California Constitution

Attachments: [A - Consolidated Resolution](#)
[B - SCC Letter](#)
[C - BUSD Resolution](#)
[D - DUSD Resolution](#)
[E - FSUSD Resolution](#)
[F - TUSD Resolution](#)
[G - VUSD Resolution](#)
[H - VUSD Resolution](#)
[I - VCUSD Resolution](#)
[J - VCUSD Resolution](#)
[K - Cash Flow for County](#)
[Resolution 2012-76.pdf](#)
[Resolution 2012-77.pdf](#)
[Minute Order.pdf](#)

At the conclusion of discussion, it was moved by Supervisor Kondylis, seconded by Supervisor Vasquez to: 1) Adopt and authorize Chair Seifert to sign Resolution No. 2012-76 authorizing the County Treasurer and County Auditor to make available temporary transfers of monies to Solano County School Districts of the amount needed to meet current expenses of maintenance and as validated by the Solano County Office of Education and the County Auditor in an amount not to exceed 85% of anticipated revenues accruing to the Districts this fiscal year. The Districts must repay such transfers from revenues accruing to the Districts before any other obligation is met from those revenues, payable with interest at the rate the County applies to funds of the Districts on deposit with the County; and 2) Adopt and authorize Chair Seifert to sign Resolution No. 2012-77 authorizing the County Treasurer, beginning July 1, 2012, and ending April 15, 2013 to make available temporary transfers of monies to the School Districts at an amount not to exceed 85% of anticipated revenues accruing to the School Districts (as certified by the

Auditor-Controller). The School Districts must repay such transfer from revenues accruing to the School Districts before any other obligation is met from those revenues, payable with interest at the rate the County applies to funds of the School Districts on deposit with the County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 12-76 and 12-77

RECESS

This meeting of the Solano County Board of Supervisors recessed at 10:30 a.m. and reconvened at 10:40 a.m. Present were Supervisors Kondylis, Reagan, Spring, and Chair Seifert. Supervisor Vasquez arrived at 10:50 a.m.

- 15 [12-0258](#) Receive a presentation on the status of countywide intercity paratransit services and recommend priorities for Solano County's Transportation Development Act Article 8 funds for FY2012/13

Attachments: [A - Advisory Committee Priority Rankings](#)
 [B - Power Point Presentation](#)
 [Minute Order.pdf](#)

The Board received an overview on the status of countywide intercity paratransit services and was requested to consider approving the recommended funding priorities for the County's Transportation Development Act Article 8 funds for FY2012/13.

At the conclusion of discussion, it was moved by Supervisor Vasquez, seconded by Supervisor Reagan, to: 1) Maintain the County's non-ambulatory paratransit contract for \$25,000; 2) Subsidize the existing Phase 1 countywide intercity paratransit program; 3) Work toward a Memorandum of Understanding and fund a new Phase 2 countywide intercity paratransit service for all paratransit riders; and 4) Extend the County's existing contract with Faith In Action for \$40,000. So ordered by 5-0 vote.

- 16 [12-0266](#) Receive a presentation on the Retrofit Bay Area Program, a regional implementation project of the Energy Upgrade California Program managed by the City of Suisun City as the lead agency

Attachments: [A - Power Point Presentation](#)
 [Minute Order.pdf](#)

The Board received a presentation on the outcomes of the Retrofit Bay Area Grant Program, a regional implementation project of the Energy Upgrade California Program managed by the City of Suisun City as the lead agency.

Chair Seifert invited members of the public to make comments and public comments were received from June Guidotti, unincorporated Suisun, who did not feel that this was a viable program and that it was her feeling that the materials used were defective; and from George Guynn, Jr., Suisun City, who expressed his support for conservation programs but opposed governments' involvement in the program.

Received and Filed

- 17 [12-0241](#) Receive a presentation from Campbell Ingram, Executive Officer of the Delta Conservancy, regarding the Delta Conservancy and the status of the Strategic Plan currently being prepared

Attachments: [Minute Order.pdf](#)

Director of Resource Management Bill Emlen noted that as a result of the Delta Reform Act, there were several agencies involved with Delta issues including: 1) The Delta Commission whose most recent role was to develop an Economic Sustainability Plan for the Delta; 2) The Delta Stewardship Council who was charged with preparing The Delta Plan which was a comprehensive plan for future water activities in the Delta; and 3) The Delta Conservancy whose role was to prepare a Strategic Plan, consistent with the Delta Plan, with a primary role to manage the ecosystem restoration efforts that were anticipated as part of the Bay Delta Conservation Plan along with other roles such as the preservation and protection of agriculture in the Delta and Delta economic issues. Mr. Emlen noted that the Bay Delta Conservation Plan would ultimately be the Plan that will determine the type of conveyance that will be moving water through the Delta or around the Delta.

Nancy Ullrey, Acting Assistant Executive Officer of the Delta Conservancy, noted that the Delta Conservancy was established as part of SBX7 1, enacted in November 2009, to carry out two charges beginning in February 2010 which were to act as a primary state agency to implement ecosystem restoration in the Delta and to support efforts that advance environmental protection and the economic well being of Delta residents. Ms. Ullrey reviewed the goals and objectives of the Delta Conservancy and provided the Board with an overview of their Strategic Plan and the Strategic Planning process which included collaboration efforts with other agencies that have jurisdiction in the Delta and public outreach efforts. Ms. Ullrey noted that they felt that the Delta Conservancy was a vehicle for local Delta interest to have a voice in the ongoing State and federal processes.

Chair Seifert invited members of the public to make comments and comments were received from June Guidotti, unincorporated Suisun, who felt that there were areas excluded from the Draft Strategic Plan and that there was toxic waste and garbage being disposed of in the Suisun Marsh.

Received and Filed

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. It was the consensus of the Board that this meeting of the Solano County Board of Supervisors be adjourned in memory of Dr. Edward Lopez, who served as a former Medical Director of the Solano County Public Health Department and County Hospitals.

B. Supervisor Reagan reported that he and Chair Seifert had attended the Yolo Solano Air Quality Management District Ad Hoc Labor Negotiations and Strategic Budget and Audit Committee meetings.

C. Supervisor Spring requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of R. Virginia Loney who was a lifelong resident of

Solano County.

D. Supervisor Sperring requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Dorothy Sarah Jane Andrews who made many contributions to the community.

CLOSED SESSION

This meeting of the Solano County Board of Supervisors recessed to Closed Session at 12:00 noon to discuss the following matters. It was noted that there would be no report from Closed Session.

12-0274

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

Existing Litigation: Upper Green Valley Homeowners Association v. County of Solano County

Existing Litigation: Denise Winters v. County of Solano County

Existing Litigation: Armstrong v. Brown

Potential Litigation: one case

Attachments: [A - Memorandum](#)

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 12:30 p.m. in memory of Dr. Edward Gordon Lopez, R. Virginia Loney, and Dorothy Sarah Jane Andrews. Next meeting of the Solano County Board of Supervisors will be May 1, 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