



# 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, July 24, 2012

8:00 AM

Board of Supervisors Chambers

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### CALL TO ORDER

*The Solano County Board of Supervisors met on the 24th day of July, 2012 in adjourned session in the Chambers of the Solano County Board of Supervisors in the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:02 a.m. Present were Supervisors Kondylis, Reagan, Spering, Vasquez, and Chair Seifert and 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

- 1      [12-0504](#)      Conference with Labor Negotiator:  
Solano County representatives: Marc Fox and Georgia Cochran  
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, 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; Law Enforcement Management Association: Units #61A and #62A-Special Investigations Bureau and Probation; Law Enforcement Management Association:

Units #62B and #63-Sheriff's Office Management; 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 Negotiator:  
In-Home Supportive Services Public Authority representatives: Bruce Heid and Marc Fox  
Employee organization: SEIU Local 6434, In Home Support Services Unit

Conference with Legal Counsel - Anticipated Litigation: two cases

Attachments: [A - Memorandum](#)

*This meeting of the Solano County Board of Supervisors recessed to Closed Session at 8:03 a.m. to discuss the following matters:*

## RECONVENE

*This meeting of the Solano County Board of Supervisors reconvened at 9:02 a.m. All members were present and Chair Seifert presided.*

## REPORT OF ACTION IN CLOSED SESSION

*County Counsel Dennis Bunting noted that the Board, by 5-0 vote, authorized the Solano County Counsel's Office to file an Unlawful Detainer Action.*

## SALUTE TO THE FLAG AND A MOMENT OF SILENCE

*This meeting of the Solano County Board of Supervisors continued with the Salute to the Flag and a Moment of Silence in memory of the victims of the tragic shooting rampage at a theater in Aurora, Colorado on June 20, 2012.*

## PRESENTATIONS

- 2      [12-0476](#)      Adopt and present a resolution and plaque of appreciation honoring Walter T. Gilliam, Sergeant-Sheriff, for 23½ years of service to Solano County (Supervisor Spring)

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

**On motion of Supervisor Spring, seconded by Supervisor Reagan, the Board adopted and presented Resolution No. 2012-128 and plaque of appreciation honoring Walter T. Gilliam, Sergeant-Sheriff, for 23-1/2 years of service to Solano County. So ordered by 5-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-128**

- 3      [12-0496](#)      Adopt and present a resolution declaring August 2012 as Solano County Breastfeeding Awareness Month, observing August 1 - August 7 as World Breastfeeding Week, and honoring First 5 Solano's partnership with Solano County Health and Social Services to bring the "Breastfeeding-Friendly Express" to the 2012 Solano County Fair (Supervisor Kondylis)

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

**On motion of Supervisor Kondylis, seconded by Supervisor Vasquez, the Board adopted and presented Resolution No. 2012-131 declaring August 2012 as Solano County Breastfeeding Awareness Month, observing August 1 - August 7 as World Breastfeeding Week, and honoring First 5 Solano's partnership with Solano County Health and Social Services to bring the "Breastfeeding-Friendly Express" to the 2012 Solano County Fair. So ordered by 5-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-131**

- 6      [12-0487](#)      Adopt a resolution honoring William W. Kelley of Boy Scout Troop 488 in Vacaville, California on his achieving the Eagle Scout Award on July 16, 2012

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

**On motion of Supervisor Vasquez, seconded by Supervisor Reagan, the Board adopted and presented Resolution No. 2012-129 honoring William W. Kelley of Boy Scout Troop 488 in Vacaville, California on his achieving the Eagle Scout Awarded on July 16, 2012. So ordered by 5-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-129**

- 7      [12-0488](#)      Adopt a resolution honoring Chad R. Nelson of Boy Scout Troop 488 in Vacaville, California on his achieving the Eagle Scout Award on July 16, 2012

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

**On motion of Supervisor Vasquez, seconded by Supervisor Reagan, the Board adopted and presented Resolution No. 2012-130 honoring Chad R. Nelson of Boy Scout Troop 488 in Vacaville, California on his achieving the Eagle Scout Award on July 16, 2012. So ordered by 5-0 vote. (See Resolution Book)**

**Enactment No: Resolution 12-130**

## ITEMS FROM THE PUBLIC

*Chair Siefert 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 that his inquiries pertaining to the Solano County FY2012/13 budget were not answered along with his concern regarding inconsistent fees charged to the public for copies of public documents. Mr. Tipton expressed appreciation that the Highway Transportation Measure was signed along with modifications to the Student Loan Program. Mr. Tipton expressed concern that a City of Vallejo low income housing project did not include Section 8 housing and the need for programs for juveniles to reduce recidivism rates at a lower cost than housing at Juvenile Hall.

B. Patricia Miller requested that the Board take a position of opposition to SB 1221 (Lu) prohibiting the use of dogs to hunt or pursue bobcats or bears in California as she felt that it took away the existing rights of hunters.

Chair Seifert noted that this matter was considered by the Board last month and that a "No Position" action was taken as there was no impact on Solano County.

The Board noted that she had the option of contacting individual Board members to receive a letter of opposition.

C. David Marianno, unincorporated Suisun, asked the Board for their support to preserve Gomer School which was located in the Suisun Valley as it was a site of historical significance and a part of the Suisun Valley Plan.

Director of the Solano County Department of Resource Management noted that they were reviewing the process and would bring a report back to the Board in August, 2012.

D. George Guynn, Jr., Suisun City, expressed concern that Association of Bay Area Governments and Metropolitan Transportation Commission were exceeding their authority when suggesting that GPS devices be placed in cars to charge for the use of roads. Mr. Guynn expressed concern regarding retirement pay of the past Solano County Administrator.

Supervisor Kondylis reported that a joint meeting was held between ABAG and MTC for the purpose of pursuing the writing of an EIR and to select various alternatives for implementing the One Bay Area Plan and to review the impacts. Supervisor Kondylis noted that no action was taken but that there was an obligation to gather information to make an informed decision.

E. June Guidotti, unincorporated Suisun, noted that she felt that the Solano County General Plan designated Gomer School as a Visitors Center. Ms. Guidotti expressed concern regarding the distribution of water in Solano County, funding spent for a consultant in adopting the General Plan, and a waste to energy plant in Solano County.

## **APPROVAL OF THE AGENDA**

**On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board approved the agenda of the Solano County Board of Supervisors for July 24, 2012 with the following amendments:**

**Item 13 - Agreement with Dixon American Legion, Post 208 for use of the Veterans Memorial Hall was removed from the Consent Calendar.**

**Item 16 - Agenda Submittal adopting a resolution approving participation in**

the FY2012 Emergency Management Performance Grant was amended to reflect the allocation for the Portable Solar Generator and Accessories for Mobile Command Vehicles be \$12,326 instead of \$12,000.

So ordered by 5-0 vote.

## PUBLIC COMMENT ON CONSENT CALENDAR

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

A. Donald Tipton, unincorporated Vallejo, noted that he felt that Meeting Attendance Reports should be part of the agenda packet and not on file with the Clerk of the Board. Mr. Tipton noted that he felt that computer application training should be provided in-house.

B. June Guidotti, unincorporated Suisun, noted that she opposed the use of taxpayers' money for computer training purposes.

## APPROVAL OF THE CONSENT CALENDAR

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board approved the following Consent Calendar items. So ordered by 5-0 vote.

- 4      [12-0481](#)      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

- 5      [12-0483](#)      Approve the minutes of the Solano County Board of Supervisors' meetings of June 25, 2012 (Budget Hearing) and June 26, 2012

Attachments:      [A - Minutes - June 25 2012 Budget Hearing](#)  
[B - Minutes - June 26 2012](#)  
[Minute Order.pdf](#)

Approved

- 8      [12-0466](#)      Approve the Board of Supervisors' response to the FY2011/12 Grand Jury Report of June 20, 2012, on the Inspection of the Justice Center Detention Facility (Main Jail) and Sentenced Detention Facility (Claybank)

Attachments:      [A - Grand Jury Response](#)  
[Minute Order.pdf](#)

Approved

- 9      [12-0495](#)      Approve an Appropriation Transfer Request to increase the Grand Jury's

FY2011/12 appropriations by \$17,500 to offset projected overrun by transferring funds from the General Fund Contingencies budget (4/5 vote required)

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

**Approved**

- 10      [12-0497](#)      Approve a contract for \$80,000 with the Vacaville Unified School District, Vacaville Educational Extension Program, to provide on-site computer application training for the period July 1, 2012 through June 30, 2013 and the Second Amendment to the Standard Contract with Burke, Williams, and Sorenson LLP, increasing the contract amount by \$11,000 for a total cost of \$60,000, to provide investigative services for the period July 1, 2012 to June 30, 2013; and Authorize the County Administrator to execute the approved contracts and subsequent amendments that remain within budgeted appropriations, or are limited to minor modifications to scope of services and/or terms and conditions

*Attachments:*      [A - Contract with Vacaville Unified School District](#)  
                                 [B - Second Amendment - Burke, Williams, and Sorensen LLP](#)  
                                 [Minute Order.pdf](#)

**Approved**

- 11      [12-0439](#)      Approve a three-year contract for \$353,000, with an option for two additional years at \$136,000 and \$146,000 respectively, with Infosend Inc for the printing and mailing of property tax bills for the period covering September 1, 2012 to August 31, 2015; and Authorize the County Administrator to execute the contract document and any subsequent amendments to extend the term as outlined in the agreement

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

**Approved**

- 12      [12-0484](#)      Accept the Solano County Treasurer's Quarterly Report for the period of April 1, 2012 through June 30, 2012

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

**Accepted**

- 14      [12-0494](#)      Approve contracts included on the Department of Health and Social Services Master List of Contracts Addendum effective July 1, 2012 which

were not executed by the vendor prior to the submission deadline of the June 26, 2012 board agenda; Delegate authority to the County Administrator to execute these FY2012/13 contracts; Authorize the County Administrator to execute FY2012/13 contract amendments for these contracts that remain within budgeted appropriations including modifications to scope of services and/or terms and conditions; Authorize the Director of Health and Social Services or designee to execute any amendments which are technical or administrative in nature and have no fiscal impact; and Authorize the Director of Health and Social Services to execute Assignment Agreements for various contracts between Community Action Partnership of Solano and its provider agencies for existing projects funded by Housing and Urban Development grants awarded to Solano County

Attachments:     [A - List of contracts](#)  
                          [B - HUD Grant Projects](#)  
                          [C - Assignment Agreement Template](#)  
                          [1 - Area Agency on Aging Contract](#)  
                          [2 - City of Rio Vista - TEAMS Contract](#)  
                          [3 - Crestwood Behavioral Health, Inc..](#)  
                          [4 - Crestwood Behavioral Health, Inc. \(Youth\) Contract](#)  
                          [5 - Helios Healthcare, LLC Contract](#)  
                          [6 - Vacaville Unified School District](#)  
                          [Minute Order.pdf](#)

**Approved**

1) Area Agency on Aging for \$360,706; 2) City of Rio Vista - TEAMS for \$55,993; 3) Crestwood Behavioral Health, Inc. for \$1,749,236; 4) Crestwood Behavioral Health, Inc. (Juvenile) for \$168,046; 5) Helios Healthcare, LLC for \$129,564; and 6) Vacaville Unified School District for \$119,811.

**15**            [12-0473](#)

Approve an agreement with the City and County of San Francisco to receive \$287,050 in accordance with the Department of Homeland Security Urban Area Security Initiative (UASI) for the period of May 1, 2012 through January 31, 2014; Authorize the County Administrator to execute the agreement; Approve an Appropriation Transfer Request for \$287,050 in unanticipated grant revenue (4/5 vote required); Approve fixed asset purchases for expanding the existing radio interoperability project to include additional 700 MHz conventional overlay network for Solano County; and Adopt a resolution authorizing the Sheriff and his designees to take action necessary to accept and administer this grant and to sign associated modifications, contracts and reimbursement forms

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

**Approved**

**Enactment No: Resolution 12-132**

- 16      [12-0479](#)      Adopt a resolution approving participation in the FY2012 Emergency Management Performance Grant (EMPG); and Authorize the Sheriff or his designees to sign the application, award, and associated grant modifications, project contract amendments and reimbursement claims

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

Item was amended to reflect an increase of \$326 to the allocation for the Portable Solar Generator and Accessories for Mobile Command Vehicle; thereby, making the total allocation of grant expenses \$208,947.

**Enactment No: Resolution 12-133**

- 17      [12-0459](#)      Adopt a resolution authorizing and ratifying the Solano County District Attorney's submission of a grant proposal to the California Department of Insurance for a program for the investigation and prosecution of Workers' Compensation Insurance Fraud in the amount of \$173,388

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

**Adopted**

**Enactment No: Resolution 12-134**

- 18      [12-0499](#)      Adopt a resolution amending the position allocation list to add 0.5 FTE Limited Term Paralegal through June 30, 2013, funded by AB 109 realignment revenue, to the Conflict Defender's Office

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

**Adopted**

**Enactment No: Resolution 12-135**

- 19      [12-0485](#)      Approve an Appropriation Transfer Request to increase unanticipated Other Professional Services revenue of \$172,000 to offset an increase in Resource Management's budget for Contracted Services related to the second amendment to Bureau Veritas (BV) contract for Construction Inspection Services and BVnet hosting of an online plan review program for the additional wind turbine generators of the Shiloh Wind Plant Project (4/5 vote required)

*Attachments:*      [A - Second Amendment](#)  
                                 [B - Amended Scope of Work](#)

**Approved**

- 20      [12-0486](#)      Adopt a resolution accepting the dedication of property for road

purposes on Hyde Road for Minor Subdivision MS-06-09 (Dhillon)

*Attachments:*     [A - Site Map](#)  
                          [B - Resolution](#)

**Adopted**

**Enactment No: Resolution 12-136**

## REGULAR CALENDAR

- 13            [12-0493](#)            Approve the Operation and Management Agreement with the Dixon American Legion, Post 208 for the use of the Veterans Memorial Hall at 1305 North First Street in Dixon; and Authorize the General Services Director to execute the agreement and any subsequent amendments

*Attachments:*     [A - Dixon Veterans Memorial Hall - Policies and Procedures Manual](#)  
                          [B - Agreement](#)

*Chair Seifert noted that in light of past issues, it was her preference that the term of the contract be for a shorter time period with extension options based on performance.*

*Staff noted that the term of the contract was consistent with the other Operation and Management Agreements with other Veterans Associations in the County and that strict compliance standards and requirements were in place including an annual audit that will be administered to ensure that the parties are acting responsibly.*

*Supervisor Spering noted that he felt that the longer term provided stability to the Veterans Organization.*

*At the conclusion of discussion, the following action was taken:*

**It was moved by Supervisor Reagan, seconded by Supervisor Vasquez, to approve the Operation and Management Agreement with the Dixon American Legion, Post 208 for the use of the Veterans Memorial Hall at 1305 North First Street in Dixon. Authorized the General Services Director to execute the agreement and any subsequent amendments. So ordered by 4-1 vote. Chair Seifert voted no.**

**Chair Seifert noted that in light of past issues, it was her preference that the term of the contract be for a shorter time period with extension options based on performance.**

- 21            [12-0489](#)            Public hearing to consider adopting a resolution confirming delinquent accounts for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Vallejo; Approving a \$50 administrative charge for lien processing; Directing the Clerk of the Board to file a certified copy of the resolution with the County Recorder; Authorizing the County Auditor-Controller to impose the delinquent fees and administrative charges as special assessments on the FY2012/13 property tax roll; and Authorizing the Department of General Services to record a Release of Lien when delinquent amounts are paid

Attachments:     [A - Resolution](#)  
                          [B - Report of Delinquent Garbage Accounts - Vallejo](#)

*The Board of Supervisors received the Report of Account Delinquency for mandatory garbage collection, disposal and recycling services in the unincorporated area of Vallejo. Staff recommended that Line 78 regarding the account of Robert Woodward be removed from the list as additional information was received on this day.*

*At the conclusion of a noticed public hearing at which there were no objections or protest from property owners liable to be assessed for delinquent charges, the following action was taken:*

**It was moved by Supervisor Reagan, seconded by Supervisor Kondylis to adopt and authorize Chair Seifert to sign Resolution No. 2012-137 confirming delinquent accounts for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Vallejo; approving a \$50 administrative charge for lien processing; directing the Clerk of the Board to file a certified copy of the resolution with the County Recorder thus allowing the placement of liens against the parcels contained in the confirmed report of delinquent accounts; authorizing the County Auditor-Controller to impose the delinquent fees and administrative charges as special assessments on the FY2012/13 property tax roll; and authorizing the Department of General Services to record a Release of Lien when delinquent amounts are paid. So ordered by 5-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-137**

22

[12-0490](#)

Public hearing to consider adopting a resolution confirming delinquent accounts for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Fairfield and Suisun; Approving a \$50 administrative charge for lien processing; Directing the Clerk of the Board to file a certified copy of the resolution with the County Recorder; Authorizing the County Auditor-Controller to impose the delinquent fees and administrative charges as special assessments on the FY2012/13 property tax roll; and Authorizing the Department of General Services to record a Release of Lien when delinquent amounts are paid

Attachments:     [A - Resolution](#)  
                          [B - Report of Delinquent Garbage Accounts - Fairfield-Suisun](#)

*The Board of Supervisors received the Report of Account Delinquency for mandatory garbage collection, disposal and recycling services in the unincorporated area of Fairfield and Suisun.*

*At the conclusion of a noticed public hearing at which there were no objections or protest from property owners liable to be assessed for delinquent charges, the following action was taken:*

**It was moved by Supervisor Reagan, seconded by Supervisor Kondylis, to adopt and authorize Chair Seifert to sign Resolution No. 2012-138 confirming delinquent accounts for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Fairfield and Suisun; approving a \$50 administrative charge for lien processing; directing the Clerk of the Board to file a certified copy of the resolution with the County Recorder thus allowing**

the placement of liens against the parcels contained in the confirmed report of delinquent accounts; authorizing the County Auditor-Controller to impose the delinquent fees and administrative charges as special assessments on the FY2012/13 property tax roll; and authorizing the Department of General Services to record a Release of Lien when delinquent amounts are paid. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 12-138

23

[12-0491](#)

Public Hearing to consider adopting a resolution confirming delinquent accounts for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Vacaville, Dixon and Elmira; Approving a \$50 administrative charge for lien processing; Directing the Clerk of the Board to file a certified copy of the resolution with the County Recorder; Authorizing the County Auditor-Controller to impose the delinquent fees and administrative charges as special assessments on the FY2012/13 property tax roll; and Authorizing the Department of General Services to record a Release of Lien when delinquent amounts are paid

Attachments:     [A - Resolution](#)  
                          [B - Report of Delinquent Garbage Accounts Vacaville Dixon Elmira](#)

*The Board of Supervisors received the Report of Account Delinquency for mandatory garbage collection, disposal and recycling services in the unincorporated area of Vacaville, Dixon and Elmira.*

*At the conclusion of a noticed public hearing at which there were no objections or protest from property owners liable to be assessed for delinquent charges, the following action was taken:*

**It was moved by Supervisor Reagan, seconded by Supervisor Vasquez, to adopt and authorize Chair Seifert to sign Resolution No. 2012-139 confirming delinquent accounts for mandatory garbage collection, disposal and recycling services in the unincorporated areas of Vacaville, Dixon and Elmira; approving a \$50 administrative charge for lien processing; directing the Clerk of the Board to file a certified copy of the resolution with the County Recorder thus allowing the placement of liens against the parcels contained in the confirmed report of delinquent accounts; authorizing the County Auditor-Controller to impose the delinquent fees and administrative charges as special assessments on the FY2012/13 property tax roll; and authorizing the Department of General Services to record a Release of Lien when delinquent amounts are paid. So ordered by 5-0 vote. (see Resolution Book)**

Enactment No: Resolution 12-139

24

[12-0498](#)

Review and accept an update report on Solano County Delta water activities; and Consider adopting the Delta Principles Assurances document to provide further guidance relative to the County's position on Delta issues; Endorse the "Draft Policy Statement Regarding the Bay Delta Conservation Plan" developed by the Delta Counties Coalition; and Consider Contra Costa County's "Request for changes to the Bay Delta Conservation Plan" and the just released "State and Federal Principles

Joint Recommendations Regarding Key Elements of the Bay Delta Conservation Plan"; and provide direction to staff to prepare correspondence similar to Contra Costa County articulating Solano County's concerns with the Plan and the "Joint Recommendations" document, for signature of the Board Chair

Attachments:     [A - Delta Water Planning Process](#)  
                          [B - Guiding Principals](#)  
                          [C - Letter Cache Slough Complex Funding](#)  
                          [D - Maps Restoration Opportunity Area](#)  
                          [E - 12th Principle for Delta Counties Coalition Resolution](#)  
                          [F - Diagram](#)  
                          [G - Draft Proposed DCC Policy Re BDCP](#)  
                          [H - CCC BOS Position on BDCP](#)  
                          [I - BDCP Joint Recommendations](#)  
                          [Correspondence regarding Comments on the State and Federal Principals Jc](#)  
                          [Correspondence from Public Works, San Joaquin County.pdf](#)  
                          [Correspondence from Sacramento County.pdf](#)  
                          [Letter from the Board of Supervisors regarding Solano County's Concerns wi](#)  
                          [Powerpoint Presentation.pdf](#)

*Bill Emlen, Director of Resource Management, provided the Board with an update report on the Solano County Delta water activities and an overview of actions being requested of the Board.*

*Roberta Goulart, Department of Resource Management, provided the Board with background information taking place in the Delta at this time including the Bay Delta Conservation Plan and the activities being conducted by Solano County. Ms. Goulart provided a historical overview of the Delta which included the original plan for a State Water Project in 1960 followed by a peripheral canal proposal in 1980 in the form of Senate Bill 200 that was overwhelmingly rejected by voters in Northern California. Ms. Goulart noted that there had been various processes to try and fix an ailing Delta and to provide a more reliable water supply including CalFED, initiated in 1994, which was an attempt to establish a collaborative process to work through the many issues that the Delta faced. However, this process failed due to a lack of accountability and organizational weakness. It was noted that in the 2009 Legislative Water Package, CalFED elements were incorporated into the Delta Reform Act and the new Stewardship Council and their oversight activities. Ms. Goulart noted that the Bay Delta Conservation Plan (BDCP), the latest iteration of an isolated conveyance facility began in 2006 as a result of the Delta Vision process which was a more open and inclusive process consisting of a Task Force that reviewed Delta issues and considered how to resolve them. It was noted that their resulting report contained the co-equal goals today which is a key component of the Delta Stewardship Council's Delta Plan.*

*Ms. Goulart reviewed the 2009 Legislative Water Package which: 1) Reconstituted the Delta Protection Commission; 2) Created the Delta Conservancy; and 3) Initiated the Delta Reform Act which created the Delta Stewardship Council and the Co-equal goals including ecosystem restoration, water supply reliability some recognition of the Delta as a Place; and the Delta Plan which affects development in the Delta by Covered Actions and incorporates the BDCP; 4) Appointed a Delta "Watermaster" to review enforcement on regulatory aspects of the State Water Resources Control Board and*

established an Independent Science Board; 5) Deferred Water Bond to 2014 which contains funding for ecosystem restoration and fixes in the Delta; 6) Established Groundwater Monitoring Program; 7) Initiated Water Conservation - urban conservation 20% by 2020 and agricultural conservation component in the agricultural water management plans.

Ms. Goulart provided the Board with an overview of the proposed conveyance and habitat restoration options which included an eastern canal configuration, a middle tunnel, and a western conveyance beginning south of Freeport and traveling south through Solano County and Contra Costa County. Ms. Goulart noted that the gravity fed tunnel configuration would take less water than originally planned (still too much) from the Sacramento River and has become the preferred alternative. Ms. Goulart noted that the proposed Plan included more ecosystem restoration (113,000 acres) absent water flow and that the science had shown that the fish needed the water flow. Ms. Goulart also reviewed the Suisun Marsh area map and the area the BDCP was contemplating for restoration opportunity areas noting that there was controversy of what was in the Suisun Marsh Preservation Plan and how it was moving forward vs BDCP's plan.

Ms. Goulart noted that there was a lack of assurances for water quality and that socioeconomic impacts would need to be addressed which included a declining tax base as agricultural lands were converted to public ownership. Ms. Goulart further noted that there were no assurances to date that the Delta would be protected above and beyond what's done for mitigation of the facility. Ms. Goulart noted that Solano County was recently offered \$100,000 to initiate a land use economic study for the Cache Slough Area by the State/Federal Water Contractors and that staff was in the process of determining if that study could take place. Ms. Goulart noted that the scale of change being contemplated for Solano County was staggering and could not be overstated.

Ms. Goulart noted that a new document was released last week by the State and federal agencies and that there would be an announcement by Governor Brown and Secretary of the Interior Ken Salazar on July 25, 2012 for the refined configuration of the isolated conveyance facility (9,000 cfs diversion from the Sacramento River; 15,000 cfs dual tunnels; and 3 instead of 5 intake in an attempt to work out issues with the State and federal water contractors who were paying for the facility and the fishery agencies).

Ms. Goulart noted that it was concerning as the process was not unfolding in the manner that they would hope where science drives the process and the environmental review would evaluate all the alternatives with the preferred alternative selected.

Ms. Goulart reviewed Solano County's priorities which included: 1) Preservation of water quality and water rights; 2) Preservation of Agriculture; 3) Consistency with Suisun Marsh Preservation Plan; 4) Levee Funding/Flood Protection; 5) Decision making role in Delta plans, programs, projects; 6) Assurances that Delta is protected; 7) Strive for net benefit with no harm to Solano County; and 8) Respect for County Land Use/General Plan.

Supervisor Kondylis noted that the Environmental Impact Report would have to address the science of the Delta including fish populations, pollutants, and sea level rise which would require more water going through the Delta to hold back the sea water.

Supervisor Reagan noted that the State had new authority to waive CEQA requirements

for major projects

David Okita, Solano County Water Agency (SCWA), noted that they had been working closely with the County over the past few years to ensure that SCWA's policies and strategies were the same. Mr. Okita noted that the Cache Slough area had been identified early in the process due to the impacts to Solano County from the tidal wetland habitat projects and the State had been requested to conduct a collaborative study of the area to identify and mitigate the impacts. Mr. Okita noted that Solano County's concerns included economics, agriculture, and land use; and SCWA's concerns included water supply, quality, and reliability. Mr. Okita noted that between the two agencies, a coordinated strategy would be beneficial to protect the County's interest. Mr. Okita requested that the County's letter of response include support for the North Bay Aqueduct alternate intake project for the benefit of Solano County residents and the environment.

Supervisor Sperring noted that he felt that it was important for the County and the Solano County Water Agency adopt the same principles.

In response to concerns expressed by Supervisor Reagan regarding water quality, Mr. Okita noted that hydro-dynamic studies were done in Cache Slough and it was determined that Solano County was susceptible to water quality impacts from tidal wetland projects due to the increase of organic carbon and that several agricultural intake pumps were located in this area. Mr. Okita noted that careful monitoring of the changes in the water flow would be required to monitor water quality.

Chair Seifert noted it was important to have agreement and consensus on the County's Water Policy between the Solano County Water Agency and Solano County to have a unified policy that represented the ratepayers as well as the constituents.

Chair Seifert invited members of the public to address the Board on this matter and public comment was received from June Guidotti, unincorporated Suisun, expressed concern that there be water available for agriculture and that there be protections for the Suisun Marsh.

Mr. Emlen, Department of Resource Management, noted that there were three items for consideration by the Board at this time which included: 1) Contra Costa County's "Request for changes to the Bay Delta Conservation Plan" and the just released "State and Federal Principles Joint Recommendations Regarding Key Elements of the Bay Delta Conservation Plan"; and to provide direction to staff to prepare correspondence similar to Contra Costa County articulating Solano County's concerns with the Plan and the "Joint Recommendations" document, for signature by the Board Chair; 2) Adopting the Principles/Assurances document to provide further guidance relative to the County's position on Delta issues; and 3) Endorsing the "Draft Policy Statement Regarding the Bay Delta Conservation Plan."

The Board reviewed the proposed letter to Governor Brown, U.S. Department of the Interior Secretary Ken Salazar, and the California Natural Resources Agency articulating Solano County's concerns with the current direction of the Bay Delta Conservation Plan (BDCP). The Board requested the following modifications:

1. The BDCP process is feeling less not as scientific than as it should be.
2. No commitments to short-term action as innocuous as fish screens that would help the Delta today.
3. We urge our State and Federal partners to re-think their approach and re-commit to

*finding solutions that are developed based on inclusive processes and objective, detailed scientific evidence.*

*4. Include the U.S. Department of Commerce as a recipient of the letter.*

*5. Include to list of no apparent assurances: A) Enforceable water quality and flow standards; and B) Storage to enable BDCP to take water during high flow events.*

*6. We seek a real and meaningful decision-making seat at the table.*

*Supervisor Reagan noted that Sacramento County chose to present their concerns as a resolution and felt that there would be a benefit to adopt a resolution at a future Board meeting for transmittal to the Federal government and the seven cities in the County for a unified approach.*

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

**It was moved by Supervisor Spering, seconded by Supervisor Reagan, to direct staff to prepare a letter articulating Solano County's concerns with the Bay Delta Conservation Plan and the "Joint Recommendations" document for signature by the Board Chair with the above noted amendments. So ordered by 5-0 vote.**

**It was moved by Supervisor Spering, seconded by Supervisor Vasquez, to endorse the "Draft Policy Statement Regarding the Bay Delta Conservation Plan" developed by the Delta counties Coalition. So ordered by 5-0 vote.**

**It was moved by Supervisor Spering, seconded by Supervisor Reagan, to postpone adoption of the Principles/Assurances document to August 14, 2012 and to direct staff make modifications to provide further guidance relative to the County's position on Delta issues. So ordered by 5-0 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 were received:*

*A. Supervisor Kondylis noted that she and Supervisor Reagan were the County's representatives on the City County Coordinating Council (4Cs) Steering Committee. Supervisor Kondylis noted that she would be retiring and that it was her intention to resign from the 4Cs Steering Committee at this time to allow an ongoing member of the Board transition to the position.*

*B. Supervisor Kondylis requested that this meeting of the Solano County Board of Supervisors adjourn in memory of The Honorable William E. Jensen who served as a Solano County Municipal and Superior Court Judge, Solano County District Attorney, Solano County Public Defender, Retired Judge, and Vallejo City Councilmember.*

*C. Supervisor Kondylis requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Eddie W. Martinez who served as a member and Vice-Mayor of the Vallejo City Council.*

*D. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory Manuel Ojeda, Jr. who was a member of the Vacaville community.*

*E. Chair Seifert requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of F. Richard Lucas who was a member of the*

Fairfield community.

F. Supervisor Spering requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Teresa Virtucio Froude who was a member of the Vacaville community.

## RECESS

This meeting of the Solano County Board of Supervisors recessed at 12:05 p.m. and reconvened at 2:00 p.m. Present were Supervisors Kondylis, Reagan, Vasquez, and Vice-Chair Spering. Chair Seifert was excused and Vice-Chair Spering presided.

25

[12-0471](#)

Public Hearing to consider approving Rezoning Petition No. Z-12-02 of the Moore Family Trust and adopting an ordinance amending Chapter 28, Section 28-11 of the Solano County Code to rezone three parcels totaling 120+ acres from Exclusive Agricultural (A-80) to Exclusive Agricultural (A-40) located in the Dixon Ridge Agricultural Area of Solano County west of the City of Dixon

Attachments:    [A - Ordinance](#)  
[B - Planning Commission Rezoning Resolution](#)  
[C - Planning Commission LLA Resolution](#)  
[D - Draft Planning Commission minutes of June 7, 2012](#)  
[E - Planning Commission Staff Report](#)

On motion of Supervisor Reagan, seconded by Supervisor Kondylis, the Board directed that the proposed ordinance amending Chapter 28, Section 28-11 of the Solano County Code to rezone three parcels totaling 120+ acres from Exclusive Agricultural (A-80) to Exclusive Agricultural (A-40) located in the Dixon Ridge Agricultural Area of Solano County west of the City of Dixon be read by title only and waived further reading by a majority vote. So ordered by 4-0 vote.

Karen Avery, Department of Resource Management, noted that Rezoning Petition No. Z-12-02 and lot line adjustment of the Moore Family Trust was filed for estate planning purposes. Ms. Avery noted that the required findings were met; therefore, staff recommended approval of Rezoning Petition No. Z-12-02 of the Moore Family Trust.

At the conclusion of the public hearing at which no public comment was received, the Board took the following action:

It was moved by Supervisor Reagan, seconded by Supervisor Vasquez, to approve Rezoning Petition No. Z-12-02 of the Moore Family Trust; and Adopted and authorized Vice-Chair Spering to sign Ordinance No. 2012-1730 amending Chapter 28, Section 28-11 of the Solano County Code to rezone approximately 120 acres of property, comprising of three parcels, located on the south side of Dixon Avenue West between Serpa Lane and Nunes Road from Exclusive Agricultural (A-80) to Exclusive Agricultural (A-40). So ordered by 3-1 vote; Supervisor Kondylis voted no. (see Ordinance Book)

Supervisor Kondylis noted that she opposed the rezoning to Exclusive Agricultural (A-40) as she did not feel that 40 acres was a viable parcel for farming purposes.

Enactment No: Ordinance 12-1730

- 26      **12-0472**      Public hearing to consider Minor Subdivision Application No. MS-12-01 of Edward & Cheryl Schroeder to subdivide one existing parcel under Land Conservation Contract (Williamson Act Contract No. 254) into two parcels of approximately 40 acres each; and Adopt a resolution making a determination that the project is not subject to further review under the California Environmental Quality Act per CEQA Section 21083.3, and approving Minor Subdivision Application MS-12-01. The property is located at 8307 Schroeder Road, 1.5 miles west of the City of Dixon.

Attachments:      A - Resolution  
                              B - Staff Report MS-12-01  
                              C - Assessors Parcel Map  
                              D - Tentative Map MS-12-01

*Eric Wilberg, Department of Resource Management, noted that Minor Subdivision Application No. MS-12-01 of Edward and Cheryl Schroeder was filed to subdivide one existing parcel under Land Conservation Contract (Williamson Act No. 254) into two parcels of approximately 40 acres each.*

*At the conclusion of the public hearing at which no public comment was received, the Board took the following action:*

**It was moved by Supervisor Vasquez, seconded by Supervisor Reagan, to adopt and authorize Vice-Chair Spering to sign Resolution No. 2012-140 making a determination that the project was not subject to additional California Environmental Quality Act (CEQA) review, per CEQA Section 21083.3 and approving Minor Subdivision Application No. MS-12-01 of Edward and Cheryl Schroeder to subdivide one existing parcel under Land Conservation Contract (Williamson Act Contract No. 2540 into two parcels of approximately 40 acres each, based on the findings and subject to the recommended conditions of approval. So ordered by 3-1 vote; Supervisor Kondylis voted no. (see Resolution Book)**

**Supervisor Kondylis noted that she opposed this project as she did not feel that 40 acres was a viable parcel for farming purposes.**

**Enactment No: Resolution 12-140**

- 27      **12-0474**      Public hearing to consider adopting a resolution for Green Valley Open Space Maintenance District Assessments for FY2012/13 approving Engineer's Report, confirming Diagram and Assessment, and ordering Levy of Assessment for Landscape and Lighting Maintenance Assessment District

Attachments:      [A - Resolution](#)  
                              [B - Engineer's Report](#)  
                              [C - SLT Green Valley Conservation Project Annual Report](#)

*In response to a concern expressed by Supervisor Reagan, Nicole Byrd, Executive Director of Solano Land Trust, noted that maintenance costs and requirements would be supported through their goal of raising a \$2 million endowment.*

*At the conclusion of the public hearing, the following action was taken:*

**It was moved by Supervisor Kondylis seconded by Supervisor Vasquez, to adopt and authorized Vice-Chair Spering to sign Resolution No. 2012-141 approving Engineer's Report, Confirming Diagram and Assessment and Ordering Levy of Assessment for Landscape and Lighting Maintenance Assessment District for the Green Valley Open Space Maintenance District. So ordered by 4-0 vote. (see Resolution Book)**

**Enactment No: Resolution 12-141**

28

[12-0440](#)

Continued public hearing to consider adopting, as an Urgency Measure, a 12-month extension to the Interim Ordinance prohibiting the establishment of any business or facility that cultivates, sells, or distributes medical marijuana within unincorporated Solano County (4/5 Vote Required)

Attachments:    [A - Second Extension of Interim Ordinance](#)  
[B - Current Medical Marijuana Cases](#)  
[Minute Order](#)

*On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board directed that the proposed Interim Ordinance prohibiting the establishment of any business or facility that cultivates, sells, or distributes medical marijuana within unincorporated Solano County be read by title only and waived further reading by a majority vote. So ordered by 4-0 vote.*

*Vice-Chair Spering noted that the proposed 12-month extension to the Interim Ordinance prohibiting the establishment of any business or facility that cultivates, sells, or distributes medical marijuana within unincorporated Solano County was a policy matter of significance and that past policy required that all five Board members be present for consideration. Vice-Chair Spering requested that the public hearing be opened, public comments received, and that this matter be continue to August 7, 2012 to allow for a full Board to be in attendance.*

*Vice-Chair Spering opened the public hearing and there was no public comment at this time.*

**On motion of Supervisor Vasquez, seconded by Supervisor Kondylis, the Board continued the public hearing to consider, as an Urgency Measure, a 12-month extension to the Interim Ordinance prohibiting the establishment of any business or facility that cultivates, sells, or distributes medical marijuana within unincorporated Solano County to August 7, 2012 at 9:00 a.m. So ordered by 4-0 vote.**

## ADJOURN:

*This meeting of the Solano County Board of Supervisors adjourned at 2:20 p.m. in memory of The Honorable William E. Jensen, Eddie W. Martinez, Manuel Ojeda, Jr., F. Richard Lucas, and Teresa Virtucio Froude. Next meeting will be held on August 7, 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