



# 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, August 28, 2012

1:00 PM

Board of Supervisors Chambers

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### CALL TO ORDER

*The Solano County Board of Supervisors attended the Solano County AB900 Claybank Adult Detention Facility Groundbreaking Ceremony held at 2500 Claybank Road, Fairfield, California on the 28th day of August, 2012 at 9:00 a.m.*

*The Solano County Board of Supervisors met on the 28th day of August, 2012 in regular session in the Board of Supervisors' Chambers of the Solano County Government Center, 675 Texas Street, Fairfield, California at 1:00 p.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, Linda J. Seifert, James P. Spering, John M. Vasquez and Michael J. Reagan

### SALUTE TO THE FLAG AND A MOMENT OF SILENCE

*This meeting of the Solano County Board of Supervisors continued with the Salute to the Flag and a Moment of Silence.*

### PRESENTATIONS

- 1      [12-0593](#)      Adopt and present resolutions honoring Congressional Gold Medal recipients of Solano County (Supervisor Kondylis)

Attachments:    [A - Luther Hendricks](#)  
                          [B - Henry Maeyama](#)  
                          [C - Teruo T. Miyagishima](#)  
                          [D - Kazuo Muto](#)  
                          [E - Dye Ogata](#)  
                          [F - James C. Warren](#)  
                          [G - Edward W. Woodward Sr.](#)  
                          [H - Women Air Force Service Pilots of WWII](#)  
                          [I - Native American Code Talkers](#)  
                          [Minute Order.pdf](#)

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board adopted and presented resolutions honoring the following Congressional Gold Medal recipients of Solano County. So ordered by 5-0 vote. (see Resolution Book)

Resolution 12-150 - Luther Hendricks  
Resolution 12-151 - Henry Maeyama  
Resolution 12-152 - Teruo T. Miyagishima  
Resolution 12-153 - Kazuo Muto  
Resolution 12-154 - Dye Ogata  
Resolution 12-155 - James C. Warren  
Resolution 12-156 - Edward W. Woodward, Sr.  
Resolution 12-157 - Women Air Force Service Pilots of WWII  
Resolution 12-158 - Native American Code Talkers

- 2            [12-0603](#)            Adopt and present a resolution supporting the Solano County Sikh Community and recognizing them for their contributions to the community (Supervisor Spering)

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

*This matter was tabled to September 11, 2012 to allow representatives of the Solano County Sikh Community to attend.*

**Tabled**

- 3            [12-0578](#)            Present a plaque of appreciation honoring Joyce Grider, Clerical Operations Supervisor, for 13 years of service with Solano County (Supervisor Kondylis)

Attachments:    [Minute Order.pdf](#)

**Approved**

- 4            [12-0579](#)            Present a plaque of appreciation honoring Andrometa Hayes, Social Worker III, for 16 years of service to Solano County (Supervisor Vasquez)

Attachments:    [Minute Order.pdf](#)

Approved

## ITEMS FROM THE PUBLIC

*Chair Seifert invited members of the public to address the Board on matters not listed on the agenda but within the subject matter jurisdiction of the Board. The following public comments were received:*

*A. Mr. McManagle, FY2012/13 Solano County Grand Jury Foreman, complimented the new Solano County Grand Jury and noted their past efforts in support a new jail facility.*

*B. Natalie Woodard, Chair of the Alcohol and Drug Advisory Board, noted that they would be holding a public hearing on September 12, 2012 to discuss prevention, treatment, recovery, and substance use disorder services.*

*C. Donald Tipton, unincorporated Vallejo, expressed his concern regarding the retirement salary of the past County Administrator while other employees were laid-off or had their salaries reduced.*

*D. George Guynn, Jr., Suisun City, expressed concern regarding the retirement salary of the past County Administrator and felt that the size of government should be decreased.*

*E. June Guidotti, unincorporated Suisun, expressed concern regarding individuals trespassing on her property, a Waste to Energy Plant being built in Solano County and felt it was unsafe for a PG&E helicopter to land on her property without clearance from Travis Air Force Base.*

## ADDITIONS TO OR DELETIONS FROM THE AGENDA

*County Counsel Dennis Bunting requested that the Board add a Closed Session to their agenda on this date for the following matter:*

*Existing Litigation: County of Solano vs. Mountain West Aviation-VCB LLC*

## APPROVAL OF THE AGENDA

**On motion of Supervisor Vasquez, seconded by Supervisor Kondylis, the Board approved the agenda of the Solano County Board of Supervisors for August 28, 2012 with the following amendments:**

**1) Closed Session: Existing Litigation: County of Solano vs Mountain West Aviation-VCB LLC was added to the agenda**

**2) Item 8 - Grand Jury Report regarding Solano County Juvenile Detention Facility Complex was removed from the Consent Calendar.**

**3) Item 9 Grand Jury Report regarding the Registrar of Voters was removed from the Consent Calendar.**

**4) Item 14 - Suisun Veterans Building Improvements Project was removed from the Consent Calendar.**



**Approved**

- 10      [12-0599](#)      Adopt a proclamation recognizing September as Childhood Cancer Awareness Month in Solano County (Chair Seifert)

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

**Adopted**

- 11      [12-0547](#)      Approve a contract amendment of \$31,155 for a new total contract amount of \$58,566 with Industrial Employers and Distributors Association (IEDA) for labor negotiation services; and Delegate authority to the County Administrator to execute the contract amendment

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

**Approved**

- 12      [12-0586](#)      Adopt a resolution to amend the Alphabetical Listing of Classes and Salaries; and Adopt a resolution to amend the Allocation List to retitle the class of Prehospital Care Coordinator to Emergency Medical Services Coordinator

*Attachments:*      [A - Resolution - Alphabetical Listing](#)  
                                 [B - Resolution - Allocation List](#)  
                                 [Minute Order.pdf](#)

**Adopted**

**Enactment No: Resolution 12-160 - Alphabetical Listing**  
**Resolution 12-161 - Allocation List**

- 13      [12-0583](#)      Adopt a resolution setting the property tax rates for the county, cities, schools and applicable special districts for FY2012/13

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

**Adopted**

**Enactment No: Resolution 12-162**

- 15      [12-0584](#)      Approve a three-year agreement with Construction Testing Services Inc. of Sacramento from September 1, 2012 to August 31, 2015 to provide materials testing and construction inspection services on an as-needed basis beginning with the 362-Bed AB900 Claybank Adult Detention Facility project; and Authorize the Director of General Services to sign the agreement, required contract modifications, amendments and individual work orders for funded projects associated with the agreement

*Attachments:*     [A - Table - Responding Firms](#)  
                          [B - Contract](#)  
                          [Minute Order.pdf](#)

**Approved**

- 16        [12-0601](#)        Approve the termination of the County's agreements with Mountain West Aviation-VCB, LLC including the Fixed Base Operator (FBO) Lease and Concession Agreement, Non-Exclusive License Agreement Authorizing Into-Plane Fueling Services at Nut Tree Airport and Rental Agreement for the FBO Complex; Direct the General Service Department to assume aviation fuel services at the Nut Tree Airport; Approve an Appropriation Transfer Request amending the FY2012/13 Airport Operating Budget (4/5 vote required); and Authorize the Director of General Services to purchase aviation fuel up to a total amount not to exceed \$50,000

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

**Approved**

- 17        [12-0519](#)        Approve a Reciprocal Agreement with Contra Costa County for back-up emergency vote counting services

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

**Approved**

- 18        [12-0527](#)        Approve a Memorandum of Understanding through October 30, 2016 with El Dorado County as the grant administrator for the joint application of Federal Voting Assistance Program grant funds; and Delegate authorization to the Registrar of Voters to execute the agreement and any future modifications

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

**Approved**

- 19        [12-0572](#)        Approve the consolidation of elections for cities and special districts in the November 6, 2012 General Election

Attachments: [A - Davis Unified School District, Reso. 57-12](#)  
[B - Los Rios Community College District, Reso. 2012-07](#)  
[C - River Delta Unified School District, Reso. 663](#)  
[D - San Joaquin Delta Community College District, Reso. 12-39](#)  
[E - Solano Community College District, Reso. 11/12-34](#)  
[F - Dixon, Reso. 12-083](#)  
[G - Rio Vista, Reso. 2012-049](#)  
[H - Suisun City, Reso. 2012-33](#)  
[I - Dixon - Measure N, Reso. 12-084](#)  
[J - Fairfield - Measure P, Reso. 2012-182](#)  
[K - Rio Vista - Measure O, Reso. 2012-073](#)  
[L - Vacaville - Measure I, Reso. 2012-070](#)  
[M - Vacaville - Measure M, Reso. 2012-070](#)  
[N - Davis Joint Unified School District - Measure E, Reso. 59-12](#)  
[O - Solano Community College District - Measure Q, Reso. 12/13-01](#)  
[Minute Order.pdf](#)

**Approved**

- 20**      [12-0581](#)      Approve a revenue contract with First 5 California for up to \$315,000 for the period August 28, 2012 - June 30, 2015 for Early Learning System Specialist services for the Solano Child Signature Program (CSP); Authorize the First 5 Executive Director to sign the revenue agreement and any future amendments that remain within budgeted appropriations; Approve a contract with Dr. Cheryl Lynn de Werff for up to \$315,000 for Early Learning System Specialist services for Solano CSP for the period of August 28, 2012 through June 30, 2015; Approve a contract with Child Start, Inc. for up to \$241,500 for Solano CSP participation activities for the period of August 28, 2012 through June 30, 2015; Approve an Appropriation Transfer Request for FY2012/13 in the amount of \$120,000 for unanticipated revenue and utilization of the First 5 Contingency Fund for Child Care Contracts (4/5 vote required); and Authorize the County Administrator to sign both contracts and any future amendments within budgeted appropriations

Attachments: [A - First 5 California Revenue Agreement](#)  
[B - Contract Dr. Cheryl Lynn de Werff](#)  
[C - Contract Child Start](#)  
[Minute Order.pdf](#)

**Approved**

- 21**      [12-0580](#)      Approve a contract with Dr. Jeffrey P. Fisher for \$55,000 to provide pediatric anesthesia services through June 30, 2013 in the Solano County Public Health Dental Clinic; and Authorize the County Administrator to sign the contract

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

**Approved**

- 22**        [12-0568](#)     Approve an Appropriation Transfer Request increasing expenditures in the Sheriff's Urban Area Security Initiative (UASI) budget (Fund 256, BU 2582) by \$219,905, offset by \$144,905 in 2010 UASI grant revenue and \$75,000 from Contingency (4/5 vote required); and Re-authorize the purchase of the fixed assets associated with the 2010 UASI grant

Attachments:     [Minute Order.pdf](#)

**Approved**

- 23**        [12-0567](#)     Adopt a resolution declaring September 2012 as Food Safety Education Month and September 16 through 22, 2012 as Clean Hands Week

Attachments:     [A - Resolution](#)  
                          [B - Hand washing poster](#)  
                          [Minute Order.pdf](#)

**Adopted**

**Enactment No: Resolution 12-163**

- 24**        [12-0543](#)     Adopt a resolution to waive day use fees in support of the Vacaville Sunrise Rotary Club fishing derby at Lake Solano County Park on September 29, 2012

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

**Adopted**

**Enactment No: Resolution 12-164**

- 26**        [12-0560](#)     Adopt a resolution authorizing the Director of Resource Management or his designee to submit an application to the National Fish and Wildlife Foundation for funding from the Cosco Busan Oil Spill Settlement - Recreational Use Grant Program for completion of improvements to Belden's Landing Water Access Facility at Grizzly Island in an amount not to exceed \$94,000, and to execute any grant award agreement and any amendments to it

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

**Adopted**

**Enactment No: Resolution 12-165**

- 27**        [12-0590](#)     Approve a contract amendment of \$94,001 for a new total contract

amount not to exceed \$144,000 and an extension to the contract ending on June 30, 2013 with Roberta Goulart to provide professional support and coordination of the County's efforts to participate, review and track various Federal and State Delta water initiatives potentially affecting the Suisun Marsh and Delta regions of Solano County; and Delegate authority to the County Administrator to execute the contract amendment and any future amendments as may be necessary in accordance with the Department's approved budget appropriations for such services

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

**Approved**

- 28        [12-0597](#)     Approve the reappointment of Dexter Mayhood to the Montezuma Fire Protection District for a term to expire March 1, 2016

Attachments:     [Minute Order.pdf](#)

**Approved**

- 29        [12-0598](#)     Approve the appointment of Carole Paterson to the Solano County Fair Board of Directors, District 2 for a term to expire July 31, 2016

Attachments:     [Minute Order.pdf](#)

**Approved**

## REGULAR CALENDAR

- 8        [12-0571](#)     Approve the Board of Supervisors' response to the FY2011/12 Grand Jury Report of June 6, 2012 on the Solano County Juvenile Detention Facility Complex, continued from August 28, 2012

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

*Supervisor Kondylis requested that a Cost Benefit Analysis be conducted regarding the cost of transporting Court staff to the Juvenile Hall along with the records vs. the cost of transporting the juveniles to Court including the cost of building a new facility.*

*Chris Hansen, Solano County Chief Probation Officer, noted that at the time of construction of the Juvenile Hall Facility, consideration had been given to building a court room facility; however, the State did not have the funding to accommodate the additional construction.*

*County Counsel Dennis Bunting noted that the County would require the approval of the Courts to hold Court at the Juvenile Hall.*

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

On motion of Supervisor Kondylis, seconded by Supervisor Sperring, the Board acted to postpone this matter to September 11, 2012 and directed staff to provide additional information pertaining to the cost involved in constructing a Court facility at the Juvenile Detention Facility Complex and the cost of additional staffing which may not be feasible at this time due to the State's requirement for budget reductions in all local court operating budgets throughout the state. So ordered by 4-1 vote; Supervisor Vasquez voted no.

9 [12-0574](#)

Approve the Board of Supervisors' response to the FY2011/12 Grand Jury Report of June 20, 2012 on the Registrar of Voters

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

*Supervisor Kondylis noted that she was dissatisfied with the operation of the Registrar of Voters Office and felt that it should be a separate County department responsible to the County Administrator.*

*Donald Tipton, unincorporated Vallejo, noted that he felt that there had not been proper oversight of the Registrar of Voters.*

*At the conclusion of discussion, the Board acted to approve the Board of Supervisors' response to the FY2011/12 Grand Jury Report of June 20, 2012 on the Registrar of Voters and directed staff to return to the Board at a later date to discuss the comments prepared by the Grand Jury and possible reorganization of the Registrar of Voters as a separate County department responsible to the County Administrator.*

**On motion of Supervisor Vasquez, seconded by Supervisor Sperring, the Board approved the Board of Supervisors' response to the FY2011/12 Grand Jury Report of June 20, 2012 on the Registrar of Voters and directed staff to return to the Board at a later date to discuss the comments prepared by the Grand Jury and possible reorganization of the Registrar of Voters as a separate County department responsible to the County Administrator. So ordered by 4-1 vote; Supervisor Kondylis voted no.**

14 [12-0582](#)

Approve an Appropriation Transfer Request of \$125,000 from the Accumulated Capital Outlay Contingency Fund (BU 9306) to the Suisun Veterans Building Improvements Project (BU 1782) to cover expenses associated with unforeseen conditions during construction (4/5 vote required)

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

*Chair Seifert noted that she felt that all Veterans' Hall should be treated equally and expressed her concern that tables and chairs were being purchased for \$30,000 for the Suisun Veterans Building and were not included in the remodels for the Veterans' Halls in Benicia, Vallejo, or Vacaville.*

*County Architect Kanon Artiche noted that they worked to maximize the project budget with the intent of new furnishings if possible. However, other projects did not provide that opportunity.*

*Donald Tipton, unincorporated Vallejo, noted that he felt that there should be equal*

*treatment to all Veterans' Halls.*

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

**On motion of Supervisor Reagan, seconded by Supervisor Spering, the Board approved an Appropriation Transfer Request of \$125,000 from the Accumulated Capital Outlay Contingency Fund (BU 9306) to the Suisun Veterans Building Improvements Project (BU 1782) to cover expenses associated with unforeseen conditions during construction. So ordered by 5-0 vote.**

25

[12-0563](#)

Adopt the proposed ordinance amending Chapter 25 of the Solano County Code relating to the land application of biosolids

*Attachments:*     [A - Proposed Ordinance](#)  
                          [B - Comparison of Proposed Amendments](#)  
                          [C - Chapter 25 with changes](#)  
                          [D - Chapter 25 final](#)  
                          [Minute Order.pdf](#)

*Supervisor Kondylis expressed her support for the proposed ordinance as it increased standards to the land application of biosolids; however, she expressed her opposition to the land spreading of biosolids as she felt that it posed a health risk to the public.*

*Terry Schmidbauer, Solano County Department of Environmental Health, noted that the heavy clay soil where the spreading of bio-solids took place made studying of the soil difficult.*

*Chair Seifert invited members of the public to address the Board on this matter and George Guynn, Jr., Suisun City; and June Guidotti, unincorporated Suisun, expressed their opposition to the spreading of bio-solids as they felt it posed a public health risk and was detrimental to the Suisun Marsh and other waterways.*

*David Livingston, Union Sanitary Plant Manager; Bonnie Jones, City and County of San Francisco SFPUC; and Lorrie Loder, Synagro; expressed their support for the increased standards provided in the proposed ordinance.*

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

**On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board adopted and authorized Chair Seifert to sign Ordinance 2012-1731 amending Chapter 25 of the Solano County Code relating to the land application of biosolids. So ordered by 5-0 vote.**

**Enactment No: Ordinance 12-1731**

30

[12-0577](#)

Consider approving Public Safety Realignment (AB109) Appropriation Transfer Requests in the amount of \$961,165 for staffing an additional 80-bed section at the Claybank Sentenced Detention Facility, providing substance abuse and mental health placements, and startup costs for implementing a pilot Day Reporting Center in Vallejo; Adopting a resolution amending the Position Allocation List to add 5.0 FTE Limited Term Correctional Officers and 1.0 FTE Limited Term Deputy Sheriff to the Sheriff's Office and 1.0 FTE Limited Term Researcher to the Probation Department with expiration dates of December 31, 2013;

Adopting a resolution amending the Alphabetical Listing of Classes and Salaries to add a Researcher position; Authorizing the Director of Human Resources, or his designee, to make any technical corrections, if needed, to the job title and salary range not to exceed \$93,700 for the Researcher position; and Support re-allocating approximately 3,600 sq. ft of space known as the Conference Center at 355 Tuolumne Street, Vallejo for a pilot Day Reporting Center

*Attachments:* [A - CCP Report \(August 8, 2012\)](#)  
[B - FY2012/13 CSAC Funding Estimates](#)  
[C - CCP Planning Allocation](#)  
[D - Public Safety Realignmnet \(AB109\) Budget.xlsx](#)  
[E - Resolution - Position Allocations](#)  
[F - Resolution - classes and Salaries](#)  
[G - PowerPoint Presentation](#)  
[Minute Order.pdf](#)

On motion of Supervisor Kondylis, seconded by Supervisor Reagan, the Board took the following action:

1. Approved Appropriation Transfer Requests from Public Safety Realignment (AB109) Funding in the amount of \$474,915 from the Sheriff's Office for staffing an additional 80-bed section at the Claybank Sentenced Detention Facility; \$300,000 for Health and Social Services to provide high-cost substance abuse and mental health placements; and \$186,250 for the Probation Department for additional startup costs, a consultant and a researcher position for implementing a pilot Day Reporting Center in Vallejo.
2. Adopted and authorized Chair Seifert to sign Resolution No. 2012-166 amending the Position Allocation List to add 5.0 FTE Limited Term Correctional Officers and 1.0 FTE Limited Term Deputy Sheriff to the Sheriff's Office and 1.0 FTE Limited Term Researcher (classification to be determined) to the Probation Department with expiration dates of December 31, 2013. (see Resolution Book)
3. Adopted and authorized Chair Seifert to sign Resolution No. 2012-167 amending the Alphabetical Listing of Classes and Salaries to add the position of Researcher (classification to be determined) and authorized the Director of Human Resources, or his designee, to make any technical corrections, if needed, to the job title and the salary range, provided that the salary range does not exceed a maximum amount of \$93,700. (see Resolution Book)
4. Supported the re-allocation of approximately 3,600 sq. ft. of space known as the Conference Center at 355 Tuolumne Street, Vallejo for a pilot Day Reporting Center.

So ordered by 5-0 vote.

31 [12-0511](#)

Award Job Order Contracting Construction Agreement to Fregoso Builders, Inc. for a maximum of one year beginning August 28, 2012 and ending August 27, 2013 with a minimum contract value of \$50,000 and a maximum contract value of \$2,800,000; Authorize the General Services Director to sign the Agreement and subsequent job orders and contract

modifications associated with the Agreement

Attachments: [A - Outreach to Local Construction Community](#)  
[B - Bid Ranking - JOC Contract 2012](#)  
[C - Local Outreach Job Order Report Form](#)  
[D - Project Delivery Method FY2012-13](#)  
[E - JOC Contract - Fregoso](#)  
[F - PowerPoint Presentation](#)  
[Minute Order.pdf](#)

*Chair Seifert expressed concern regarding the Solano County Job Order Contracting (JOC) program and the importance of JOC contractors to reach out to local contractors to ensure that they have the opportunity to fully participate in construction projects.*

*County Architect Kanon Artiche provided an overview of the process that would be undertaken to link the JOC and the local providing community and that there would be documentation of that effort.*

*Chair Seifert encouraged staff to monitor and measure local outreach efforts and provide interim reports to the Board regarding the use of local contractors and suppliers in local construction project by JOC contractors.*

*Supervisor Kondylis noted that staff provided extensive outreach to the local community for the JOC program and there was no local response. Supervisor Kondylis encouraged the local contractors to work toward a cooperative arrangement to provide the services required by the County.*

*Chair Seifert invited members of the public to address the Board on this matter and comments were received from: 1) George Guynn, Jr., Suisun City, who expressed his support for the use of local contractors for local construction projects; 2) Gary Smith, Vallejo Veterans, who expressed support for the JOC construction program which would include repairs to the Vallejo Veterans Building; and 3) Lou Franchimon, Napa-Solano Building & Construction Trades Council, who expressed support to hire local contractors and subcontractors who support the community and to work toward a program to pre-qualify subcontractors.*

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

**On motion of Supervisor Reagan, seconded by Supervisor Kondylis, the Board awarded a Job Order Contracting Construction Agreement to Fregoso Builders, Inc. of Sacramento (Contract No. 2012) for one year beginning August 28, 2012 and ending August 27, 2013 with a minimum contract value of \$50,000 and a maximum contract value of \$2,800,000. Authorized the General Services Director to sign the Agreement and subsequent job orders and contract modifications associated with the Agreement that fall within the approved maximum contract value and the established project budget associated with each work order. So ordered by 5-0 vote.**

**32**      [12-0587](#)

Receive the 2012 Solano County's Child Welfare Services County Self-Assessment Plan; and Consider approving for submission to the California Department of Social Services in preparation for development of the County's System Improvement Plan

Attachments:     [A -Self-Assessment](#)  
                          [B - PowerPoint Presentation](#)  
                          [Minute Order.pdf](#)

*Linda Orrante, Solano County Child Welfare Services, provided the Board with an overview of the Child Welfare Services/Probation County Self-Assessment which was a part of a continuous quality improvement process, mandated by State law, to review current practices and case data every five years. Ms. Orrante reviewed the list of Stakeholders who participated in the process, strengths and challenges of the program, service gaps and needed resources, training needs, areas needing improvement, and system improvement plan. Ms. Orrante noted that next steps included a Community Stakeholder Meeting as part of the Children's Alliance Child Abuse Prevention Council meeting at which members of the community were invited to assist with identifying and prioritizing the unmet service needs which should result in a Request For Proposal for Child Abuse Prevention, Intervention, and Treatment funds and a Draft Plan.*

*Ms. Orrante noted that they would return to the Board in December 2012 with a Plan for approval that identifies and prioritizes the unmet needs so that they align with the funding sources as well as the various outcomes.*

*Ms. Orrante noted that a result of the eight Board approved positions for Child Welfare Services, resulted in 80 children not being placed in foster care at a savings of over \$500,000.*

*Chair Seifert invited members of the public to address the Board on this matter and comments were received from Gloria Diaz, Vacaville, expressing support for prevention and intervention funding; and Maria Moses, Children's Network, who noted that Family Resource Centers provided services to children throughout the County including prevention services and served children that were referred to them by Child Welfare Services. Ms. Moses noted that if the Family Resource Centers were not funded, they would be unable to maintain the level of service as provided in the past and there would be an impact to Child Welfare Services.*

*In response to a concern expressed by Chair Seifert, Ms. Orrante noted that funding for the Family Resource Centers could be impacted as the funding was required to follow to prioritization of unmet needs and address the outcomes that the County identifies. Therefore, the Request For Proposal would address specific services that show particular outcomes. Ms. Orrante noted that any community based organization will have an opportunity to apply for that funding, including Family Resource Centers. Ms. Orrante noted that funding would not apply to some of the services now being provided by the Family Resource Centers.*

*County Administrator Birgitta E. Corsello noted that the County was required to comply with State and federal requirements for the use of the funding. Ms. Corsello noted that the State has moved forward and would continue to move forward toward Performance Measures and Outcome Based Budgeting. Ms. Corsello noted that efforts had been made to present this message to the community to allow for adjustment and that the status quo could not continue if the funding did not follow.*

*In response to concerns expressed by the Board, Ms. Orrante noted that their efforts to identify relatives and non-related extended family members and to evaluate their capability of being good caretakers was often a time consuming process which could involved difficult judgement calls and was made more difficult by staffing shortages.*

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

**On motion of Supervisor Sperring, seconded by Supervisor Kondylis, the Board approved submission of the Solano County's Child Welfare Services County Self-Assessment plan to the California Department of Social Services in preparation for the development of the System Improvement Plan which will be presented in December 2012. So ordered by 5-0 vote.**

33

[12-0532](#)

Public Hearing to consider updates to development policies and regulations for the Suisun Marsh, which include: Adopting a resolution approving a Negative Declaration; Adopting a resolution amending General Plan (G-11-02); Adopting an ordinance amending Chapter 28 (Zoning Regulations) and rezoning properties (Z-11-02 & Z-11-03); Introducing an ordinance amending Chapter 31 (Grading, Drainage, Land Leveling, and Erosion Control); Adopting a resolution amending the Solano County Component of the Suisun Marsh Local Protection Program, and transmitting the Local Protection Program to the Bay Conservation and Development Commission for certification

Attachments:

- [A - Resolution - Negative Declaration.pdf](#)
- [B - Resolution - General Plan Amendments.pdf](#)
- [C - Chapter 28 Ordinance](#)
- [D - Chapter 31 Ordinance](#)
- [E - Resolution 2012 Amendment.pdf](#)
- [F - Planning Commission Memorandum](#)
- [G - Planning Commission Minutes](#)
- [H - Comment Letters](#)
- [I - PowerPoint Presentation](#)
- [J - Correspondence regarding Litter Removal Activity at Potrero Hills Landfill Minute Order.pdf](#)

*On motion of Supervisor Kondylis, seconded by Supervisor Sperring, the Board authorized reading of the proposed ordinance amending Chapter 31 (Grading, Drainage, Land Leveling, and Erosion Control) by title only and waived further reading. So ordered by 5-0 vote.*

*Chair Seifert opened the public hearing to consider updates to development policies and regulations for the Suisun Marsh.*

*Mike Yankovich, Department of Resource Management, noted that State legislation was adopted in 1974 which required the preparation of the Suisun Marsh Protection Plan. It was noted that the Suisun Marsh was an unique resource and that due to residential, commercial, and industrial development pressures that were encroaching on the Suisun Marsh, the State took action to preserve by adopting the Suisun Marsh Preservation Act in 1977 taking into account the recommendations from the Plan requiring the local agencies that had jurisdiction within the Suisun Marsh (City of Benicia, City of Suisun City, City of Fairfield, LAFCo, Mosquito Abatement District, Suisun Resource Conversation District, and Solano County) to prepare Local Protection Programs consisting of all the policies and regulations that addressed development in the Suisun Marsh and compiling those Programs to establish the Local Protection Program. Mr. Yankovich noted that each agency had their own standards*

which was each agency's local component to the Local Protection Program.

Mr. Yankovich stated that the Bay Conservation Development Commission (BCDC) had authority in the Primary Area of the Suisun Marsh which consisted of the managed wetlands, tidal marshes, waterways, and upland grasslands consisting of the basin; and that the County had authority in the Secondary Management Area with BCDC having appellate authority to decisions made affecting the Secondary Management Area.

Mr. Yankovich further stated that the County's current component was certified by BCDC in 1982 with one amendment in 1999 that consisted of the Montezuma Wetlands Project in Collinsville. Since that time, the County updated the General Plan in 2008, revised zoning regulations, updated the Sewage Disposal Standards as well as Grading Standards, and Drainage Standards. Therefore, it was being requested that the Local Protection Program (consisting of the General Plan Policies; Zoning Regulations; Grading, Drainage, Land Leveling, and Erosion Control; Sewage Disposal; and Findings of Consistency with the Suisun Marsh Act) be updated and transmitted to BCDC for certification.

Mr. Yankovich noted that the update consisted of incorporating action taken in the 2008 General Plan Update under Chapter 2 - Land Use; Chapter 4 - Suisun Marsh Policies; and Chapter 8 - Public Quasi Facility such as the Potrero Hills area; and Appendix C - Detailed Policies governing the Suisun Marsh. Mr. Yankovich noted that the 2012 Amendment to the Solano County Local Protection Program would convert Appendix C into Chapter 12 that will contain all of the Suisun Marsh policies, zoning regulations, sewage disposal, and grading and drainage policies. In addition, rezonings in the Collinsville area, consistent with the 2008 General Plan would be included.

Mr. Yankovich noted that while BCDC opposed wind turbine projects within the Secondary Management Area of the Suisun Marsh, no changes were being proposed as adopted as part of the County's General Plan in June 1982 and incorporated as part of the County's Local Protection Program.

Mr. Yankovich reviewed amendments to the documents submitted which included:

Attach B - General Plan Amendment Table LU-7 references Chapter 1 and should be Chapter 2

Attach C - LPP Amendment should be Attachment E following the Resolution approving the LPP Amendment

Attach C - Chapter 28 Ordinance - Chapter 2, Section 7 relating to Section 28.78.20 (b7) not being amended

Attach C - Marsh Development District regulations should be Section 28-52 not Section 28-38 (numbering changed in February, 2012 with the zoning update)

Chair Seifert invited members of the public to address the Board on this matter and the following comments were received:

Donald Tipton, unincorporated Vallejo, did not feel that the Homeacres area of unincorporated Vallejo should be included in the Suisun Marsh and that there should be reference to Measure E and the Potrero Hills Landfill.

Mr. Yankovich noted that Homeacres in unincorporated Vallejo was not a part of the Suisun Marsh and there was no reference and that Potrero Hills Landfill -Measure E

was not considered a part of the Local Protection Program.

George Guynn, Jr., Suisun City, did not feel that Walmart's mitigation in Lynch Canyon in order to build in the Marsh was appropriate and that Measure E - importation of garbage to Solano County, should be enforced.

Joe LaClair, Chief Planner for Bay Conservation Development Commission (BCDC), noted that it was their belief, in consultation with the State Department of Fish and Game, that commercial wind energy development in the Secondary Management Area of the Marsh would have potentially significant adverse affects to the Marsh. Mr. LaClair noted that the State Department of Fish and Game recommended that wind development in the Secondary Management Area of the Marsh be precluded due to its concerns of negative impacts to wildlife, namely birds and bats and scenic resources. Mr. LaClair noted that BCDC felt that the County's Wind Energy Policy was inconsistent with the Suisun Marsh Plan as the Suisun Marsh policies prohibit the construction of new roads except to serve water related industrial uses in Collinsville. However, the Local Protection Program Wind Policy allows for the construction of new roads for windmills throughout the Secondary Management Area of the Marsh. Mr. LaClair noted that the State Legislature established the Secondary Management Area of the Marsh to serve as an upland buffer to preserve the integrity and ensure the continued wildlife use of the Suisun Marsh including the preservation of waterfowl caring capacity and retention of the diversity of flora and fauna. Mr. LaClair noted that they were requesting that the County remove the existing Wind Energy Policy that allows wind turbine projects in the Secondary Management Area of the Marsh in an effort to fulfill the mandate of the Suisun Marsh Act and Protection Plan.

Zachary Walton, Montezuma Wetlands, expressed support for staff's recommendation to maintain the existing policy concerning potential wind development in the Secondary Management Area of the Suisun Marsh and that projects be given careful consideration on a case by case basis to ensure that significant impacts were avoided.

Bud Tonnesen, Fairfield, noted that he was a property owner in the Suisun Marsh and felt that an increase in the number and in the height of the windmills would have adverse visual impacts.

Roberto Valdez, Vacaville, expressed his support for habitat conservation and felt that the wind turbines had an adverse affect on wildlife.

#### RECESS

This meeting of the Solano County Board of Supervisors recessed at 5:05 p.m. and reconvened at 5:15 p.m. All members were present. Chair Seifert presided.

David Marianno, unincorporated Suisun, expressed his opposition to any further encroachment on the Suisun Marsh.

Jim Waters, Suisun Resource Conservation District, noted that he did not feel that the Secondary Management Area of the Suisun Marsh was an appropriate location for commercial wind energy.

Steven Chappell, Executive Director of the Suisun Resource Conservation District, reviewed the history of the protection of the Suisun Marsh from urban encroachment and development and noted that 2700 acres in the Secondary Management Area of the

*Suisun Marsh buffered the Suisun Marsh. Mr. Chappell requested that the Board prohibit wind development in the Secondary Management Area of the Suisun Marsh as it was not biologically compatible and that the wind turbines, at 365 feet tall, would create visual impacts to a unique resource area.*

*June Guidotti, unincorporated Suisun, requested that the Board deny the proposed changes to the development policies and regulations for the Suisun Marsh and that private property be protected. Ms. Guidotti further expressed her opposition to the disposal of solid waste at the Potrero Hills Landfill from out of county sources.*

*Jeff Dittmer, Cordelia, requested that language pertaining to grading in the Secondary Management Area of the Suisun Marsh remain unchanged and expressed concern regarding the unintended consequences pertaining to language concerning drainage and watershed areas.*

*Staff noted that grading pertaining to farming practices and fire breaks would not be affected; however, projects involving drainage from watershed areas into the Suisun Marsh would require environmental review.*

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

*Deputy County Counsel Jim Laughlin noted Joe LaClair, Chief Planner for BCDC, stated that the County was wrong biologically in 1982 when it adopted the current Wind Energy Policy for the Suisun Marsh in the County's General Plan based on current information and that it was wrong for BCDC to certify that portion of the Local Protection Plan in 1982 based on information now available pertaining to the biological impacts of wind turbines. Mr. Laughlin noted that, from the legal perspective, CEQA was designed to protect the status quo; however, if the status quo was changed, the environmental consequences of the County's action would need to be evaluated. Mr. Laughlin noted that CEQA had a 30 day statute of limitation for challenging any decision made by the County changing a policy or adopting a new regulation. Since the action taken by the County occurred in 1982, there was no CEQA cause of action for maintaining the existing Wind Energy Policy in the Suisun Marsh. Mr. Laughlin noted that if the Board were to change that policy at this time, the environmental consequences would be required to be evaluated. In addition, the County could be subject to litigation. Mr. Laughlin noted that it was felt that the Negative Declaration before the Board at this time was adequate for the changes proposed as well as maintaining the existing Wind Energy Policy.*

*Supervisor Kondylis noted that a mandate of the Suisun Marsh Protection Act stated that the County shall prepare a Local Protection Program for the Suisun Marsh and shall be consistent with the provisions of this division and the policies of the Protection Plan. Within the Marsh, the Local Protection Program shall include but not be limited to the following: g) enforceable standards for the design and location of any new development in the Marsh to protect the visual characteristics of the Marsh and where possible to enhance views of the Marsh. Supervisor Kondylis noted that she felt that there was conflict between the two policies as wind turbines created a visual impact.*

*Chair Seifert noted that the Suisun Marsh, like the Delta, was a unique asset that needed to be protected and preserved now and for generations to come and that it was important not to allow intrusion into the Secondary Management Area of the Marsh. Chair Seifert noted that she supported a change in policy to prohibit wind turbines in the Secondary Management Area of the Suisun Marsh.*

*Mr. Laughlin noted that the policy that was adopted in 1982, and that was being proposed to be retained, was that wind energy development was not precluded and would be evaluated on a case by case basis.*

*It was moved by Supervisor Kondylis, seconded by Chair Seifert, to deny the Negative Declaration for the 2012 Amendment to the Solano County Component of the Suisun Marsh Local Protection Program, including related Amendments to the General Plan and Chapters 28 and 31 of the Solano County Code. Motion failed by a 2-3 vote; Supervisors Reagan, Sperring, and Vasquez voted no.*

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

**On motion of Supervisor Reagan, seconded by Supervisor Vasquez, the Board acted to: (with amendments)**

**A) Adopt and authorized Chair Seifert to sign Resolution No. 2012-168 adopting the Negative Declaration for the 2012 Amendment to the Solano County Component of the Suisun Marsh Local Protection Program, including related Amendments to the General Plan and Chapters 28 and 31 of the Solano County Code. (see Resolution Book)**

**B) Adopted and authorized Chair Seifert to sign Resolution No. 2012-169, with amendments recommended by staff, amending the Solano County General Plan, Adding Chapter 12 relating to Policies for Development in the Suisun Marsh including the updated sewage disposal system policy and consistency findings. (see Resolution Book)**

**C) Adopted and authorized Chair Seifert to sign Ordinance No. 2012-1732, with amendments recommended by staff, An Ordinance Amending Chapter 28 of the Solano County Code Amending Sections 28.01, 28.22, 28.32, 28.52, 28.41, 28.42, 28.78 and 28.104, Relating to Land Uses in the Suisun Marsh, and Rezoning Certain Properties in and Near the Suisun Marsh. Specifically, section 28.01 (Definitions, adding Complementary Commercial Facility: a small commercial facility which complements and supports marsh oriented recreational uses, such as a bait shop, a small boat rental, or a refreshment stand), section 28.22 (changes two Limited Agriculture (AL) Districts to Suisun Marsh Agriculture (A-SM)), section 28.32 ( changes an existing Exclusive Agriculture A-20 to Residential-Traditional Community-4 (R-TC-4) in the residential area of Collinsville Township, section 28.52 (revisions to the Marsh Preservation (MP) District text), section 28.41 (establishes a new Commercial Recreation-Limited (C-R-L) District in the Collinsville area), section 28.42 (revisions to the Industrial-Water Dependent (I-WD) District for waterfront lands and the land uses and permit requirements), section 28.78 (consolidates land use regulations applicable to the Suisun Marsh, addressing waste disposal, processing and composting, pipeline, transmission line or distribution line inside rights of way and utility facilities or infrastructure outside of rights of way), section 28.104 (clarifying revisions to the Marsh Development Permit process) and section 28.11 (Zoning Maps 18N, 18S and 20N, relating to Collinsville and Parish Road/I-680). (see Ordinance Book)**

**D) Introduced the proposed ordinance amending Chapter 31 of the Solano County Code, Amending Sections 31-20, 31-30, and 31-40, Relating to Grading, Drainage, Land Leveling, and Erosion Control in the Suisun Marsh and Watershed.**

E) Adopted and authorized Chair Seifert to sign Resolution No. 2012-170 Adopting the 2012 Amendment to the County's Component of the Suisun Marsh Local Protection program and transmitting the Local Protection Program to the Bay Conservation and Development Commission for certification. (see Resolution Book)

So ordered by 3-2 vote; Supervisors Kondylis and Seifert voted no. Supervisor Kondylis noted that the visual characteristics of the Suisun Marsh should be protected. Chair Seifert noted that she felt that the Suisun Marsh should be protected and preserved and that it was important not to allow intrusion into the Secondary Management Area of the Suisun Marsh.

## **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 Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Lt. Col. Sarah Irene Cardwell Evans who was a member of the Vacaville community.*

*B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Harold E. Caligiuri Sr. who was a member of the Vacaville community.*

*C. Chair Seifert requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Robert P. Langston, who was the elected City of Benicia Treasurer.*

## **CLOSED SESSION**

*This meeting of the Solano County Board of Supervisors recessed to Closed Session at 6:05 p.m. to discuss the following matter:*

*Existing Litigation: County of Solano vs Mountain West Aviation-VCB LLC*

**REPORT FROM CLOSED SESSION**

*County Counsel Dennis Bunting reported that in the matter of County of Solano vs. Mountain West Aviation-VCB LLC, Solano County filed an Unlawful Detainer Action and that matter has been settled. Mr. Bunting reported that by an unanimous vote, the Board approved a settlement proposal of \$59,837.05. The sum pays for the capital improvements that were made to the Nut Tree Airport Facility and other related expenses. In addition, the Board authorized that the aviation fuel and propane on-hand be purchased by the County. Mr. Bunting noted that Mountain West Aviation will cease operations at the Nut Tree Airport and will vacate the premises by August 29, 2012 at 1:00 p.m.*

**ADJOURN:**

*This meeting of the Solano County Board of Supervisors adjourned at 6:25 p.m. in memory of Lt. Col. Sarah Irene Cardwell Evans, Harold E. Caligiuri, Sr., and Robert P. Langston. The Board will attend a Grand Opening ceremony of the William J. Carroll Government Center in Vacaville on September 11, 2012 at 9:00 a.m. Next meeting of the Solano County Board of Supervisors will be September 11, 2012 at 1:00 p.m., Board Chambers, 675 Texas Street, Fairfield, California.*

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**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**