



Solano County

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Minutes - Final Board of Supervisors

*Linda J. Seifert (Dist. 2), Chair
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*Erin Hannigan (Dist. 1), Vice-Chair
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*James P. Spering (Dist. 3)
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*John M. Vasquez (Dist. 4)
(707) 784-6129*

*Skip Thomson (Dist. 5)
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Tuesday, June 3, 2014

9:00 AM

Board of Supervisors Chambers

CALL TO ORDER - 9:00 a.m.

The Solano County Board of Supervisors met on the 3rd day of June 2014 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 9:00 a.m. Present were Supervisors Hannigan, Spering, Thomson, and Chair Seifert. Supervisor Vasquez was excused. Chair Seifert presided. Also present were County Administrator Birgitta E. Corsello and Assistant County Counsel Azniv Darbinian.

ROLL CALL

Present 4 - Linda J. Seifert, James P. Spering, Erin Hannigan and Skip Thomson
Excused 1 - John M. Vasquez

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.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

Supervisor Spering requested to add a presentation by the Grange Middle School GrizzlyBots Club to the Solano County Board of Supervisors' agenda for June 3, 2014.

APPROVAL OF THE AGENDA

On motion of Supervisor Spering, seconded by Supervisor Hannigan, the Board approved the agenda of the Solano County Board of Supervisors for June 3, 2014 with the addition of a presentation by the Grange Middle School GrizzlyBots Club. So ordered by 4-0 vote.

PRESENTATIONS

- 1 [14-0346](#) Adopt and present a resolution recognizing June as Philippine Cultural Month in Solano County (Supervisor Hannigan)
- Attachments:* [A - Resolution](#)
- On motion of Supervisor Hannigan, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2014-85 recognizing the month of June as Phillipine Cultural Month in Solano County. So ordered by 4-0 vote. (see Resolution Book)**
- Enactment No: Resolution 14-76**
- 2 [14-0324](#) Adopt and present a resolution and plaque of appreciation honoring Lisa Nguyen, Eligibility Benefits Specialist II, for twenty-one years of dedicated service with Solano County Health & Social Services (Chair Seifert)
- Attachments:* [A - Resolution](#)
- On motion of Supervisor Hannigan, seconded by Supervisor Thomson, the Board adopted and presented Resolution No. 2014-86 honoring Lisa Nguyen, Eligibility Benefits Specialist II, for twenty-one years of service to Solano County. So ordered by 4-0 vote. (see Resolution Book)**
- Enactment No: Resolution 14-77**
- 3 [14-0369](#) Adopt and present a resolution and plaque of appreciation acknowledging and commending Deputy Sheriff Carlos Lobao for 28 years and 3 months of distinguished service to Solano County (Supervisor Thomson)
- Attachments:* [A - Resolution](#)
- On motion of Supervisor Thomson, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2014-87 honoring Deputy Sheriff Carlos Lobao upon his retirement from the Solano County Sheriff's Office. So ordered by 4-0 vote. (see Resolution Book)**
- Enactment No: Resolution 14-78**
- 4 [14-0368](#) Adopt and present a resolution and plaque of appreciation acknowledging and commending Deputy Sheriff Michael Vaughn for 31 years of distinguished service to Solano County (Supervisor Thomson)
- Attachments:* [A - Resolution](#)
- On motion of Supervisor Thomson, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2014-88 honoring Deputy Sheriff Michael Vaughn upon his retirement from the Solano County Sheriff's Office. So ordered by 4-0 vote. (see Resolution Book)**
- Enactment No: Resolution 14-79**

[14-0471](#)

Presentation by the Grange Middle School GrizzlyBots Club

Received**ITEMS FROM THE PUBLIC**

A) George Guynn, Jr., Suisun City, commented on the budget, the election, and litigation.

B) Donald Tipton, unincorporated Vallejo, commented on a response letter he received from County Counsel Dennis Bunting regarding fees. He also commented on the election and mandated fees.

County Administrator Birgitta Corsello noted that mandated costs are not passed along to other rate payers. She further noted that free services to the public are paid for through property taxes and net county costs in the operating budgets.

C) Richard Giddens, Suisun City, commented on a recent incident with a pitt bull, the animal shelter and animal control.

PUBLIC COMMENT ON CONSENT CALENDAR

A) Donald Tipton, unincorporated Vallejo, commented on Item 5 regarding submission of information requests, Item 8, 9 and 10 regarding contract signatures and consistency.

County Administrator Birgitta Corsello noted that she doesn't sign contracts until after the County Counsel signs off and the Board approves it.

APPROVAL OF THE CONSENT CALENDAR

On motion of Supervisor Hannigan, seconded by Supervisor Spering, the Board approved the following Consent Calendar items by 4-0 vote.

CONSENT CALENDAR

5 [14-0347](#) Approve the minutes of the Solano County Board of Supervisors' meeting of May 13, 2014

Attachments: [A - Minutes - May 13, 2014](#)

Approved

6 [14-0362](#) Adopt a resolution approving a request for consolidating the elections of the Solano Irrigation District's governing body with the statewide general election

Attachments: [A - Solano Irrigation District Reso. No. 14-15](#)
 [B - Resolution](#)

Adopted

Enactment No: Resolution 14-80

- 7 [14-0367](#) Adopt a resolution to establish Solano County's countywide appropriations limit of \$540,264,742, Countywide County Service Area appropriations limits of \$207,208, and the East Vallejo Fire Protection District appropriations limit of \$916,326 for FY2014/15 and to delegate authority to the Auditor-Controller to implement the most advantageous method for establishing the appropriations limits for FY2014/15

Attachments: [A - Resolution](#)
 [B - GANN Limit](#)

Adopted**Enactment No: Resolution 14-81**

- 8 [14-0365](#) Approve a contract with Jones-Campbell Co., Inc. of Sacramento for the period of June 3, 2014 through June 30, 2015 for the design, purchase and installation of modular system furniture for various County projects; Authorize the Chair of Board to sign the agreement; and Authorize the Director of General Services to sign necessary amendments to the Agreement for the duration of the contract

Attachments: [A - Jones-Campbell Co., Inc. Contract](#)
 [B - Contracts Available](#)

Approved

- 9 [14-0370](#) Adopt a resolution recognizing June 2014 as "Child Safety Month" to promote safety precautions and prevention techniques for children in Solano County during the month of June

Attachments: [A - Resolution](#)

Adopted**Enactment No: Resolution 14-82**

- 10 [14-0375](#) Approve a contract in the amount of up to \$135,082 with The Children's Network of Solano County for the period July 1, 2014 through June 30, 2015 to provide staff support to the Solano Children's Alliance; and Authorize the County Administrator to execute the agreement

Attachments: [A - Contract](#)

Approved

- 11 [14-0360](#) Approve the following Probation Department contracts and amendments totaling \$1,072,340: Aldea Children and Family Services for \$953,000 to provide mental health services for youth and their families for a period of June 1, 2014 through June 30, 2016; ISD Corporation for \$92,840 to install the CASE Institutions module for a period of June 5, 2014 through June 30, 2015; and Behavioral Interventions for \$26,500 to provide continuous-signaling, traditional radio-frequency, and electronic monitoring

services for a period of July 1, 2014 through June 30, 2015; Authorize the County Administrator to execute the approved contracts and amendments and sign any future amendments including changes to terms and conditions; scope of services, and modifications to contract limits within budgeted appropriations not to exceed \$50,000; and Authorize the Director of Probation or designee to approve and execute any future contract amendments that are administrative or technical in nature and have no fiscal impact

Attachments: [A - Summary Contract Listing](#)
 [B - Aldea Contract](#)
 [C - ISD Corporation Contract](#)
 [D - Behavioral Intervantion Contract](#)

Approved

REGULAR CALENDAR

Rescheduled Consent Items

Consider the following:

- 12 [14-0373](#) Conduct a public hearing to consider increasing a motor vehicle registration from \$1 to \$2 and a commercial vehicle service fee from \$2 to \$4 pursuant to California Vehicle Code section 9250.14 as authorized by Assembly Bill 767 - 2013 to exclusively fund vehicle theft prevention, investigation and prosecution programs; and Adopt a resolution to impose the fees, effective January 1, 2015

Attachments: [A - Resolution 93-106](#)
 [B - Revenue Distribution Options](#)
 [C - Public Hearing Notice](#)
 [D - Resolution](#)

Chair Seifert opened the public hearing.

Principal Management Analyst Ian Goldberg provided the Board with an overview of vehicle theft rates and a recommendation to increase the motor vehicle registration from \$1 to \$2 and the commercial vehicle service fee from \$2 to \$4. Mr. Goldberg noted that the recommendation was to provide 100% of the increase to the Sheriff's Office for the first year and 75% for the following two years. He also noted that the allocation of the current fee would not change.

Supervisor Thomson thanked staff for putting the recommendation together, commented on prosecution rates and the need for more investigation in order to increase the ability for prosecution. He made a motion to allocate the increase in funds to the Sheriff's Office for three years and evaluate the fund distribution after the second year to change the distribution for the third year, if needed. He noted that this method will "frontload" the Sheriff's Office

so that funding will be available to get the program going.

Mr. Goldberg noted that the increase in fees will provide funding to the Sheriff's Office in the first year in order to ramp up the program and provide staffing and resources as needed in years two and three.

Sheriff Tom Ferrara noted that in order to implement the changes to the program, he would need time in the beginning for training and startup activities. He also noted that any unused funds received from the increased fees would remain in the trust and could potentially be available for the District Attorney's Office later if needed.

In response to a question from Chair Seifert, Sheriff Ferrara noted that he was in support of the Option 1 recommendation with the request that there was the ability to adjust the allocation if need be.

Chair Seifert clarified that Option 1 states that 100% of the fee increase would be allocated to the Sheriff's Office in year 1, 75% in year 2 and 75% in year 3.

Sheriff Ferrara noted that he was in support of Option 1 with the ability to reallocate funds in year 2 or 3 if needed. Mr. Goldberg noted that upfront costs were included in the analysis and that funds currently in the trust, along with the fee increase, will be able to cover resources necessary to ramp up the program.

Supervisor Thomson commented that the Board could reallocate the money later on a scheduled basis if needed and recommended the Sheriff's Office receive 100% of the increase for all three years.

Supervisor Hannigan commented that the motion on the table would be a hybrid of Option 1 and 3 with the suggestion to review the allocation at the end of year 2, and noted that she was in support of that. She then commented on training and vehicle thefts.

Sheriff Ferrara suggested that his office could come back annually to report to the Board.

County Administrator Birgitta Corsello noted that she had asked staff to cost out the expenses for the Sheriff to implement this program, recognizing that it would be approximately six months before any fees were collected. She also noted that there was money in the fund balance to cover the program ramp up and that these budget changes would come forward for approval in the budget hearing.

Chair Seifert noted that she supported Option 1 as long as there was agreement between the Sheriff and District Attorney that it met their objectives.

Supervisor Sperring noted that he supported Option 1 with an annual review.

District Attorney Don DuBain noted that he was agreeable to Option 1, and commented that once the program is implemented and the Sheriff has turned over the cases to the District Attorney's Office, they will need time and resources to prosecute those cases.

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

A) Donald Tipton, unincorporated Vallejo, commented and requested information on current vehicle registration fees, commercial vehicles, the number of registered vehicles in the county, having a resident Sheriff in the area, and an annual review of this program.

B) John Arabia, Solano County Deputy Sheriff's Association, commented with agreement to the first two years going to Sheriff's Office and a review at the end of two years.

Supervisor Hannigan noted that it will take a year to get started and another year to get things going, and noted that she agreed with an annual review of the program with a recommendation of what's needed for year 2 and 3.

Mr. DuBain asked for clarification of Supervisor Hannigan's suggestion to allocate 100% of the increase to the Sheriff's Office in year 1 and then come back to the Board for re-evaluation to see what the distribution will need to be in years 2 and 3.

Supervisor Hannigan confirmed the suggestion and noted that the needed allocation may not be 75% and could be something else dependent on what's needed at that point.

Supervisor Thomson commented that the first year would be a ramp up and the second year would be the real work of the program. He urged the Board to consider implementing this increase in the next couple of months.

Sheriff Ferrara noted that the Sheriff's Office could get the program ramped up in the next couple of months.

Supervisor Sperring commented that the Board has a responsibility to the people who are paying these fees to have this reviewed annually.

Supervisor Thomson commented that the allocation should be 100% to Sheriff's Office for two years with a review and then adjust the allocation for the third year if needed.

Supervisor Sperring asked about commercial vehicle registrations being more expensive. Sheriff Ferrara noted that this increase was in the legislation and may have to do with the expense of operating the vehicle.

Chair Seifert noted that she was in support of 100% of the increase being allocated to the Sheriff's Office for the first year with a one year review.

Ms. Corsello asked for clarification on when the year review would be and suggested that it be done during the 3rd Quarter or between 3rd Quarter and the budget hearings.

Chair Seifert noted that she would support a report at 3rd quarter with a recommendation from the respective department heads about the allocation of the funding.

Supervisor Thomson noted that a review at 3rd Quarter would be less than a year from now and made a motion that the Sheriff's Office be allocated 100% of the increase for the first two years to allow for a full period of time for the ramp up and full year of experience, with a report at 3rd Quarter in the second year. Supervisor Hannigan seconded the motion. The motion failed with a 2-2 vote.

Chair Seifert then noted that the motion on the floor from Supervisor Spring is for the Sheriff's Office to receive 100% of the increase in year 1 with an annual review at 3rd quarter for a recommendation on future allocation. Chair Seifert commented that a lack of sufficient data at the review would mean that the recommendation would reflect this and a request to maintain the allocation status quo would be expected.

Chair Seifert seconded the motion. The motion failed with a 2-2 vote.

On motion of Supervisor Thomson, seconded by Supervisor Hannigan, the Board continued this item to the June 10, 2014 Board meeting. So ordered by 4-0 vote.

13 **[14-0366](#)**

Conduct annual public hearing to establish the Solano County Jail Access Fee for FY2014/15; and Adopt a resolution to approve the subject fee

Attachments: [A - Resolution](#)
 [B - FY2014/15 Jail Access Fee](#)

Chair opened the public hearing. Auditor-Controller Simona Padilla-Scholtens provided the Board with an overview of the recommended Solano County Jail Access Fee for FY2014/15.

In response to a question from Supervisor Thomson, Sheriff Tom Ferrara noted that he had not spoken directly with police chiefs about this issue, however the bookings are down right now, similar to last year.

Ms. Padilla-Scholtens noted that the Sheriff's Office billed for 150 bookings in FY2012/13 for a total of \$53,124.

Sheriff's Office Director of Administration Services Angelica Russell noted that they were projecting 82 bookings for FY2013/14.

On motion of Supervisor Hannigan, seconded by Supervisor Thomson, the Board adopted Resolution No. 2014-92 imposing a jail access fee for Fiscal Year 2014/2015. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Resolution 14-83

- 14 [14-0363](#) Conduct Quarterly Meeting of the East Vallejo Fire Protection District Board of Directors

Chair Seifert opened the meeting. No items were listed on the agenda for action.

Chair Seifert asked for an update regarding weed abatement.

Senior Management Analyst Chris Rogers noted that 55 letters were sent out to property owners giving notice of abatement. She then noted that the City of Vallejo would be sending out field officers to inspect those properties.

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

A) Donald Tipton, unincorporated Vallejo, commented on a revenue increase, weed abatement on Interstate 780, other areas not abated by the county, and tours of the area by the commissioners.

Supervisor Thomson asked if the county was maintaining right of ways.

County Administrator Birgitta Corsello noted that Public Works is out clearing the areas and that staff would follow up on this for the Homeacreas area.

Chair Seifert closed the meeting.

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

Supervisor Spering commented on the Vehicle Registration Fee item and asked that staff bring back a spreadsheet to show when the money will be available and the term for which it is being allocated.

Supervisor Hannigan also commented on the Vehicle Registration Fee item and asked to have statistics included for arrests and prosecutions.

14-0440 RECESS

This meeting of the Solano County Board of Supervisors recessed at 10:50 a.m. and reconvened at 1:00 p.m.. Supervisors Hannigan, Thomson and Chair Seifert were present. Supervisors Spering and Vasquez were excused. Chair Seifert presided.

- 15 [14-0387](#) Receive presentations from Dante Nomellini, attorney and Delta levee expert; and Dr. Jeffrey Michael, the Director of the University of Pacific Business Forecasting Center, regarding the Bay Delta Conservation Plan (BDCP) and EIR/EIS; Receive a briefing from Deputy County Counsel James Laughlin on legal concerns associated with the BDCP and EIR/EIS; and Direct staff to finalize drafting the BDCP comment letter including delegation to the Director of Resource Management to sign

Director of Resource Management Bill Emlen introduced the item and

provided a brief update regarding the Bay Delta Conservation Plan (BDCP) comment period extension by the state.

Supervisor Thomson introduced presenter Dante Nomellini, attorney and Delta levee expert.

Mr. Nomellini provided the Board with an overview of historical water proposals in California, information about the proposed BDCP tunnels, The California Water Resources Development Bond Act and The Delta Protection Act.

Chair Seifert asked about statutory evidence showing water rights and inquired if there was confusion on this and any case law that affects those rights.

Mr. Nomellini noted that the state is reluctant to honor the law and there is a question in the law about using storage water as a priority and how to pay for it because of lack of procedures to follow. He also commented that there are many ambiguities in the law that complicate the issue.

Mr. Nomellini then provided the Board with information on past studies of estimated seasonal natural runoff, Sacramento River multiyear droughts and information from the State Water Project Delivery Reliability Report 2013.

Chair Seifert asked about motivations behind moving water from northern to southern California.

Mr. Nomellini commented that motivations include economic profits, the ability to convert and develop land for residential and farming in otherwise dry locations, and politics.

Mr. Nomellini then provided the Board with more information about the BDCP regarding habitat in the Delta, impacts of the BDCP on fish, sea level rise and earthquakes.

Supervisor Thomson thanked Mr. Nomellini for his presentation and then introduced Dr. Jeffrey Michael, the Director of the University of Pacific Business Forecasting Center.

Dr. Michael provided the Board with an overview of Delta Tunnel Economics including Benefit-Cost Fundamentals, comparing Benefit-Cost Analysis of Tunnels, Agriculture, Financing Challenges and Risk Reduction or Risk Shifting.

Chair Seifert asked if Dr. Michael was responding to the BDCP for another agency or himself.

Mr. Michael commented that he created the Benefit-Cost for himself and that he has worked for other agencies as well.

Chair Seifert thanked both presenters for their work and involvement on this

issue.

Supervisor Thomson also thanked the presenters.

Deputy County Counsel Jim Laughlin provided the Board with information on legal issues associated with the BDCP and EIR/EIS.

Mr. Emlen asked for direction on whether the Board would like to delegate authority to staff to sign the BDCP final comment letter.

Chair Seifert asked for concurrence from the Board members to allow staff to follow standard procedure to sign the final comment letter. There were no objections.

A) Gayle Vaughan, Benicia, commented on the EIR, the adaptive management portions of the BDCP plan, changes happening to the plan and asked for clarification on who the County will be sending the comment letter to.

Mr. Emlen noted that the comment letter will be sent to multiple agencies.

14-0440

RECESS

This meeting of the Solano County Board of Supervisors recessed at 2:39 p.m. and reconvened at 2:55 p.m. Supervisors Hannigan, Thomson and Chair Seifert were present. Supervisors Spering and Vasquez were excused. Chair Seifert presided.

14-0387

Receive presentations from Dante Nomellini, attorney and Delta levee expert; and Dr. Jeffrey Michael, the Director of the University of Pacific Business Forecasting Center, regarding the Bay Delta Conservation Plan (BDCP) and EIR/EIS; Receive a briefing from Deputy County Counsel James Laughlin on legal concerns associated with the BDCP and EIR/EIS; and Direct staff to finalize drafting the BDCP comment letter including delegation to the Director of Resource Management to sign

Contract Analyst Roberta Goulart provided the Board with information on adaptive management relating to governance of the plan.

Chair Seifert commented that the drivers of the plan seem to be those people that will financially benefit from the plan and this conflict of interest should be addressed in same way.

Mr. Emlen noted a handout concerning water bonds that had been distributed to the Board and public. He then introduced State Legislative Advocate Paul Yoder who provided the Board with an overview of the status of current water bond legislation in the legislature.

In response to a question from Supervisor Thomson regarding the current 2009 water bond and removal of four dams, Mr. Yoder noted that this language is still included in the new water bond bills.

Supervisor Thomson commented on the logic of removing four dams and then trying to come up with new dams and funding for those later.

In response to Chair Seifert's question's regarding support for SB 848, Mr. Yoder noted that Assemblymember Yamada chose not to sign the letter of support for SB 848. He noted that Assemblymember Yamada is a co-author of Assemblymember Rendin's AB1331 bill and further noted that the more legislators from Northern California that can support SB 848, the better.

Chair Seifert asked about the governor to weighing in on the water bond bills.

Mr. Yoder noted that both houses would really like to have a bill out that the governor can weigh in on.

Chair Seifert asked what action, if any, should the county take in the meantime.

Mr. Yoder noted that it continues to be very helpful to have people like Mr. Nomellini and Dr. Michael as voices of support for the Delta.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 3:13 p.m. Next meeting of the Solano County Board of Supervisors will be June 10, 2014 at 8:30 a.m., Board Chambers, 675 Texas Street, Fairfield, California.