



# Solano County

675 Texas Street  
Fairfield, California 94533  
www.solanocounty.com

## Minutes - Final Board of Supervisors

*Erin Hannigan (Dist. 1), Chairwoman  
(707) 553-5363*

*John M. Vasquez (Dist. 4), Vice-Chair  
(707) 784-6129*

*Linda J. Seifert (Dist. 2)  
(707) 784-3031*

*James P. Spering (Dist. 3)  
(707) 784-6136*

*Skip Thomson (Dist. 5)  
(707) 784-6130*

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Tuesday, August 25, 2015

8:30 AM

Board of Supervisors Chambers

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### CALL TO ORDER

*The Solano County Board of Supervisors met on the 25th day of August 2015 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:30 a.m. Present were Supervisors Seifert, Spering, Thomson, Vasquez and Chairwoman Hannigan. Chairwoman Hannigan presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.*

### ROLL CALL

**Present** 5 - John M. Vasquez, Erin Hannigan, Linda J. Seifert, James P. Spering and Skip Thomson

### CLOSED SESSION

*On motion of Supervisor Seifert, seconded by Supervisor Vasquez, the Board amended the Closed Session Agenda to include the following item:*

***Public Employee Appointment: Juvenile Hall Superintendent***

***So ordered by 5-0 vote.***

*The Solano County Board of Supervisors recessed to Closed Session at 8:31 a.m.*

1 [15-0846](#)

Conference with Labor Negotiators:

Solano County representatives: Marc Fox, Jeannine Seher, David Pak, Don Turko, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Teamsters, Local 150 for Unit 1 (Attorneys); SEIU Local 1021 for Unit 2 (Nurses), Unit 5 (Health and Welfare Employees), Unit 7 (Regulatory, Technical and General Services Employees), Unit 8 (General Services Supervisors), Unit 9 (Clerical Employees) and Units 82, 87, 89, and

90 (Extra Help Employees); Solano County Deputy Sheriff's Association for Unit 3 (Law Enforcement Employees) and Unit 4 (Law Enforcement Supervisors); Public Employees Union, Local One for Unit 6 (Health and Welfare Supervisors) and Unit 16 (Mid-Management Employees); Stationary Engineers, Local 39 for Unit 10 (Skilled Craft and Service Maintenance Employees); Union of American Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors); Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); and unrepresented employees

In-Home Supportive Services Authority representative: Marc Fox, Gerald Huber and Birgitta E. Corsello. Employee organization: SEIU United Long Term Care Workers, Local 6434

Attachments:     [A - Memorandum](#)  
                          [Minute Order](#)

## RECONVENE

*This meeting of the Solano County Board of Supervisors reconvened at 9:00 a.m. All members were present and Chairwoman Hannigan presided.*

## REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

*County Counsel Dennis Bunting that the Board had unanimously approved the appointment of Richard Watson to Interim Juvenile Hall Superintendent effective August 31, 2015.*

## SALUTE TO THE FLAG AND A MOMENT OF SILENCE

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

## ITEMS FROM THE PUBLIC

*Chairwoman Hannigan invited members of the public to address the Board on this matter and the following comments were received:*

*A) Beth Ward, Fairfield, commented on her concerns with her son's experience with the County's mental health services.*

*Chairwoman Hannigan requested that staff follow up with Ms. Ward.*

*B) George Guynn, Jr., Suisun City, commented on the budget.*

C) Sheriff Tom Ferrara commented on the 30th anniversary of the death of Deputy Jose Cisneros.

Chairwoman Hannigan commented on remembrance decals for the anniversary.

## **ADDITIONS TO OR DELETIONS FROM THE AGENDA**

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for August 25, 2015.

## **APPROVAL OF THE AGENDA**

On motion of Supervisor Seifert, seconded by Supervisor Spering, the Board approved the agenda of the Solano County Board of Supervisors for August 25, 2015 as submitted. So ordered by 5-0 vote.

## **PUBLIC COMMENT ON CONSENT CALENDAR**

Chairwoman Hannigan 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, commented on Item 3 regarding the Supervisors' Meeting Attendance Reports and Item 7 regarding tax-defaulted property sales and requested use of those funds for skunk patrols.

Dennis Bunting noted that the funds were placed in the General Fund. He then commented on the reimbursement process from the sale of the properties and noted that the properties had been in tax default for at least five years.

## **APPROVAL OF THE CONSENT CALENDAR**

On motion of Supervisor Vallejo, seconded by Supervisor Spering, the Board approved the following Consent Calendar items by 5-0 vote.

## **CONSENT CALENDAR**

2      [15-0816](#)      Approve the minutes of the Solano County Board of Supervisors' meeting of August 4, 2015

Attachments:      [A - Minutes - August 4, 2015](#)  
                                 [Minute Order](#)

Approved

- 3      [15-0817](#)      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) regarding per diem reimbursements
- Attachments:*      [A - 2015 Appointments](#)  
   [Minute Order](#)
- Received and Filed**
- 4      [15-0824](#)      Authorize the County's contribution of \$2,250 from the General Fund contribution allocated to District 5 to benefit Rio Vision (\$1,500), Chabad of Solano County (\$500), and Imagine That! (\$250)
- Attachments:*      [Minute Order](#)
- Approved**
- 5      [15-0827](#)      Adopt a resolution honoring Ziffuel Lewis of Boy Scout Troop #7019 in Vallejo, California on his achieving the Eagle Scout Award (Chairwoman Hannigan)
- Attachments:*      [A - Resolution](#)  
   [Adopted Resolution](#)  
   [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-149**
- 6      [15-0849](#)      Consider approval of a second amendment to the contract with First Carbon Solutions to provide environmental services for Solano360 for an additional \$19,300 and authorize the County Administrator to execute this contract; Adopt a resolution authorizing the County Administrator to submit a grant application in the amount of \$500,000 to the State of California Natural Resources Agency's River Parkways Grant Program for the Solano360 Fairgrounds Channel Project; and Authorize the County Administrator to accept the grant and to sign the grant agreement and any future documents required for the administration of the agreement
- Attachments:*      [A - First Carbon Second Amendment](#)  
   [B - First Carbon Contract Original](#)  
   [C - First Carbon First Amendment](#)  
   [D - Resolution](#)  
   [Adopted Resolution](#)  
   [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-148**

- 7        [15-0766](#)        Adopt a resolution accepting claims for excess proceeds from tax-defaulted property sales and authorizing distribution of excess proceeds from the sales
- Attachments:*        [A - Excess Proceeds Table](#)  
                                 [B - Resolution](#)  
                                 [Adopted Resolution](#)  
                                 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-150**
- 8        [15-0830](#)        Adopt a resolution amending the Position Allocation List to delete 1.0 FTE Assistant Architectural Project Coordinator and add 1.0 FTE Capital Projects Coordinator in the Department of General Services, consistent with the approved reorganization of Architectural Services, and Preauthorize the Human Resources Director, with the concurrence of the County Administrator, to delete, when vacant, 1.0 FTE Associate County Architect and 1.0 FTE Architectural Project Coordinator, and add 2.0 Capital Projects Coordinator (Senior)
- Attachments:*        [A - Resolution](#)  
                                 [Adopted Resolution](#)  
                                 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-151**
- 9        [15-0835](#)        Approve an Appropriation Transfer Request in the amount of \$841,465 for the Nut Tree Airport project budgets 9011 and 9014 to re-budget appropriations from FY2014/15 to FY2015/16 as a technical adjustment (4/5 vote required)
- Attachments:*        [A - Appropriation Funding Source](#)  
                                 [Minute Order](#)
- Approved**
- 10       [15-0836](#)        Approve a construction agreement for \$395,000 with Z Squared Construction, Inc. for the 355 Tuolumne Street roof replacement project; and Delegate contractual signing authority to the County Administrator or designee within the established project budget
- Attachments:*        [A - Contract](#)  
                                 [B - Estimated Project Costs](#)  
                                 [C - Bidders of Record](#)  
                                 [Executed Contract](#)  
                                 [Minute Order](#)
- Approved**

- 11      [15-0818](#)      Adopt a resolution authorizing Jim Allan, Solano County Agricultural Commissioner/Sealer of Weights and Measures, to sign revenue agreements for a net total of \$199,253 with the California Department of Food and Agriculture and \$5,858 with the California Agricultural Commissioners and Sealers Association; and Authorize the Solano County Agricultural Commissioner/Sealer of Weights and Measures to execute revenue contract amendments up to 15% over the approved contract amount
- Attachments:*      [A - Resolution](#)  
                                 [Adopted Resolution](#)  
                                 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-152**
- 12      [15-0808](#)      Adopt a resolution declaring September 2015 as Food Safety Education Month and September 20 - 26, 2015 as Clean Hands Week
- Attachments:*      [A - Resolution](#)  
                                 [Adopted Resolution](#)  
                                 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-154**
- 13      [15-0810](#)      Adopt the proposed ordinance adding Section 16 to Chapter 6.3 - Building Standards and Codes of the Solano County Code to provide an expedited permit process for small residential rooftop solar energy systems
- Attachments:*      [A - Ordinance](#)  
                                 [Adopted Ordinance](#)  
                                 [Minute Order](#)
- Adopted**
- Enactment No: Ordinance 2015-1762**
- 14      [15-0831](#)      Adopt a resolution and authorize a plaque of appreciation be given to Wayne Spencer, Public Works Operations Manager, for over 30 years of distinguished service to Solano County and its citizens
- Attachments:*      [A - Resolution](#)  
                                 [Adopted Resolution](#)  
                                 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2015-155**

**MISCELLANEOUS ITEMS**

- 15      [15-0809](#)      Approve the appointment of Ramon Castellblanch to the Solano County Planning Commission, representing District 2, for a term to expire January 31, 2017

*Attachments:*      [Minute Order](#)

**Approved**

**OTHER**

- 16      [15-0773](#)      Approve an extension to the existing "County-WIB Agreement" to June 30, 2016 to allow for an orderly transition from the Workforce Investment Act (WIA) programs to the new Workforce Innovation and Opportunity Act (WIOA) programs

*Attachments:*      [A - Amendment](#)  
                                 [B - WIB-County Agreement](#)  
                                 [Executed Amendment](#)  
                                 [Minute Order](#)

**Approved**

**REGULAR CALENDAR**

- 17      [15-0819](#)      Approve the Board of Supervisors' response to the 2014/2015 Grand Jury Report of June 24, 2015, regarding Fire Protection: Communication Consolidation

*Attachments:*      [A - BOS Grand Jury Response Letter](#)  
                                 [Executed Letter](#)  
                                 [Minute Order](#)

*Senior Management Analyst/Public Communications Officer Matthew Davis introduced the item and provided the Board with an overview of the 2014/2015 Grand Jury Report of June 24, 2015 regarding Fire Protection: Communication Consolidation.*

*In response to a request from Chairwoman Hannigan, County Counsel Dennis Bunting provided the Board with an overview of the Grand Jury report and finding process, including how responsible parties are required to respond to reports.*

*Chairwoman Hannigan commented on recommendation number three in the response letter. She noted the need for support of a MOU (Memorandum of Understanding) to work with the districts and municipalities within the County in order to look at the feasibility of consolidating fire dispatch services.*

*Supervisor Vasquez commented on past discussions over the years regarding radio inoperability and consolidating dispatch. He noted that the fire districts are independent and that the County has no control over the cities. He then noted that having dispatch from one center would be beneficial for operations.*

*Supervisor Thomson commented on past discussions and noted that many things had changed over the years. He noted the need to figure out how to use the resources the best way possible to ensure the entire county is covered for emergency response.*

*Chairwoman Hannigan commented on mutual aid and recent emergencies. She requested that staff work on an MOU to bring all agencies together to look at opportunities to consolidate fire dispatch.*

*Supervisor Spering commented that having the right people at the table was important. He noted that the decision makers of the cities needed to be at the table, in addition to the chiefs, in order to decide whether this matter can move forward.*

*Supervisor Seifert agreed with having the cities' decision makers at the table and suggested starting the discussion by putting the matter on a 4Cs meeting agenda.*

*Chairwoman Hannigan agreed with putting the matter on a 4Cs agenda and commented that it was time to make headway on this matter and noted a need for the Board to set the goal of setting the pace for this matter to be addressed.*

*County Administrator Birgitta Corsello commented on the Grand Jury response. She noted that there needed to be a political will and economic needs to make this happen, similar to what happened when upgrades happened as a result of September 11th. She commented on the importance of providing separate dispatches between fire and law enforcement and the work that staff would be working on to address this in the future.*

*Chairwoman Hannigan noted that consolidating fire dispatch was the common direction of the Board.*

**On motion of Supervisor Spering, seconded by Supervisor Vasquez, the Board approved the response to the 2014/2015 Grand Jury Report of June 24, 2015 regarding Fire Protection: Communication Consolidation. So ordered by 5-0 vote.**

- 18      [15-0825](#)      Receive a verbal update on the Wragg Fire and recognize and thank all those who assisted in the response
- Attachments:*      [A - Wragg Fire Partners](#)  
                                 [Minute Order](#)  
                                 [Presentation](#)
- Emergency Services Manager Don Ryan provided the Board with an overview of the Wragg Fire.*
- CAL FIRE Incident Commander Brian Estes also commented on the Wragg Fire and the Incident Management Team.*
- Supervisor Vasquez commented on the fire and thanked the responders and volunteers that assisted.*
- Chairwoman Hannigan commented on the drought and also thanked all the responders and volunteers that assisted.*
- Supervisor Seifert suggested a standing round of applause and thanked all the responders and volunteers that assisted.*
- Chairwoman Hannigan invited members of the public to address the Board on this matter and the following comments were received:*
- A) Bryant Stocking, Vacaville, commented on the fire and expressed thanks to CAL FIRE for the restoration efforts after the fire.*
- Supervisor Vasquez also commented on restoration efforts by CAL FIRE.*

**Received**

- 19      [15-0847](#)      Consider and approve the Board of Supervisors funding for Sheriff Dispatch upgrades; and Approve an Appropriations Transfer Request (ATR) not to exceed \$2,000,000 of one-time funding for dispatch hardware, software upgrades and necessary minor building modifications to accommodate Sheriff Dispatch improvements for fire dispatch at 530 Union Street in Fairfield
- Attachments:*      [Minute Order](#)  
                                 [Presentation](#)
- Emergency Services Manager Don Ryan provided the Board with an overview of the request for funding for Sheriff Dispatch upgrades, fire emergencies that took place in July 2015, Fire and EMS Consolidation, the current status of the Solano Communications Center (Center) and the proposal for upgrades to the Center.*
- Supervisor Thomson commented on radio interoperability and communications.*
- Supervisor Vasquez commented on building the Center.*

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

A) George Guynn, Jr., Suisun City, commented on the creation of the internet to provide one place for communication, having a backup system in place for the Center and equipment and competition with vendors.

County Administrator Birgitta Corsello noted that Sacramento, Yolo, San Francisco, and Alameda counties were all consolidated with redundancies built in for emergencies.

**On motion of Supervisor Thomson, seconded by Supervisor Sperring, the Board approved funding for Sheriff Dispatch upgrades and approved an Appropriations Transfer Request (ATR) not to exceed \$2,000,000 of one-time funding for dispatch hardware, software upgrades and necessary minor building modifications to accommodate Sheriff Dispatch improvements for fire dispatch at 530 Union Street in Fairfield. So ordered by 5-0 vote.**

20      [15-0823](#)

Receive an informational briefing of the Sheriff's charter school educational pilot program in partnership with Five Keys Charter Schools

Attachments:      [Minute Order](#)

*Sheriff Tom Ferrara introduced the item.*

*Inmate Program and Services Manager Renee Smith provided the Board with an overview of the Sheriff's charter school educational pilot program with Five Keys Charter Schools to provide education to inmates.*

*Sheriff Ferrara also commented on independent study benefits through the program.*

*Chairwoman Hannigan commented on the ability of the program to assist inmates in getting their GED and improving their lives.*

**Received**

21      [15-0838](#)

Consider modifications to the County Events Center Fee Schedule to provide a "Government Rate" to government agencies and non-profit organizations that are hosted by a County department

Attachments:      [A - CEC Revenues and Expenses](#)  
[B - CEC Revenue Chart](#)  
[C - Recent Non-Profit and Government Agency CEC Users](#)  
[D - Fee Schedules of Similar Facilities](#)  
[E - CEC Fee Schedule \(with proposed modifications\)](#)  
[Adopted Resolution](#)  
[Presentation](#)  
[Minute Order](#)

*Director of General Services Mike Lango introduced the item.*

*Real Estate Manager Keith Hanson provided the Board with an overview of the modifications to the County Events Center Fee Schedule to provide a Government Rate to government agencies and non-profit organizations that are hosted by a County department.*

*Supervisor Thomson commented on non-profit use and was in support of the modified rate.*

*Supervisor Seifert asked about the rate that non-profits would have to pay if they were not hosted by a County department.*

*Mr. Hanson noted that an un-hosted non-profit would be given a 25% discount instead of the Government Rate.*

*County Administrator Birgitta Corsello commented on the determination process of which agencies were considered non-profits and noted that all were given the Government Rate.*

*Supervisor Seifert commented on potential challenges concerning the future closing of the Multipurpose Rooms and asked about priority room use.*

*Mr. Hanson noted that priority use was on a first-come, first serve basis.*

*Supervisor Seifert commented on the internal use of the rooms by County departments and suggested that there may be times where the internal user should be given priority.*

*Mr. Hanson commented that the use of the rooms was likely to increase.*

*Chairwoman Hannigan asked how long the reservation period was.*

*Mr. Hanson noted that the reservation period was one year prior to the event.*

*Ms. Corsello noted that the Board's direction was to come back with a plan for the Registrar of Voters concerning the use of the space needs for training and equipment. She commented that she was waiting for a training plan to come back from the ROV and that staff was looking at how to maximize meeting space within the County Administrative Center in order to reduce pressure on the County Events Center.*

*Supervisor Seifert requested a follow up report in six months that addressed the use and long term reservations.*

*Supervisor Vasquez asked for clarification on sponsored organizations.*

*Mr. Hanson noted that a sponsoring department incurs reservation fees. He then noted that the department that hosts a non-profit would not get charged the fee, but that the non-profit would be charged the Government Rate.*

*Supervisor Vasquez commented on sponsorship of meetings by Board offices.*

*Chairwoman Hannigan invited members of the public to address the Board on this matter and the following comments were received:*

*A) George Guynn, Jr., Suisun City, commented on costs being covered by fees charged.*

*B) Donald Tipton, unincorporated Vallejo, commented on costs received and paid by other agencies, costs going down over the total operations and an increase in the usage of the rooms.*

*Supervisor Spering noted that individuals being served by the room reservations were the citizens of the County.*

**On motion of Supervisor Spering, seconded by Supervisor Vasquez, the Board approved modifications to the County Events Center Fee Schedule to provide a "Government Rate" to government agencies and non-profit organizations that are hosted by a County department. So ordered by 5-0 vote.**

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

*Chairwoman Hannigan invited members of the Board to make comments or reports on meetings. The following comments were received:*

*A. Supervisor Seifert requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Ernest Kimme, an active member of the Vacaville community.*

*B. Supervisor Spering also commented on the leadership of Ernest Kimme in the community.*

*C. Supervisor Seifert requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Alan Goodban, an active member of the Vallejo community.*

*D. Supervisor Spering requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Maury Misegades, an active member of the Vacaville community.*

*E. Supervisor Spering requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Frank Andrews, Sr., an active member of the Fairfield community.*

*F. Chairwoman Hannigan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Linda Gallagher, an active member of the Vallejo community.*

**2:00 P.M.**

**22**

**15-0842**

Conduct a public hearing on an appeal, filed by Mr. Brian West, of the Planning Commission's decision to overturn the Zoning Administrator's approval of Minor Subdivision Application No. MS-14-03 subdividing 21.66 acres located at the northeast corner of Cantelow and English Hills Roads into four lots comprising of three 2.5 acre parcels and one 14.16 acre parcel

Attachments:

[A - County Counsel Memo](#)

[B - Brian West Appeal Form](#)

[C - Proposed and Prior Subdivision Overlay](#)

[D - Tentative Map](#)

[E - Public Hearing Notice](#)

[F - Board Resolution](#)

[G - PC Resolution](#)

[H - July 2, 2015 PC Minutes](#)

[I - Materials Submitted Appellant at PC Hearing](#)

[J - Smith's Appeal Form and Packet](#)

[K - July 2, 2015 PC Staff Report No Attachments](#)

[Minute Order](#)

*Chairwoman Hannigan opened the public hearing and provided direction for the hearing process.*

*Director of Resource Management Bill Emlen introduced the item and explained the differences between what was considered to be a major and minor subdivision. He noted that an alternate resolution had been distributed in the event that the Board's decision was to grant the appeal.*

*Senior Planner Nedzlene Ferrario provided the Board with an overview of the property map, past activities and decisions on the subdivision of the property, a review of the matter by the Planning Commission, the Appellant's Appeal of the Planning Commission's decision and staff's recommendation to uphold the decision.*

*Deputy County Counsel Jim Laughlin provided the Board with an overview of the parcel subdivision process, laws and regulations. He then commented on factual information that gives an implied business association between the seller and the buyer on the property in question.*

*Mr. Emlen noted that the original resolution in the agenda packet would uphold the Planning Commission's decision and the alternate resolution would grant the appellant's appeal with two additional conditions of approval added.*

*Supervisor Vasquez asked if the property would still be four lots at the end of the day no matter whether it was considered a minor or major subdivision.*

*Principal Planner Jim Leland commented on the property lots, noting that one parcel could potentially be split again in the future.*

*Supervisor Vasquez commented on the probability of another parcel split happening.*

*Mr. Leland noted that statutes state that anyone dividing property into more than five parcels would be considered a major subdivider.*

*In response to comments from Supervisor Vasquez, Mr. Emlen commented on the type of improvements required for a major subdivision and noted that the property in question could create a piecemeal type of subdividing, however he noted that it was not for certain that this property would fall into this scenario.*

*Supervisor Vasquez commented on the road access to the parcels.*

*Mr. Emlen noted that the Planning Commission felt there was enough evidence that this was a re-subdivide resulting in a major subdivision.*

*Supervisor Vasquez commented that the issue should not be looked at solely because it was a property of Don Pippo's.*

*Mr. Laughlin noted that the issue was not personal and that the original subdivider was Don Pippo.*

*Mr. Emlen noted that the issue is a process question and that the neighbors filed an appeal with the Zoning Administrator, therefore staff was following that appeal process.*

*Chairwoman Hannigan opened the public hearing.*

*Attorney John Gardner, representing Brian and Eileen West, provided the Board with information regarding the purchase of the property and deeds of trust on the property where Mr. Pippo was subordinate to Elizabeth Fry and Cliff Neal. He noted that a Fair Market Value (FMV) opinion had been secured and the transaction is considered a FMV purchase and arm's length. He then commented that the only question was whether Mr. Pippo was a co-developer, of which the appellants had submitted documentation showing that he was not. He requested that the Board find that Mr. Pippo was not a co-supporter of the subdivision.*

*Supervisor Seifert asked for clarification on the question before the Board and whether Mr. Pippo had proprietary interest in the broadest interpretation of the Subdivision Map Act to get his property back.*

*Mr. Laughlin noted that the question was whether Mr. Pippo was a subdivider on the project as defined by state law.*

*Supervisor Seifert commented that it boiled down to whether Mr. Pippo could get the property back.*

*Mr. Laughlin noted that it did boil down to whether Mr. Pippo and Mr. West were working in an association, whether formally or informally. He commented that all evidence could be considered by the Board to make a decision. He then noted that new pieces of evidence had come in regarding the subordination agreement recorded on June 3, 2015, the purchase and sale agreement, and the FMV opinion.*

*In response to a question from Supervisor Seifert, Mr. Laughlin provided the Board with an overview of the FMV opinion, a \$400,000 deed of trust on the property, a promise to pay taxes on the property and noted that the evidence on this matter was constantly changing.*

*Michael Smith, resident of Pippo Lane, noted that he did file the appeal and did not have any further comment or items to present.*

*Chairwoman Hannigan invited members of the public to address the Board on this matter and the following comments were received:*

*A) George Guynn, Jr., Suisun City, commented on Mr. Gardner's explanation of the arm's length transaction, noted that Mr. Pippo's take back of prior property was because of a default on the buyer's behalf and stated that this project was not a major subdivision.*

*B) Bryant Stocking, Vacaville, representing the neighboring Hale family, noted that the subdivision was marketed as a major subdivision and provided information regarding meetings he had attended concerning adding property to the development and adjusting lot lines.*

*Chairwoman Hannigan closed the public hearing.*

*Supervisor Spering commented on the possibility of the property coming back to Mr. Pippo and asked if a fifth lot would trigger the project to be considered a major subdivision.*

*Mr. Laughlin confirmed that a fifth lot would trigger this project to be considered a major subdivision.*

*Supervisor Spering asked what the difference was between a minor and major subdivision.*

*Mr. Laughlin noted that a minor subdivision would go through the Zoning Administrator for approval, whereas a major subdivision would go to the Board for approval. He also noted that the County was limited to imposing conditions on the subdivision itself, whereas broader impacts to the community would be looked at for a major subdivision.*

*In response to questions from Supervisor Spering, Mr. Leland provided information on how the department would view future development of the subdivision and commented on capital investments that the property would be subject to.*

*Supervisor Spering commented on the uniqueness of the property in the area, noting that it was very rural and would be subject to certain standards and requirements. He noted that he did not see this project having a negative impact going forward.*

*Supervisor Vasquez asked what the project would look different if it came back as major subdivision.*

*Mr. Leland noted that there would not be a whole lot of differences.*

*Supervisor Vasquez commented on Mr. Pippo's ownership of parcels along Pippo Lane and properties owned by other individuals in the area. He also commented on roads in the area.*

*Supervisor Spering asked if there was any requirement that the County could put on the project in the event the property did go back to Mr. Pippo.*

*Mr. Laughlin noted that this matter was governed by state law and County ordinance and that the County did not have discretion to change the rules in process. He then commented on the subdivision and noted that it would be processed as a major subdivision if Mr. Pippo was found to be a co-subdivider on the project.*

*Supervisor Thomson commented on the appeal and noted that financing of this type of transaction was difficult to find and limiting exposure to get through the process would be expected. He then commented on sales of parcels that were 2.5 acres and noted that the value seemed a reasonable acquisition price. He also commented on the subordination of Mr. Pippo and noted support for the applicant's appeal. He then asked about what was being done with the property taxes that had not been paid on the property.*

*Mr. Laughlin noted that the property taxes would need to be paid before the parcel map could be recorded.*

*Mr. Emlen noted that granting the appeal would mean that the conditions imposed by the Zoning Administrator originally plus two conditions in the resolution regarding requirement that all access to the lots be provided from the proposed private streets instead of Cantelow or English Hills Road and to ensure there are water connections from the Rural North Vacaville Water District to these properties.*

*In response to a question from Supervisor Vasquez, Mr. Leland provided information on the access routes to the lots.*

*Chairwoman Hannigan asked Brian West, appellant, if he was ok with the two additional conditions.*

*Mr. West asked for clarification on the Condition 22 regarding the access to all parcels being via the two private roads.*

*Supervisor Seifert asked if the Planning Commission had considered the project on its own merits or if it was to be a major or minor subdivision.*

*County Counsel Dennis Bunting noted that the Zoning Administrator had reviewed the project and put conditions on it. He noted that the Board was being asked to review this and the two additional conditions coming forward from the department.*

*Mr. Laughlin provided the Board with information on a condition from the Zoning Administrator regarding driveway access and noted that the department had tightened this condition. He also provided information on an additional condition to ensure water connections to the parcels, noting that it was consistent with the General Plan.*

*Supervisor Thomson commented on the requirements for water connections on the property and asked Mr. West if he was considering access to each parcel from English Hills Road.*

*Mr. West commented on the submitted map and noted that he did not have any issues with conditions on private driveways coming out on to Cantelow or English Hills Road. He then noted that he had an objection to the wording on Condition 22 regarding access to all parcels being limited to the two private roads on the parcel map. He also noted that he had no objection to Condition 23 regarding water connections.*

*Chairwoman Hannigan asked Mr. West for clarification on his intent for road access.*

*Mr. West commented on two private roads proposed on the submitted map and noted that he objected to restrictions on access to the property because of his concerns with the property on the other side of English Creek needing a third private road for access.*

*Ms. Ferrario provided the Board with an overview of the submitted map regarding private driveways.*

*Mr. West commented on possible access to the property from Cantelow Road instead of using one of the private roads already shown on the map.*

*County Administrator Birgitta Corsello asked why another road had not been shown on the parcel map to address access to that property.*

*Mr. West commented that the third private road would be to address future development.*

*Chairwoman Hannigan remarked that it seemed as though the Board was being asked to approve a major subdivision based on this.*

*Mr. West commented on cul-de-sacs and water connections indicated on the map.*

*Mr. Leland commented on the cul-de-sacs and noted the question concerning whether the project was a major subdivision.*

*Mr. Gardner commented on the appeal of the Zoning Administrator's decision and noted that the question was whether Mr. Pippo was a co-developer.*

*Supervisor Seifert commented on the appeal and asked if the subdivision map act would preclude further subdivision of the property.*

*Mr. Laughlin noted that Mr. West could sell property to anyone other than Mr. Pippo and that they could subdivide it into four parcels and still maintain a small subdivision status. He then commented on the private road and driveway access condition.*

*Supervisor Seifert commented on the project noting that it seemed to be a major subdivision, and should be analyzed on that basis. She commented on the Subdivision Map Act and noted that approving the project as a minor subdivision would be in contradiction to the Subdivision Map Act and would set a precedent for other circumstances in the future. She commented on the importance of conforming to the intent of that law and noted that she was not supportive of the Board looking at this project as a minor subdivision.*

*Supervisor Thomson asked about access to parcel 4.*

*Mr. West commented that the road had been extended through parcel 1 and 2 to a cul-de-sac on parcel 4, would preclude the need for a private driveway on parcel 4. He noted that he no longer had any objections to the condition for private driveways but would like to see it reworded to make the intent of the condition clearer.*

*Supervisor Thomson commented on the applicant following the legal process to split properties and noted that the cul-de-sac appears to be part of the next phase of the project. He then noted that land could not be landlocked in California and commented in support of the applicant with the conditions given.*

*Supervisor Vasquez commented on the conditions and access to English Hills Road and noted that the conditions would be recorded with the map and would apply to new owners in the subdivision.*

*Mr. West noted that he would have no objection to that.*

*Supervisor Vasquez commented on future development of the property, noting that it had been in the General Plan for a long time.*

**On motion of Supervisor Thomson, seconded by Supervisor Sperring, the Board adopted Resolution No. 2015-153 to grant the appeal filed by Brian West and approve Minor Subdivision MS-14-03. Supervisor Seifert voted no. So ordered by 4-1 vote. (see Resolution Book)**

**Enactment No: Resolution 2015-153**

**BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS**

*Chairwoman Hannigan invited members of the Board to continue making comments or reports on meetings. The following comment was received:*

*A. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Albert "Al" Patch, a Correctional Officer killed in the line of duty on August 17, 1980.*

**ADJOURN:**

*This meeting of the Solano County Board of Supervisors adjourned at 3:13 p.m. in memory of Ernest Kimme, Alan Goodban, Maury Misegades, Frank Andrews, Sr., Linda Gallagher and Albert "Al" Patch. Next meeting of the Solano County Board of Supervisors will be September 1, 2015 at 8:30 a.m., Board Chambers, 675 Texas Street, Fairfield, California.*

\_\_\_\_\_  
ERIN HANNIGAN, Chairwoman  
Solano County Board of Supervisors

BIRGITTA E. CORSELLO, Clerk  
Solano County Board of Supervisors

By \_\_\_\_\_  
Jeanette Bellinder, Chief Deputy Clerk