



Solano County

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Minutes - Draft Board of Supervisors

*Erin Hannigan (Dist. 1), Chairwoman
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*James P. Spering (Dist. 3)
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*Skip Thomson (Dist. 5)
(707) 784-6130*

Tuesday, August 9, 2016

1:00 PM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 9th day of August 2016 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 1:00 P.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 - Linda J. Seifert, Erin Hannigan, James P. Spering, John M. Vasquez and Skip Thomson

CLOSED SESSION

The Solano County Board of Supervisors recessed to Closed Session at 1:01 P.M. to discuss the following matters:

1 [16-623](#)

Conference with Real Property Negotiators:

Property: 1305 North First Street, Dixon, California (APN 0113-391-370); Michael Lango, General Services Director and Keith Hanson, Real Estate Manager; Negotiating party: Norman Shontz and Wayn Holland; Under negotiation: Price and terms

Attachments: [A - Memorandum](#)

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 1:35 P.M. All members were present and Chairwoman Hannigan presided.

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

County Counsel Dennis Bunting advised that there were no reports from Closed Session.

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

- 2 [16-605](#) Adopt and present a resolution honoring the Rio Vista Coast Guard Station and Personnel (Supervisor Thomson)
- Attachments: [A - Resolution](#)
 [Adopted Resolution](#)
 [Minute Order](#)
- On motion of Supervisor Thomson, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2016-146 honoring the Rio Vista Coast Guard Station and Personnel. So ordered by 5-0 vote. (see Resolution Book)
- Enactment No: Resolution 2016-146
- 3 [16-608](#) Receive a presentation recognizing August 2016 as "Child Support Awareness Month" in Solano County
- Attachments: [Minute Order](#)
- Received

ITEMS FROM THE PUBLIC

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

A) George Guynn, Jr., Suisun City, commented on pay raises for the Board, increases to taxes and rights of the Twin Sisters Gun Club owner.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for August 9, 2016.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez, seconded by Supervisor Seifert, the Board approved the agenda of the Solano County Board of Supervisors for August 9, 2016 as submitted. So ordered by 5-0 vote.

PUBLIC COMMENT ON CONSENT CALENDAR

Supervisor Vasquez request that the following item be moved to the Regular Calendar for discussion:

Item 5 16-591 Approve an agreement for \$492,782 with Walberg, Inc. of Corning, CA to demolish buildings and structures at 1333 Fouts Springs Road in Stonyford (former Fouts Springs Youth Facility); and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget

APPROVAL OF THE CONSENT CALENDAR

On motion of Supervisor Spering, seconded by Supervisor Seifert, the Board approved the following Consent Calendar items with Item 5 being removed from the Consent Calendar for discussion. So ordered by 5-0 vote.

CONSENT CALENDAR

- 4 [16-617](#) Receive the Review of the Solano County Department of Health and Social Services' Wraparound Program Administered by Seneca Center for the contract period July 1, 2012 to June 30, 2015

Attachments: [A - Report and Response](#)
 [Minute Order](#)

Received

- 6 [16-533](#) Adopt a resolution accepting the dedication of a right of way easement, approximately 0.90 acres for road purposes, known as English Creek Lane for Minor Subdivision MS-14-03 (West)

Attachments: [A - Map](#)
 [B - Resolution](#)
 [Adopted Resolution](#)
 [Minute Order](#)

Adopted

Enactment No: Resolution 2016-147

- 7 [16-618](#) Approve two Memorandum of Understanding's (MOU) that fulfill the federal Workforce Innovation and Opportunity Act's (WIOA) requirement for a local agreement between the County, the Workforce Development Board and the mandated partner agencies for the local One Stop Career Center system entitled the "Americas Job Centers of California"

Attachments: [A - MOU Phase I Master MOU](#)
 [B - MOU Partner Agencies](#)
 [Executed Phase I Master MOU](#)
 [Minute Order](#)

Approved

MISCELLANEOUS ITEMS

- 8 [16-613](#) Approve the Solano Children's Alliance (SCA) membership reappointments of Juan Cisneros, Maurilio Leon, and Guadalupe Lopez to serve additional two year terms expiring September 9, 2018; and Approve the alternate members of Nazlin Huerta, Jason Aguirre, Rafael Hernandez-Perez, and Cynthia Wojan for two year terms expiring August 9, 2018

Attachments: [A - Membership Roster](#)

Approved

REGULAR CALENDAR

- 5 [16-591](#) Approve an agreement for \$492,782 with Walberg, Inc. of Corning, CA to demolish buildings and structures at 1333 Fouts Springs Road in Stonyford (former Fouts Springs Youth Facility); and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget

Attachments: [A - Agreement](#)
 [B - Bidders of Record](#)
 [Executed Agreement](#)
 [Minute Order](#)

Supervisor Vasquez commented on the history of Fouts Springs Youth Facility noting that good work had been done at the facility to treat youth. He noted that the steps being taken were required to complete the closure of the facility at the requirement of the federal government.

Chairwoman Hannigan commented on her experience touring the facility in the past.

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 cost of the work, resources needed at the site and other possible uses for the site.

Supervisor Vasquez noted that the County did not own the land the facility was located on.

County Administrator Birgitta Corsello noted that the County had advertised three times for another operator of the site and advised that the County was under orders by the federal bureau of land management to demolish the buildings.

Assistant Director of General Services Kanon Artiche commented that the site was being restored back to a natural environment.

On motion of Supervisor Vasquez, seconded by Supervisor Seifert, the Board approved an agreement for \$492,782 with Walberg, Inc. of Corning, CA to demolish buildings and structures at 1333 Fouts Springs Road in Stonyford (former Fouts Springs Youth Facility) and authorized the County Administrator or designee to execute the agreement and any amendments within the approved project budget. So ordered by 5-0 vote.

9

[16-323](#)

Consider and approve a proposed reorganization within the Department of Health & Social Services to move Older & Disabled Adult Services and administratively house the In-Home Supportive Services Public Authority staff under the Public Health Division and; Approve a resolution amending the List of Numbers and Classifications of Positions to delete a 1.0 Full Time Equivalent (FTE) Deputy Director Older & Disabled Adult Services and add 1.0 FTE Health Services Administrator, 1.0 FTE Health Education Specialist, Senior, 1.0 FTE Business Systems Analyst, and 1.0 FTE Social Services Supervisor to support the organizational changes; and Approve an Appropriation Transfer Request from federal, State, and realignment revenues increasing appropriations and budgeted revenues by \$350,167 to fund the positions (4/5 vote required)

Attachments: [A - Proposed Organizational Chart \(PH & ODAS\)](#)
 [B - Current Organizational Chart \(ODAS\)](#)
 [C - Current Organizational Chart \(PH\)](#)
 [D - Resolution](#)
 [E - Presentation](#)
 [Adopted Resolution](#)
 [Minute Order](#)

Director of Health and Social Services Gerald Huber introduced the item.

Dr. Bela Matyas provided the Board with an overview of the proposed reorganization within the Department to move Older & Disabled Adult Services and administratively house the In-Home Supportive Services Public Authority staff under the Public Health Division.

On motion of Supervisor Spering, seconded by Supervisor Thomson, the Board considered and approved a proposed reorganization within the Department of Health & Social Services to move Older & Disabled Adult Services and administratively house the In-Home Supportive Services Public Authority staff under the Public Health Division; Approved Resolution No. 2016-148 amending the List of Numbers and Classifications of Positions to delete a 1.0 Full Time Equivalent (FTE) Deputy Director Older & Disabled Adult Services and add 1.0 FTE Health Services Administrator, 1.0 FTE Health Education Specialist, Senior, 1.0 FTE Business Systems Analyst, and 1.0 FTE Social Services Supervisor to support the organizational changes; and Approved an Appropriation Transfer Request from federal, State, and realignment revenues increasing appropriations and budgeted revenues by \$350,167 to fund the positions. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2016-148

10

[16-566](#)

Consider the recommendation from the Board's Military and Veterans Affairs Committee and the Department of General Services to approve a new Operation and Management Agreement with the Dixon American Legion, Post 208 for the use of the Veterans Memorial Hall at 1305 North First Street in Dixon from August 9, 2016 to April 30, 2021; and Authorize the County Administrator to execute an Agreement if approved by the Board (Continued from August 9, 2016)

Attachments: [A - Agreement](#)
 [Executed Agreement](#)
 [Minute Order](#)

Assistant Director of General Services Kanon Artiche provided the Board with an overview of the item.

County Administrator Birgitta Corsello provided the Board with information on past complaints from groups involved in the Dixon Veterans Hall (Hall), as well as a past Grand Jury Report and independent audit done by the Auditor-Controller. She advised that the proposed agreement included additional requirements that satisfied some of the past complaints. She also noted that concerns raised in the audit had been resolved but that relations were strained between the two groups using the Hall.

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

A) Wayne Holland, Dixon American Legion Post 208 Commander, commented on relations between the American Legion and the VFW (Veterans of Foreign Affairs).

B) Norman Shontz, American Legion Post 208 Financing Officer, commented on relations with the VFW and noted that the American Legion could not afford an audit.

Supervisor Vasquez commented on efforts of the two groups to work together. He suggested that the Board's Military & Veterans Affairs Committee work with the two groups to resolve the issue.

Mr. Holland commented that he was not opposed to this effort.

Supervisor Vasquez commented that the Veterans Hall should be available to all veterans groups. He then asked that the item be continued until the Military & Veterans Affairs Committee could help resolve the issue.

Supervisor Spering asked what the veterans groups were responsible for maintaining at the Hall.

Real Estate Services Manager Keith Hanson advised that they were responsible for maintenance and repairs, daily management of the building up to \$1,000 per issue or item.

Supervisor Spering asked about little things being left uncorrected to add up to over the \$1,000 threshold.

Mr. Hanson advised that the agreement required immediate action to take care of things so that it would not accumulate.

Supervisor Spering commented on costs and requested that staff monitor things closely on the veterans hall contracts to make sure things weren't being ignored and going over the cost threshold.

In response to a question from Chairwoman Hannigan, Supervisor Spering clarified that he was asking staff to monitor all of the veterans hall contracts.

Supervisor Vasquez requested that the item be postponed to the September 13, 2016 regular meeting so that the Military & Veterans Affairs Committee had time to meet with the two groups.

On motion of Supervisor Vasquez, seconded by Supervisor Seifert, the Board postponed this item to the September 13, 2016 Board meeting. So ordered by 5-0 vote.

11 16-615

Conduct a Public Hearing to consider adopting a Resolution to adopt a Mitigated Negative Declaration and Mitigation Monitoring Plan for the East Grove Obstruction Removal Project, as required by the FAA, located on and adjacent to the Nut Tree Airport in Vacaville

Attachments: [A - Resolution](#)
[B1 - Initial Study Mitigated Negative Declaration Part 1](#)
[B2 - Initial Study Mitigated Negative Declaration Part 2](#)
[B3 - Initial Study Mitigated Negative Declaration Part 3](#)
[C - Mitigation Monitoring Plan](#)
[D - Project Site Map](#)
[E - CEQA Findings](#)
[Presentation](#)
[Adopted Resolution](#)
[Minute Order](#)

Assistant Director of General Services Kanon Artiche introduced the item.

Chairwoman Hannigan opened the public hearing.

Airport Services Manager Dave Daly provided the Board with an overview of the Mitigated Negative Declaration and Mitigation Monitoring Plan for the East Grove Obstruction Removal Project including project vicinity, property ownership, project site and an obstruction removal summary.

Chairwoman Hannigan commented on the number of trees identified for removal and asked about costs associated with the removal.

Mr. Daly noted that the estimate cost was for the project and some mitigation of all of the trees identified.

Chairwoman Hannigan invited members of the public to address the Board on this matter. There was no public comment.

Chairwoman Hannigan closed the public hearing.

Supervisor Vasquez thanked staff for their work and commented on the importance of clearing the flightpath and cleaning up the airport area. He asked what would happen if the work could not be done before the nesting season.

Mr. Daly noted that the work would slide to the next year if it could not take place this fall.

In response to comments from Supervisor Vasquez, Mr. Daly noted that agreements were currently in place and being finalized with the identified agencies.

In response to comments from Chairwoman Hannigan, Mr. Daly provided the Board with information on how the trees would be removed and how mitigation of endangered species would be addressed.

On motion of Supervisor Thomson, seconded by Supervisor Spering, the Board adopted Resolution No. 2016-149 to adopt a Mitigated Negative Declaration and Mitigation Monitoring Plan for the East Grove Obstruction Removal Project, as required by the FAA, located on and adjacent to the Nut Tree Airport in Vacaville. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2016-149

12 [16-610](#)

Receive an update on the current status of the proposal to modify the groundwater subbasin boundary for the Yolo Subbasin and on activity related to developing a recommendation on potential governance structures for a Groundwater Sustainable Agency in the Solano Subbasin; and Provide direction to staff as appropriate

Attachments: [Presentation](#)
 [Minute Order](#)

Director of Resource Management Bill Emlen introduced the item.

Geologist Misty Kaltreider provided the Board with an update on the Sustainable Groundwater Management Act (SGMA) including key milestones of the SGMA, basin boundary modification activities and Groundwater Sustainable Agency (GSA) requirements.

Supervisor Vasquez asked if the formation of the GSA had to be in place by next year or if the application just had to be submitted.

In response to questions from Supervisor Vasquez, Deputy County Counsel Peter Miljanich advised that the work on the groundwater sustainability plan does not have to be done by next year but that the GSA did need to be partially formed by the June 30, 2017 date. He then noted that there was a 90 day notice period after the proposal for the GSA was submitted to the state. He also noted that there was a two-week public noticing period prior to that.

In response to questions from Supervisor Seifert, Mr. Miljanich advised that the GSA proposal needed to have as much detail as possible to show that there would be effective management of the basin.

County Administrator Birgitta Corsello advised that the work on the proposal should be done in February to meet the June deadline.

Ms. Kaltreider continued to provide the Board with information on the Ad Hoc Working Group and efforts to date, recommendations from the Ad Hoc Working Group, GSA governance responsibilities, a draft GSA governance structure for the Solano Subbasin and Special Management Areas.

In response to questions from Supervisor Vasquez, Ms. Kaltreider provided the Board with information on two models being looked at for the Special Management Areas (SMA).

Supervisor Vasquez commented on changes in agriculture from row crops to trees and noted he would be more inclined to support the model showing three SMAs.

Ms. Kaltreider provided additional information on the two models and advised that more work would be done on these. She then provided the Board with information on the Ad Hoc Working Group's next steps.

Supervisor Sperring commented on the draft GSA Governance structure and asked if changes could be made to the membership.

Ms. Kaltreider noted that it could be changed.

Supervisor Sperring advised that there should be three members from the Board of Supervisors sitting on the GSA Board.

Assistant Director of Resources Management Terry Schmidtbauer advised that staff would bring that recommendation forward.

Supervisor Seifert asked if this could be done without violating the Brown Act.

County Counsel Dennis Bunting advised that the GSA Board would not be subject to the Brown Act.

Supervisor Seifert commented on the importance of governance and advised that decisions made would be critical to Solano County. She then commented on the importance of making sure agriculture was represented, as well as those cities that would be affected and that would be outside the boundary of the subbasin but affected in the long run. She then commented on budget costs for running the GSA and the need for this to be vetted. Lastly, she thanked staff for their work.

In response to a question from Chairwoman Hannigan, Ms. Kaltreider noted that staff was still looking into calculation of costs and how they would be budgeted for.

Supervisor Vasquez commented on concerns that some groups such as farmers pumping ground water may not be represented by agencies and may not be able to afford to pay for representation on the GSA. He commented on the importance of making sure agriculture was represented.

Ms. Kaltreider commented that more work needed to be done on voting rights of members the GSA Board and how that would be addressed.

Supervisor Vasquez commented that the Board of Supervisors represented all of the individuals within the county.

Supervisor Spering commented that the third at-large board member would represent those interests that are not represented.

In response to questions from Supervisor Vasquez, Mr. Miljanich advised that there was no single agency that could make the decision about the GSA and that it would have to be a consensus of eligible agencies. He then advised that the County had the authority to be the GSA, however it would be expected that other agencies would submit competing claims that would have to be negotiated.

In response to comments from Supervisor Vasquez, Mr. Schmidtbauer advised that the state would come in and take over if overlapping GSA claims were submitted. He also noted that there could be multiple GSAs within the subbasin as long as there were coordinating agreements and advised that it was a difficult situation with competing interests.

Supervisor Vasquez noted that the County had about six months to put the proposal together.

Mr. Emlen advised that there had been positive movement toward a GSA model in the last few months.

Supervisor Vasquez asked when elected officials would start hearing about the deadline and the activities going on.

Mr. Miljanich advised that staff from agencies were meeting with their elected officials.

Ms. Kaltreider advised that the Solano County Water Agency was considering bringing something forward in October.

Mr. Miljanich commented that staff would be working on a greater consensus and more concrete proposal that could be brought back to the elected officials with more detailed information on financing.

Mr. Emlen advised that staff would be before the Board on more occasions in the future regarding all the work being done before the proposal was finalized.

Supervisor Vasquez commented on the Northern Delta reclamation districts.

Ms. Kaltreider advised that negotiations within those districts were ongoing.

Received

13 [16-633](#)

Adopt an ordinance amending Article XII of Chapter 11 of the Solano County Code imposing a general business license tax of up to 15% on the gross receipts of future marijuana businesses as authorized by Revenue and Taxation Code section 7284 to be placed on the ballot at the November 8, 2016 election (4/5 vote required); and Adopt a resolution submitting to the voters of Solano County a proposed general business license tax of up to 15% on future marijuana businesses within the County for general governmental purposes commencing on January 1, 2018 be placed on the ballot for the November 8, 2016 election

Attachments: [A - Ordinance](#)
 [B - Resolution](#)
 [Minute Order](#)
 [Adopted Ordinance](#)
 [Adopted Resolution](#)

Chairwoman Hannigan opened the public hearing.

Director of Resource Management Bill Emlen introduced the item.

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

A) Donald Tipton, unincorporated Vallejo, commented against taxing medical marijuana.

B) Patrick Byron, Rio Vista, commented against taxing each type of license for marijuana.

Supervisor Vasquez commented on getting the ordinance on the ballot and noted that the ordinance could be amended in the future to address issues that come up.

County Counsel Dennis Bunting commented that the fee was only being placed on gross receipts and confirmed that the ordinance could be amended if needed.

Supervisor Thomson commented on tracking the use of the marijuana and advised that he did not support taxing medical marijuana. He noted that the action today would be to put the ordinance on the ballot.

C) George Guynn, Jr., Suisun City, commented against taxing medical marijuana and against taxing the public in general.

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board adopted Ordinance 2016-1773 amending Article XII of Chapter 11 of the Solano County Code imposing a general business license tax of up to 15% on the gross receipts of future marijuana businesses as authorized by Revenue and Taxation Code section 7284 to be placed on the ballot at the November 8, 2016 election and adopted Resolution No. 2016-150 submitting to the voters of Solano County a proposed general business license tax of up to 15% on future marijuana businesses within the County for general governmental purposes commencing on January 1, 2018 be placed on the ballot for the November 8, 2016 election. So ordered by 5-0 vote. (see Resolution and Ordinance books)

Enactment No: Ordinance 2016-1773 and Resolution 2016-150

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 Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Carolyn Henderson Lopez, an active member of the Vacaville community.

B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Floyd "Tex" Cooper, an active member of the Vacaville community.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 3:37 P.M. in memory of Carolyn (Henderson) Lopez and Floyd "Tex" Cooper. Next meeting of the Solano County Board of Supervisors will be August 23, 2016 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 Neiger, Chief Deputy Clerk