



# Solano County

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

## Minutes - Final Board of Supervisors

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

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

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

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

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

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Tuesday, November 1, 2016

8:30 AM

Board of Supervisors Chambers

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### AMENDED AGENDA

#### CALL TO ORDER

*The Solano County Board of Supervisors met on the 1st day of November 2016 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** 4 - Erin Hannigan, James P. Spering, John M. Vasquez and Skip Thomson

#### CLOSED SESSION

*The Solano County Board of Supervisors recessed to Closed Session at 8:31 A.M. to discuss the following matters:*

- 1      [16-843](#)      Conference with Labor Negotiators: Conference with Labor Negotiators: Solano County representatives: Marc Fox, Jeannine Seher, David Pak, 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); Unit 60 Legislative Group; Unit 61 (unrepresented Executive Management Employees), Unit 62 (unrepresented Senior Management Employees) and Unit 30 (Confidential Employees)

In-Home Supportive Services Authority representatives: Marc Fox, Jeannine Seher, David Pak, Gerald Huber, Nancy Huston and Birgitta E. Corsello.  
Employee organization: SEIU Local 2015

Public Employee Performance Evaluation: County Administrator and County Counsel

Attachments:      [A - Memorandum](#)

## **RECONVENE**

*This meeting of the Solano County Board of Supervisors reconvened at 9:10 A.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      [16-831](#)      Adopt and present a resolution recognizing November as Complex Regional Pain Syndrome Awareness Month (Supervisor Vasquez)

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

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2016-200 recognizing November as Complex Regional Pain Syndrome Awareness Month. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2016-200

- 3      [16-774](#)      Adopt and present a resolution recognizing the month of November 2016 as National Adoption Month in Solano County (Chairwoman Hannigan)

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

On motion of Supervisor Seifert, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2016-201 recognizing the month of November 2016 as National Adoption Month in Solano County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2016-201

**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 tax measures and use of taxpayers' money.*

*B) Carl Vinson, IHSS provider, commented on the need for a new contract for providers.*

*C) Mary McDaniels, IHSS provider, commented on her experience as a provider and on the need for a new contract for providers.*

*D) Roxana Melara, IHSS provider, commented on her experience as a provider and on the need for a new contract for providers.*

*Supervisor Spering commented on Mr. Guynn's comments noting that the disadvantaged were being helped by taxes.*

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

*There were no additions to or deletions from the Solano County Board of Supervisors' agenda for November 1, 2016.*

## **APPROVAL OF THE AGENDA**

On motion of Supervisor Seifert, seconded by Supervisor Thomson, the Board approved the agenda of the Solano County Board of Supervisors for November 1, 2016 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) Danny Wells, representing Just Serve of Vacaville, commented on Item 5 regarding the contract for a web based volunteer center, noting that Just Serve provided similar services.*

*Chairwoman Hannigan noted that a Request for Proposals was conducted in March for the contract.*

*Supervisor Sperring noted that there were many service providers that offered volunteer opportunities and advised that the contract being considered would help streamline coordination of volunteer agencies and services to avoid overlap. He then also commented on the link to the Network of Care being worked on by the Health and Social Services, noting that the Volunteer Center would also help with coordination of care services. He thanked the County Administrator and staff for bringing the contract forward.*

*Supervisor Thomson asked that Item 5 be moved to the Regular Calendar for discussion.*

## **APPROVAL OF THE CONSENT CALENDAR**

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

## CONSENT CALENDAR

- 4      [16-797](#)      Adopt resolutions recognizing Boy Scouts of America Troop 180 members Ryan Campbell, Travis Getty, Cameron Gregson, Christopher Howley, Collin Pihl and Vincent Walsh for earning the rank of Eagle Scout

Attachments:      [A - Resolutions](#)  
                         [Adopted Resolutions](#)  
                         [Minute Order](#)

**Adopted**

**Enactment No: Resolution 2016 - 202 through Resolution 2016-207**

- 6      [16-848](#)      Adopt a resolution to amend the Alphabetical Listing of Classes and Salaries to add the classifications Pharmacy Specialist with an annual salary of \$47,138-\$57,297 and Records Coordinator with an annual salary of \$56,874-\$69,826

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

**Adopted**

**Enactment No: Resolution 2016-208**

- 7      [16-836](#)      Approve Updated Solano County Historical Records Commission By-Laws; and Approve reappointments of Thomas C. Clark, and Douglas J. Rodgers and the appointment of Thomas L. Snyder, MD to the Solano County Historical Records Commission with terms to expire on April 26, 2020

Attachments:      [A - HRC By-Law change - Draft](#)  
                         [B - HRC By-Law change - Red Lined](#)  
                         [C - 2016 Commissioner Composition](#)  
                         [Minute Order](#)

**Approved**

## MISCELLANEOUS ITEMS

- 8      [16-829](#)      Approve the appointment of Glen Grant to the Suisun Fire Protection District, representing District 3, to fill a vacant position terminating on April 15, 2019

Attachments:      [Minute Order](#)

**Approved**

9      [16-830](#)

Approve the appointments of JoLyn McMillan and Jane Johnson as members and Deena Lemley and Sonja New as alternate members to the Solano Children's Alliance, for two year terms commencing on November 1, 2016 and terminating on October 31, 2018

Attachments:      [A - Membership Roster](#)  
                             [Minute Order](#)

**Approved**

## **REGULAR CALENDAR**

5      [16-809](#)

Approve a 3-year pilot project to develop a Solano County web based Volunteer Center in coordination with County Departments and local agencies; Approve a contract with the Center for Volunteer & Non-Profit Leadership Inc. in the amount of \$134,750 for the period of November 1, 2016 through December 31, 2017; and Authorize the County Administrator to sign the agreement, renewals, and any amendments within budgeted appropriations

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

*Supervisor Sperring noted that the idea of a Volunteer Center wasn't new and had been discussed previously during the budget process.*

*Principal Management Analyst Ron Grassi provided the Board with an overview of the project.*

*In response to a question from Chairwoman Hannigan, Mr. Grassi advised that the program would be provided countywide and noted that the provider already worked with Marin and Napa counties. He then advised that the project would be designed specifically for Solano County.*

*Supervisor Vasquez noted that the County had looked into this for a long time and that the County had received countless requests from agencies to put something together for coordination of efforts.*

**On motion of Supervisor Seifert, seconded by Supervisor Sperring, the Board approved a 3-year pilot project to develop a Solano County web based Volunteer Center in coordination with County Departments and local agencies; Approved a contract with the Center for Volunteer & Non-Profit Leadership Inc. in the amount of \$134,750 for the period of November 1, 2016 through December 31, 2017; and Authorized the County Administrator to sign the agreement, renewals, and any amendments within budgeted appropriations. So ordered by 5-0 vote.**

- 10      [16-717](#)      Receive a presentation to summarize and highlight significant achievements at the 2016 California State and Solano County Fairs

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

*Public Information Officer Matthew Davis provided the Board with an overview of the County's 2016 exhibit that was created for the state and county fairs.*

*Solano County Fair Manager Steve Pierce provided the Board with an overview of the 2016 Solano County Fair.*

*Mr. Davis provided an overview of information on volunteer efforts at both fairs and awards that had been won by the County at the state fair.*

*County Administrator Birgitta Corsello commented on the County's exhibit noting that a craft beer group would likely be joining the list of sponsors in the future.*

*Supervisor Thomson commented on the 4-H and livestock programs and the importance of maintaining the programs at the Solano County Fair. He then commented on the need to look at RV parking for the Solano County Fair.*

**Received**

- 11      [16-842](#)      Consider approving an increase of \$116,620 in the Solano County Fair Association's (SCFA) CY2016 Adopted Budget, for a total of \$2,979,650; Approving the SCFA's CY2017 budget totaling \$2,992,373, including capital expenses; Approving the extension of the term of the Agreement for the Management and Operation of the Solano County Fairgrounds to expire January 31, 2020; and Authorizing the SCFA to pursue federal and state grant and other revenues and delegating to the County Administrator approval of associated applications

Attachments:      [A - SCFA 2017 Proposed Budget](#)  
                                 [B - Budget Comparisons with Cost Allocations](#)  
                                 [C - Reserve Summary](#)  
                                 [D - SCFA Agreement](#)  
                                 [CY2017 Proposed Budget](#)  
                                 [Presentation](#)  
                                 [Minute Order](#)

*Solano County Fair Manager Steve Pierce provided the Board with an overview of the 2016 Solano County Fair activities, projected CY2016 results by activity and unanticipated expenses for 2016.*

*In response to a question from Chairwoman Hannigan, Mr. Pierce advised that the costs associated with increased facility rentals were a result of having to rent equipment or associated supplies and noted that the costs*

were recovered through fees.

*In response to a comment from Supervisor Thomson, Mr. Pierce provided the Board with information on unanticipated costs associated with sporting events that had been reimbursed.*

*Mr. Pierce continued to provide an overview of the use of 2016 projected net profit and rate adjustments for 2017.*

*In response to a question from Chairwoman Hannigan, Mr. Pierce noted that the Flexible Rates for Interim Parking Events were decided under mutual consent between the event promoter and the fair regarding the cost for parking in the rental agreements.*

*Mr. Pierce continued to provide an overview of budget increases in personnel costs and capital and special projects.*

*In response to a comment from Supervisor Seifert regarding the purpose of the Fair Hands, Mr. Pierce noted that they did help raise funds for Ag Day and also for youth programming. He then provided information about upcoming activities that the funds would be used for.*

*Mr. Pierce continued to provide an overview of the use of .33 Funds.*

*In response to questions from Supervisor Thomson, Mr. Pierce advised that an audit was required biannually but that it was important to have an annual audit conducted when funding was precarious.*

*Supervisor Thomson commented on whether there was a need to continue doing the annual audit.*

*Mr. Pierce continued to provide an overview of revenues and expenditures.*

*In response to a question from Chairwoman Hannigan, Mr. Pierce noted that the fair was not privy to the amount levels of bets placed at the Solano Race Place.*

*In response to a question from Supervisor Vasquez, Solano County Fair Deputy General Manager & Chief Financial Officer Michael Passey advised that there was no requirement to keep the Solano Race Place open and that it was last renovated in 1999.*

*Mr. Pierce continued to provide an overview of revenues and expenditures.*

*In response to questions from Supervisor Spering, Mr. Passey advised that the electronic sign was installed in 2003. Mr. Pierce noted that the replacement of the sign was integrated into the Solano360 project.*

*County Administrator Birgitta Corsello advised that the electronic sign remained as County property under the fair and that the challenge would be the timing of upgrading the sign.*

*In response to a question from Supervisor Seifert, Mr. Pierce advised that a newer electronic sign could potentially help with revenue and that he wasn't sure how much revenue the City of Benicia's sign was making.*

*In response to comments from Chairwoman Hannigan, Mr. Pierce noted that it would be helpful to have a new sign and to have the ability to raise revenues through fixed advertising. He advised that timing of replacing the sign would be relevant and that it would be a question of how and when to do it.*

*Mr. Pierce continued to provide an overview of revenues and expenditures, the 2017 proposed budget by activity, 2017 cash flow, pending issues and recommended actions.*

*In response to a question from Supervisor Seifert, Mr. Pierce noted that water rates had been budgeted at the same rate as last year because the rates were yet unknown and advised that contingencies had been budgeted for.*

*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 fair's profit amount, against increasing the budget, use of taxpayer funds and reducing audit costs.*

*In response to a question from Supervisor Spering, Mr. Pierce advised that extending the term of the agreements for contracts would give fair management the ability to commit on contracts for three years. He noted that it helped them in budgeting because they were able to acquire reasonable contracts for revenues. He further noted that the increase in the budget was a result of increased business expenses and water repair costs.*

*Supervisor Seifert commented that efforts by Mr. Pierce to keep the fair viable was working and noted that she could see this paying off in the future to keep the fair going and provide enriched activities to fairgoers. She then thanked Mr. Pierce for all of his efforts.*

*Chairwoman Hannigan commented that the fair programming had been excellent and that the passion and efforts of the fair board were immeasurable. She then commented on the different events and how diversifying the programming was working. She noted that future Boards will be challenged to figure out how to address the needs of the fair facilities.*

*Supervisor Vasquez noted that the improvements at the fair had been great and that it was moving in the right direction. He then thanked Mr. Pierce for his efforts.*

*B) Donald Tipton, unincorporated Vallejo, commented on the need to prevent*

*conflicts between other events happening at the same time as the fair.*

On motion of Supervisor Seifert, seconded by Supervisor Thomson, the Board approved an increase of \$116,620 in the Solano County Fair Association's (SCFA) CY2016 Adopted Budget, for a total of \$2,979,650; Approved the SCFA's CY2017 budget totaling \$2,992,373, including capital expenses; Approved the extension of the term of the Agreement for the Management and Operation of the Solano County Fairgrounds to expire January 31, 2020; and Authorized the SCFA to pursue federal and state grant and other revenues and delegated to the County Administrator approval of associated applications. So ordered by 5-0 vote.

12      [16-832](#)

Receive a presentation on the In-Home Supportive Services Program

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

*Senior Management Analyst Debbie Vaughn introduced the item.*

*California State Association of Counties Legislative Representative Farrah McDaid Ting provided the Board with an overview of the In-Home Supportive Services (IHSS) Program including the history of the program.*

*In response to a question from Supervisor Spering regarding whether the position was meant to be a full time position with a competitive salary, Ms. McDaid Ting provided the Board with information about the creation of the program and how employment was created to provide in-home care. She then advised that the salary issues started in the 1990s when providers became unionized and noted that the costs of salary and benefits were driving the costs of the program.*

*In response to questions from Chairwoman Hannigan, Ms. McDaid Ting advised that the issue of additional training and certification for higher level medical care at home was currently being looked at. She advised that providing that training and certification could create competition with already established programs.*

*Ms. McDaid Ting then provided an overview of the size and scope of the IHSS Program.*

*Assistant Director of Health & Social Services (H&SS) Tonya Nowakowski advised that approximately 51% of Solano County IHSS providers have the same address as their patient.*

*Ms. McDaid Ting continued to provide information on program services and on eligibility requirements of the program.*

*Supervisor Thomson commented on work done by his office with parents of severely disabled children and the need to train providers or create care centers for these children so that those parents could go back to work.*

*Ms. McDaid Ting noted that there were specialized providers in many counties and that increased training was a focus of the program.*

*Ms. Nowakowski provided the Board with information about a recent move to locate Older Disabled Adult Services under the umbrella of Public Health. She advised that discussions were taking place to figure out how to be more proactive on training providers so that they are able to care for individuals and special needs children.*

*Ms. McDaid Ting continued to provide information on eligibility requirements of the IHSS Program.*

*In response to questions from Supervisor Spering and Chairwoman Hannigan, Ms. McDaid Ting provided the Board with information about how parents and providers receive compensation for providing care. She advised that the IHSS public authority had a list of providers that were on call to provide services and that the public authority monitored the hours. She then advised that the County manages eligibility into the program while the state makes the policy for the program and that compensation of the program is paid for by County, state and federal funds.*

*Ms. Vaughn advised that the County issued the first paper timesheet to providers but noted that their timesheets were then later processed by a facility in Chico that was paid for by the state.*

*In response to a comment by Supervisor Vasquez, Ms. McDaid Ting provided information on the program's fiscal structure including costs paid for by the federal, state and county governments, noting that there was a 50% federal match and that counties pay the other half out of 1991 realignment funds. She then provided information on highlights of the 2012 Maintenance of Effort (MOE) for the program. She noted that any locally negotiated wage and benefit increases over that of the 2011/12 rates would be the responsibility of the county.*

*In response to a question from Supervisor Spering, Ms. McDaid Ting advised that CSAC was lobbying for the transfer of collective bargaining from counties to the state. She then provided information on the latest activities that had been taking place concerning IHSS collective bargaining.*

*Chairwoman Hannigan commented on the 3.5% inflation in the MOE that accounted for annual living cost increases.*

*County Administrator Birgitta Corsello commented that the inflation rate did fall short of the end cost to the state.*

*In response to a question from Supervisor Seifert, Ms. Vaughn provided information on the MOE, noting that the hours worked were based on the hours from 2012 and that anything above that was picked up between the state and federal governments.*

*Ms. McDaid Ting continued to provide information on recent changes including new wage benefits.*

*In response to a question from Chairwoman Hannigan, Ms. McDaid Ting noted that a provider could work more hours during the week with another patient if authorized and that 66 hours a week was the maximum. She advised that the consequences for working over 66 hours included possible disenrollment from the program as a provider.*

*In response to a question from Chairwoman Hannigan, Ms. McDaid Ting advised that providers could work around 100 hours a week maximum to provide care for disabled children.*

*Ms. McDaid Ting continued to provide information on new wage benefits, noting the County was only responsible for the rate of pay that was addressed in the County's MOE and not the increase in state minimum wage, unless the County negotiated a new wage rate.*

*In response to questions from Supervisor Seifert, Ms. McDaid Ting advised that there was movement by the state towards taking over collective bargaining. She then noted that there was significant pressure from unions to have state wages increase included in the MOE.*

*Supervisor Seifert commented on the need to look into an equitable distribution of resources so that one county was not receiving more per hour from the state in reimbursement than another county.*

*Ms. McDaid Ting advised that the issue of collective bargaining was a CSAC priority.*

*Supervisor Sperling thanked Ms. McDaid Ting and county staff for the presentation.*

*Ms. Nowakowski provided information on the County's roles in the IHSS program, the number of program consumers within the County and paid hours and number of providers living outside the County.*

*In response to a question from Chairwoman Hannigan, Ms. Nowakowski provided information on program growth over the past five years, age ranges of IHSS consumers and the number of cases of consumers with same mailing address as providers.*

*In response to a question from Supervisor Seifert, Ms. Nowakowski noted that the level of needed care was based on the patient and that the determination for care was made by the County based on documentation of hours from doctors and the patient.*

*In response to a question from Supervisor Seifert, Ms. Vaughn advised that there was no comparison across counties concerning the percentages of severely impaired and non-severely impaired consumers.*

*Ms. Corsello advised that her counterparts in other counties were seeing consistency within their communities in relation to types of patients but advised that not all counties were at the same percentage levels.*

*Ms. Nowakowski provided information on historical program costs and projected growth for the next three years.*

*In response to a question from Supervisor Spering, Ms. Nowakowski noted that an increase in the hourly rate paid to providers would be paid for by the County depending on how much it went over the MOE.*

*In response to a question from Supervisor Seifert, Ms. Vaughn advised that the calculation of how much the County would be responsible to pay for and how much was paid by federal funds was very complex.*

*In response to a question from Supervisor Spering, Ms. Vaughn advised that the state had to approve all wage increases until the date the statewide authority took over, which was uncertain.*

*Supervisor Spering asked if these constraints were part of negotiations. Ms. Corsello noted that they were.*

*In response to a question from Supervisor Vasquez, Ms. Corsello advised that costs over the MOE ended up being about a 60/40 share between the county and federal governments.*

*Supervisor Spering asked what percentage of a dollar increase would come out of the County's General Fund.*

*Ms. Nowakowski advised that she would need to work with the County Administrator's Office to determine this amount.*

*Supervisor Spering commented on the importance of determining the County's cost when negotiating.*

*Supervisor Seifert commented on the need to keep individuals out of institutions and asked for a future presentation that addressed whether there was an impact on other providers if the IHSS program was not in place.*

*Ms. Nowakowski advised that she would get research information from Ms. McDaid Ting about this and provide it to the Board members.*

*Supervisor Spering also advised that there were evaluations of savings done in other counties as well.*

*In response to a question from Chairwoman Hannigan regarding the sixty cent hourly benefit collected for medical coverage, Director of Human Resources Marc Fox provided the Board with information about the Public Authority's negotiated contract and about how and why the sixty cents per*

hour was collected and used.

*In response to a question from Supervisor Spering, Ms. Corsello advised that the law requires everyone to have health coverage and that providers could have secured private insurance on their own.*

*Chairwoman Hannigan thanked everyone for the presentation and noted that a lot of information had been provided.*

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

*A) Tracee Stacy, representing the advisory committee for the IHSS Public Authority, commented on health plan benefits for providers, cost savings to the state, the amount of hours worked by providers over the program's maximum and the ability of providers to pay for their own family expenses.*

*Chairwoman Hannigan asked if the sixty cent hourly benefit was required by statute.*

*Ms. Corsello advised that it was included in past labor contracts and was in the contract that had expired.*

**Received**

**13      [16-770](#)**

Affirm the contract award for the Mankas Corner Improvement Project to Granite Rock Company; and Authorize the Department of Resource Management to execute the construction contract for \$947,953 and issue any necessary change orders up to 10% of the total contract

Attachments:      [A - Site Plan](#)  
                              [B - Link to Contract](#)  
                              [Presentation](#)  
                              [Correspondence](#)  
                              [Minute Order](#)

*Director of Resource Management Bill Emlen introduced the item noting that a letter had been received from Mary Browning and distributed to the Board and public through the Clerk of the Board.*

*Engineering Manager Matt Tuggle provided the Board with an overview of activities conducted since the October 25, 2016 Board meeting.*

*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 on the price of the agreement and remarks at the last meeting concerning calls made to the District 3 office about the project.*

*B) George Guynn, Jr., Suisun City, commented on calls made to the District 3 office regarding an individual's concern about the project and on concerns about bicycle lane safety and costs.*

*C) Frank Vezer, Fairfield, thanked the Board for their work and commented on his company's compliance with zoning regulations and support from the community.*

*D) Robert Ritchie, President of the Suisun City Historic Waterfront Business Improvement District, commented on efforts to increase tourism, promoting the Suisun Valley area, efforts by the owners in the project area to make sure events are safe and in support of the project.*

*E) Mark Sievers, Fairfield, commented on separation of the project from that of the issue of use permits, increases in bicyclists and traffic in the project area, flooding and drainage improvements, a City of Suisun potable water line under the roadway and in support of the project.*

*Supervisor Thomson commented on his request to continue the item and on the need to address concerns by speakers such as zoning issues, large scale events and use permits.*

*Supervisor Seifert commented on the Suisun Valley Strategic plan and noted that the County needed to be responsive to concerns by residents and community members as the plan moves forward. She then commented on how to engage the community and ensure that the valley gets what the County and community want.*

*Supervisor Vasquez commented on past presentations to the Board about locating a roundabout at Abernathy and Rockville roads to help with traffic issues. He noted that the valley has a history of investors and that there was a need to make sure improvements addressed issues such as road impacts and flooding.*

*Supervisor Sperling commented on the Suisun Valley Strategic Plan and the work that had gone into it. He then commented on expanding community outreach and the responsibility to the people investing in the project area.*

***On motion of Supervisor Thomson, seconded by Supervisor Sperling, the Board affirmed the contract award for the Mankas Corner Improvement Project to Granite Rock Company; and Authorized the Department of Resource Management to execute the construction contract for \$947,953 and issue any necessary change orders up to 10% of the total contract. So ordered by 5-0 vote.***

*Supervisor Thomson left the dais at 12:40 P.M.*

**Affirmed**

**14**      **16-834**

Receive a report on the status of Solano County Parks from the Department of Resource Management

Attachments:    [A - Parks Attendance & Revenue Tables](#)  
                          [B - Park Projects](#)  
                          [Presentation](#)  
                          [Minute Order](#)

*Director of Resource Management Bill Emlen introduced the item.*

*Park Manager Chris Drake provided the Board with an update on the status of parks.*

*In response to a question from County Counsel Dennis Bunting, Mr. Drake noted that paddle boats were mainly located at Lake Solano.*

*In response to a question from Chairwoman Hannigan, Mr. Drake advised that they were in the beginning phase of implementing the smoke-free parks policy and that time would tell how it affected attendance.*

*Mr. Drake then provided information on challenges for the parks.*

*In response to a question from Chairwoman Hannigan, Mr. Drake advised that some maintenance and replacement needs were included in the Five Year Capital Improvement Plan and that staff would like to pursue some grants to also provide funding for some of those needs.*

*County Administrator Birgitta Corsello advised that some maintenance needs were experience enhancements and some were necessities such ADA compliance and safety items.*

*Mr. Drake then provided information on upcoming projects for the parks.*

*Mr. Emlen commented on efforts by Mr. Drake to manage and improve the parks.*

*Chairwoman Hannigan thanked Mr. Drake and his staff for their work.*

*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 on a gap between what the consumer pays verses what it cost to operate parks and on park attendance.*

*Mr. Drake advised that attendance at the parks was mixed, but noted that a large contingent of county residents were using the parks.*

*Assistant Director of Resource Management Terry Schmidtbauer provided the Board with information on revenues and funding sources for the parks.*

*Ms. Corsello advised that the County waived fees on many functions and advised that it was appropriate for the General Fund to provide funds for the parks.*

**Received**

## RECESS

*This meeting of the Solano County Board of Supervisors recessed at 12:59 P.M. and reconvened at 2:00 P.M. All members were present and Chairwoman Hannigan presided.*

## 2:00 P.M.

15

[16-847](#)

*Receive a presentation from David McPherson, Principal with HDL Companies, regarding the changing marijuana regulatory environment; Conduct a public hearing to receive input from the public and an update on the results of staff's research efforts relative to medical marijuana regulation; Provide comments and direction to staff on components and provisions of a permanent ordinance addressing personal marijuana regulation; Direct staff to prepare a twelve month extension of the interim urgency ordinance banning commercial cultivation, delivery, distribution, manufacturing, testing and transportation of marijuana; and Direct staff to continue to explore possible options for allowing indoor commercial cultivation and testing facilities in certain industrial zone districts*

Attachments:

[A - Medical Marijuana-Summary of other States Regulations](#)  
[B - Recreational Marijuana-Summary of other States Regulations](#)  
[C - Local Jurisdiction Summary of Ordinances](#)  
[D - Types of Commercial Marijuana Licenses](#)  
[E - Possible Med. Marijuana Lic. Use Type \(Agriculture Zone\)](#)  
[F - Possible Med. Marijuana Lic. Use Type \(Commercial Zone\)](#)  
[G - Possible Med. Marijuana Lic. Use Type \(Manufacturing-Industrial Zone\)](#)  
[H - Possible Med. Marijuana Lic. Use Type \(Residential Zone\)](#)  
[I - AUMA BRIEF PH Position](#)  
[J - Notice of Public Hearing](#)  
[Presentation](#)  
[Minute Order](#)

*Director of Resource Management Bill Emlen introduced the item and noted that the presentation from David McPherson would be provided at a future date due to illness.*

*Senior Planner Karen Avery provided the Board with an overview of the history of Board actions on marijuana, focused outreach meetings, a summary of state medical regulations/impacts, a summary of state recreational regulation and taxation of marijuana under Proposition 64.*

*Supervisor Seifert commented on a lack of consistency around taxation rates for the states being compared.*

*County Counsel Dennis Bunting commented that some states may not have sales tax and may be relying on other ways to collect the tax.*

*Ms. Avery provided the Board with an overview of the types of MCRSA (Medical Marijuana Regulation and Safety Act) licenses.*

*In response to a question from Supervisor Vasquez, Deputy County Counsel Davina Smith commented that the state Department of Food and Agriculture was writing regulations concerning marijuana cultivation and testing.*

*In response to questions from Supervisor Vasquez concerning pest management in crops, Mr. Bunting advised that marijuana was not considered a crop currently but noted that there were models already in place that could be used if need be. Ms. Smith also noted that pests were likely to move from marijuana to other crops and that the state would need to address this in their regulations. She then noted that certain benchmarks in state law had to be met to make cultivation safe and clean for consumption and surrounding crop lands.*

*Chairwoman Hannigan reminded the audience that the public hearing was open.*

*In response to comments from Chairwoman Hannigan regarding safety requirements and measures in place that would apply to the processing of marijuana, Ms. Avery noted that staff would be looking at this.*

*Chairwoman Hannigan commented on the need to make sure that safety regulation concerning things such as volatile chemicals being used for processing was part of discussions.*

*County Administrator Birgitta Corsello noted that regulations were already in place for hazardous materials and advised that regulations depended on the type and quantity of commodities and the types of processing being conducted.*

*Chairwoman Hannigan commented that retail space could likely be used for alternative types of marijuana related products that weren't just the buds, such as tinctures and other derivatives.*

*Ms. Avery continued to provide the Board with an overview of MCRSA licenses.*

*In response to a question from Chairwoman Hannigan, Ms. Avery advised that each marijuana plant would have an ID number that would be used to track it from the point of the nursery all the way to being transported to the end user.*

*Ms. Corsello provided information about how the states of Washington and Colorado track marijuana statewide.*

*Ms. Avery continued to provide the Board with an overview of MCRSA license types, County zoning districts, and the Proposition 64 Adult Use of Marijuana Act (AUMA).*

*Ms. Smith provided the Board with an overview of personal cultivation comparisons between MCRSA and AUMA and possible options for personal cultivation regulations.*

*In response to comments from Supervisor Seifert, Ms. Smith noted the recommendations included allowing what the law required and also reasonable regulations within what was allowed. She advised that the preferred personal cultivation regulation was to only allow indoor personal cultivation and not allow outdoor cultivation.*

*Ms. Corsello commented on taking a conservative approach and that the state had a year to finish their regulations.*

*Supervisor Seifert commented on a recent 60 Minutes story regarding marijuana farming.*

*Chairwoman Hannigan commented on personal use. She then commented on concerns about caregivers with bigger marijuana grows and making sure they are following building codes and regulations.*

*In response to a question from Supervisor Vasquez, Ms. Smith noted that they wouldn't know if someone was growing indoors unless someone reported a violation. She then noted that marijuana enforcement would need to be developed by staff and that other jurisdictions were using fines and abatement currently.*

*Ms. Corsello commented on personal indoor cultivation and advised that there would likely be public safety concerns and complaints associated with commercial or outdoor cultivation. She then advised that some additional oversight should be put in place for situations where a cultivator moved from personal growth to cultivating in a larger operation. She then advised that staff would be asking for consideration of commercial regulations at a later date and that what they were currently asking for was direction on personal cultivation.*

*In response to comments from Supervisor Vasquez, Ms. Smith noted that indoor growth regulations limited each residence to six plants.*

*Supervisor Vasquez commented on the need to proceed conservatively.*

*Supervisor Thomson commented on code enforcement issues and driving under the influence of marijuana.*

*Sergeant-Sheriff John Walker advised that it was not difficult to determine if someone was under the influence if properly trained. He also advised that it would not be difficult to enforce regulation of driving under the influence of marijuana.*

*Supervisor Thomson commented that Proposition 64 had unintended consequences and on the need to take a very restrictive approach to recreational use. He advised that medicinal use had benefits but should be looked at differently in regards to restrictions.*

*In response to a request from Chairwoman Hannigan, Ms. Smith provided the Board with a definition of what regulating indoor cultivation could include. She advised that staff was trying to strike a balance between ensuring building and fire codes are adhered to with the least impacts to neighbors as possible.*

*In response to comments from Chairwoman Hannigan regarding regulating indoor use, Ms. Smith advised that indoor regulation would be administrative enforcement and not criminal. She advised that the Board could take the position of not allowing growth outdoors and allowing indoor growth that met the regulations and codes, if they chose to do so.*

*Chairwoman Hannigan commented on a need to ensure that caregivers that are allowed to grow plants for multiple patients went through a more rigorous process and tighter regulation to ensure they were not violating regulations or causing safety issues.*

*Mr. Emlen advised that staff could look at regulations that could blend both basic standards and performance standards.*

*In response to comments from Supervisor Spering, Lieutenant-Sheriff William Hornbrook advised the Board that the Sheriff's Office wasn't in support of allowing fields of marijuana but would ultimately support what the law dictated. He then advised that they would like to be included in discussions of enforcement actions where criminal penalties are involved. He noted that they often supported code enforcement on calls.*

*In response to comments from Chairwoman Hannigan, Lt. Hornbrook advised that allowing outdoor cultivation was likely not in the best interest of the community.*

*Supervisor Spering commented that the public would also have access to marijuana within the cities. He then commented on a need to protect water supplies for agriculture in the county. He requested that the Sheriff's Office respond to recommendations for regulations so that the Board was informed as to whether proposed regulations would be enforceable or might impact first responders or officers.*

*In response to comments from Supervisor Thomson, Ms. Smith advised that staff was providing a list of recommended regulation options for indoor cultivation for the Board to consider and that they could return back to the Board on December 6th with a personal cultivation ordinance, depending on the direction received from the Board.*

*Supervisor Thomson commented on the need to address personal cultivation issues.*

*In response to comments from Supervisor Vasquez, County Health Officer Dr. Bela Matyas provided the Board with information on health issues arising from large commercial marijuana grows. He advised that impacts on children from personal cultivation indoors would be similar to the potential impacts of having toxic house plants in the home. He then advised that Public Health was not supportive of marijuana grown indoors due to the risk of it being ingested by young children.*

*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 on costs to the County in delaying regulations on marijuana.*

*B) Amy Jenkins, representing California Cannabis Industry Association, commented on the organization's support of commercial regulations that would be potentially coming forward and offered to be a resource for further discussions.*

*C) George Guynn, Jr., Suisun City, commented on prohibition of marijuana, taxing marijuana, and preventing abuse of marijuana.*

*Supervisor Vasquez commented on personal cultivation and noted that it would not be taxed.*

*Ms. Smith advised that Measure C on the ballot was for a business license tax on commercial marijuana operations and not personal cultivation.*

*D) Toni Tucker, representing the Rio Vista ATOD Alliance, commented on impacts of increased marijuana use on youth mental health and in support of reducing marijuana use in youth.*

*Chairwoman Hannigan advised that the issue being discussed was not to increase marijuana use but to determine what regulation should be put in place if Proposition 64 passed.*

*E) Dante Delacerna, representing the Vallejo Fighting Back Partnership, commented on increased marijuana use by school aged children and on safety impacts to buildings, water and waste caused by marijuana cultivation.*

*F) G. Michael Kimmel, Fairfield, commented on Proposition 64, in support of keeping large grows out of the county and limiting use to medical and personal use.*

*Chairwoman Hannigan closed the public hearing.*

*Ms. Avery advised that staff would come back on December 6th with an ordinance banning outdoor personal cultivation, a menu of potential performance standards for indoor cultivation and some language that differentiated between personal use and caregiver cultivation.*

*Supervisor Seifert thanked staff for the report and commented on the need to look at health implications on the community. She then commented on the importance of participating in studies that were going on.*

*Ms. Smith noted that staff would be back in early December with an extension to the commercial marijuana moratorium.*

*In response to a question from Supervisor Vasquez, Mr. Emlen noted that it was helpful to have feedback from the Board and advised that the moratorium ordinance may have to be adjusted if Proposition 64 passed but that it would have the same effect in relation to commercial cultivation.*

*Supervisor Spering requested that staff bring back a whole menu of options to look at. He then commented that studies had shown that having regulations in place had stopped individuals from using the regulated product.*

*Mr. Emlen advised that there would be a hearing before the Planning Commission later in the month as well in regards to personal marijuana cultivation. He noted that a recommendation from the Planning Commission would be brought forward to the Board.*

**On motion of Supervisor Vasquez, seconded by Supervisor Seifert, the Board conducted a public hearing to receive input from the public on commercial marijuana activity and personal cultivation; Considered the findings of staff's research regarding the regulation of marijuana by other states, including an update of California and local legislation, and possible marijuana license types by zone districts; and Directed staff to return on December 6, 2016 with an ordinance prohibiting outdoor personal cultivation while permitting indoor personal cultivation with specific regulations to reduce the associated potential nuisances, such as odor control, security and other possible nuisances. 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. There were no comments or reports.*

*The Board adjourned to Closed Session with no report out.*

**ADJOURN:**

*This meeting of the Solano County Board of Supervisors adjourned at 3:20 P.M. Next meeting of the Solano County Board of Supervisors will be November 8, 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