



Solano County

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

Minutes - Final Board of Supervisors

Erin Hannigan (Dist. 1) Chairwoman
(707) 553-5363
Monica Brown (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

Tuesday, April 9, 2019

8:30 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 9th day of April 2019 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 Brown, Spering, Vasquez and Chairwoman Hannigan. Supervisor Thomson was excused. Chairwoman Hannigan presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.

ROLL CALL

Erin Hannigan, Monica Brown, James P. Spering and John M. Vasquez. Skip Thomson was excused.

CLOSED SESSION

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

- | | | |
|---|---------------|--|
| 1 | <u>19-276</u> | <u>Conference with Labor Negotiators:</u> Solano County representatives: Marc Fox, Jeannine Seher, Mark Love, 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)

Attachments: [A - Memorandum](#)

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 9:11 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 [19-262](#) Adopt and present a resolution in recognition of April 14-20, 2019 as National Public Safety Telecommunicators Week in Solano County (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. 2019-60 recognition of April 14-20, 2019 as National Public Safety Telecommunicators Week in Solano County. So ordered by 4-0 vote. (See Resolution Book)

Enactment No: Resolution 2019-60

- 3 [19-251](#) Adopt and present a resolution recognizing April 21-27, 2019 as Reentry Week in Solano County (Chairwoman Hannigan)

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

On motion of Chairwoman Hannigan, seconded by Supervisor Brown, the Board adopted and presented Resolution No. 2019-61 recognizing April 21-27, 2019 as Reentry Week in Solano County. So ordered by 4-0 vote. (See Resolution Book)

Enactment No: Resolution 2019-61

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) Dennis Allen, Fairfield, commented on a recent newspaper article concerning the Rapid Response Network, sanctuary counties and illegal immigration.

B) Sue Moore, Fairfield, commented on homeless concerns in her neighborhood.

Chairwoman Hannigan noted that the cities and counties were working to address homelessness.

C) Cindy Pare, Fairfield, commented on dog shows and concerns with concerns with code enforcement issues on the property next to hers.

Supervisor Brown noted that her office was working on this issue already.

D) George Guynn, Jr., Suisun City, commented on a recent newspaper article on housing and rent control.

Supervisor Spering commented on Mr. Guynn's comments.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for April 9, 2019.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board approved the agenda of the Solano County Board of Supervisors for April 9, 2019 as submitted. So ordered by 4-0 vote.

PUBLIC COMMENT ON CONSENT CALENDAR

Chairwoman Hannigan invited members of the public to address the Board on items listed on the Consent Calendar. There was no public comment.

APPROVAL OF THE CONSENT CALENDAR

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

CONSENT CALENDAR

- 4 [19-252](#) Adopt the County's Equal Employment Opportunity (EEO) Harassment/Discrimination Policy as amended to reflect the provisions of Senate Bill 1343 (2018) and update departmental complaint options

Attachments: [A - Final EEO Policy](#)
 [B - Redlined EEO Policy](#)
 [Minute Order](#)

Adopted

- 5 [19-269](#) Approve an agreement for \$158,500 with Pro-Ex Construction, Inc. of Rancho Cordova for the Post Office Building Improvements Phase II Project for interior and exterior repairs at 600 Kentucky Street, in Fairfield; and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget

Attachments: [A - Contract](#)
 [B - Project Funding and Budget Summary](#)
 [C - Bidders of Record](#)
 [Executed Contract](#)
 [Minute Order](#)

Approved

- 6 [19-285](#) Adopt a resolution authorizing Jose Arriaga, Interim Agricultural Commissioner/Sealer of Weights and Measures, to execute an amendment to a revenue agreement for FY2018/19 with the California Department of Food and Agriculture (CDFA) for a new net total of \$94,721

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

Adopted

Enactment No: Resolution 2019-62

7 [19-267](#)

Approve a plaque of appreciation honoring Shirley Reed, Senior Public Health Nurse, upon her retirement from the Department of Health & Social Services, Public Health Division with 19 years of dedicated public service to Solano County

Attachments: [Minute Order](#)

Approved

MISCELLANEOUS ITEMS

8 [19-271](#)

Approve the reappointments of Ted Seifert and Tony Robben to the Dixon Fire Protection District Board of Directors, representing District 4, to a 4 year term to expire March 1, 2023

Attachments: [Minute Order](#)

Approved

9 [19-272](#)

Approve the reappointment of Kay Cayler to the Solano County Planning Commission, representing District 4, for a 4 year term to expire January 31, 2023

Attachments: [Minute Order](#)

Approved

REGULAR CALENDAR

10 [19-295](#)

Consider adoption of a Proclamation Terminating Local Emergency

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

Director of Resource Management Bill Emlen introduced the item.

Emergency Services Manager Don Ryan provided an overview of damages from the recent floods.

Supervisor Brown commented on flooding along Suisun Valley Parkway and asked about debris removal that had not taken place.

Mr. Emlen advised that the department would continue to engage with the city and the Solano County Water Agency on the issue.

Supervisor Spering commented that a survey of the Suisun Creek would be taking place soon.

Mr. Emlen provided information on the department's efforts to minimize flooding.

In response to questions from Supervisor Vasquez, Mr. Ryan provided information on the protocols and process of declaring an emergency and what it entailed.

Mr. Emlen noted that there had been potential for more large storms that did not end up happening.

Supervisor Brown noted that there was debris under the railroad trestle on Thomasson Lane and advised that there needed to be engagement with the railroad about this.

Mr. Ryan noted that the debris was removed by the railroad and advised that Suisun Creek would be assessed for debris removal.

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

A) Eleanor McMakin, Vacaville, commented on past 2017 flood damage to her property that had not been resolved through the County.

Mr. Emlen advised that the department would continue to look into this matter.

On motion of Supervisor Vasquez, seconded by Supervisor Brown, the Board adopted Proclamation No. 2019 - 63, a proclamation terminating local emergency. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Proclamation 2019-63

11

19-287

Consider appointing one primary and one alternate member of the Board of Supervisors to the Marin Clean Energy Joint Powers Authority Board of Directors to represent the electric supply interests of unincorporated Solano County customers participating in the Community Choice Aggregation program

Attachments:

[A - MCE Board Logistics](#)

[B - MCE Staff Report 10-18-2018](#)

[C - MCE Resolution](#)

[D - CPUC Certification](#)

[Minute Order](#)

Chairwoman Hannigan advised that she was not interested in being appointed.

Supervisor Brown advised that she would like to be primary representative, that Marin Clean Energy had been established in Benicia since 2016 and provided examples of efforts she had undertaken to promote clean energy.

Director of Resource Management Bill Emlen introduced the item.

Senior Planner Narcissa Untal provided an overview of the Marin Clean Energy program and the request for representation from the Board of Supervisors to the Marin Clean Energy Joint Powers Authority Board of Directors.

Supervisor Vasquez advised that the program affected those in the unincorporated county and gave residents a choice for their energy needs. He asked which district had the highest population in the unincorporated county area.

Mr. Emlen advised that District 4 had the highest population of residents in the unincorporated County and that District 4 and 5 had the highest number of wells.

Supervisor Brown made a motion to appoint herself as the primary representative.

Supervisor Spering made a motion that Supervisor Vasquez be primary and Supervisor Brown the alternate based on the population affected.

In response to a question from Supervisor Vasquez, Ms. Untal advised that the alternate representative would attend in the absence of the primary but could also attend as a member of the public.

Supervisor Brown advised that she did not have a problem being the alternate representative and seconded the motion.

On motion of Supervisor Spering, seconded by Supervisor Brown, the Board appointed Supervisor Vasquez as the primary and Supervisor Brown as the alternate members to the Marin Clean Energy Joint Powers Authority Board of Directors to represent the electric supply interests of unincorporated Solano County customers participating in the Community Choice Aggregation program. So ordered by 4-0 vote.

12

19-289

Consider the Claim for Refund of Taxes of Chatfield Properties II, L.P., in the total amount of \$76,379.38 in special assessments levied by the Reclamation District No. 501; and Authorize the Auditor-Controller to pay the refund from such available funds as the District may have on deposit in the County treasury

Attachments: [A - Link to Exhibit A - Claim for Refund](#)

[B - Exhibit B - District 2018 Letter](#)

[C - Exhibit C - District 2010 Letter](#)

[D - Exhibit D - Supporting Information](#)

[Minute Order](#)

County Counsel Dennis Bunting provided an overview of the item. He advised that he had mailed a copy of the agenda item and exhibits to all parties and that he had only heard back from the property owner's attorney.

Chairwoman Hannigan commented on the change in value.

Mr. Bunting provided information on the tax bills in question.

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

A) Steve Malcoun, representing Chatfield Properties II, LP, commented on the recommendation noting that it would not result in his client receiving a refund and asked that the County deny the claim so that the property owner could file a lawsuit.

Auditor-Controller Phyllis Taynton advised that the reclamation district had sufficient funds in the treasury to pay for the refund.

Mr. Bunting advised that the reclamation district would have to sever the agreement with the County and take over the assessment and collection process to create a permanent change. He then noted that there was an engineer's report that established the classifications for the assessment. He advised that the report listed this property as residential and was a mistake. He noted that the reclamation district recognized that there was a mistake but didn't want to fix it for some reason.

Chairwoman Hannigan advised that there was two remedies, the first to refund the money or the second would be a lawsuit by the claimant.

Mr. Bunting advised that the funds were there to cover the refund and noted that it was up to the reclamation district to make the change on the assessment report.

Supervisor Spering asked how much the reclamation district had on deposit in the treasury.

Ms. Taynton advised that the reclamation district had \$234,000 on deposit.

Mr. Malcoun noted that his client was willing to support the recommendation as there was adequate funds to cover the refund.

Supervisor Spering asked if the refund would be paid once the board approved the refund.

Ms. Taynton noted that it would be paid within 90 days after the Board approved.

Mr. Bunting advised that the funds would be encumbered for 90 days in case the reclamation district wished to challenge the decision.

In response to a question from Supervisor Vasquez, Mr. Bunting provided information on statutes that would allow the reclamation district to correct the issue.

After considering the agenda materials and the testimony of Steven Malcoun, the attorney for Claimant Chatfield Properties II, L.P., and Solano County Auditor-Controller Phyllis Taynton, on motion of Supervisor Spering, seconded by Supervisor Vasquez, the Board ordered the refund of taxes to Chatfield Properties II, L.P., in the total amount of \$76,379.38 in special assessments, plus interest, levied by Reclamation District No. 501; and Authorized the Auditor-Controller to pay the refund from such available funds as Reclamation District No. 501 may have on deposit in the County treasury. So ordered by 4-0 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 Brown requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Martin Gruber, an active member of the Vallejo community.
- B. Chairwoman Hannigan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Martin Gary Word, an active member of the Vallejo community.

RECESS

This meeting of the Solano County Board of Supervisors recessed at 10:24 A.M. and reconvened at 10:30 A.M. All members were present and Chairwoman Hannigan presided.

- 13 [19-261](#) Adopt a resolution and receive a presentation proclaiming the week of April 7-13, 2019 as National Volunteer Week in Solano County (Chairwoman Hannigan)

Attachments: [A - Resolution](#)
[B - Volunteer Hours and Descriptions](#)
[Adopted Resolution](#)
[Presentation](#)
[Minute Order](#)

Public Information Officer Matthew Davis provided an overview of the item and information on the County's volunteers.

Volunteer Coordinator Tina Chechourka provided an overview of volunteer events.

On motion of Supervisor Spering, seconded by Chairwoman Hannigan, the Board adopted and presented Resolution No. 2019 - 64 proclaiming the week of April 7-13, 2019 as National Volunteer Week in Solano County. So ordered by 4-0 vote. (see Resolution Book)

Adopted

Enactment No: Resolution 2019-64

RECESS

This meeting of the Solano County Board of Supervisors recessed at 10:45 A.M. to a reception honoring Solano County volunteers in the County Administration Center Board Chambers, 675 Texas Street, Fairfield, California. The meeting reconvened at 1:00 P.M. All members were present and Chairwoman Hannigan presided.

CLOSED SESSION

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

- 14 [19-277](#) Public Employee Appointment: Agricultural Commissioner/Sealer of Weights & Measures
Public Employee Performance Evaluation: County Administrator
Public Employee Appointment: County Administrator
Attachments: [A - Memorandum](#)

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

There was no report out from Closed Session.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 4:58 P.M. in memory of Martin Gruber and Martin Gary Word. Next meeting of the Solano County Board of Supervisors will be April 23, 2019 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