

Solano County

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



Agenda - Final

Tuesday, October 22, 2019

8:30 AM

Board of Supervisors Chambers

Board of Supervisors

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

Monica Brown (Dist. 2), Vice-Chair
(707) 784-3031

James P. Spring (Dist. 3)
(707) 784-6136

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

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

SOLANO COUNTY BOARD OF SUPERVISORS
HOUSING AUTHORITY, SPECIAL DISTRICTS,
SOLANO FACILITIES CORPORATION, AND
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

SOLANO COUNTY BOARD OF SUPERVISORS
HOUSING AUTHORITY, SPECIAL DISTRICTS,
SOLANO FACILITIES CORPORATION, AND
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

Temporary parking permits for the County Parking Garage are available from the Board Clerk for visitors attending the Board of Supervisors' meeting for more than 2 hours.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please call the Office of the Clerk of the Board of Supervisors at 707-784-6100 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

Non-confidential materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Solano County Government Center, 6th Floor Receptionist's Desk, 675 Texas Street, Fairfield, during normal business hours.

If you wish to address any item listed on the Agenda, or Closed Session, please submit a Speaker Card to the Board Clerk before the Board considers the specific item. Cards are available at the entrance to the Board chambers. Please limit your comments to three minutes. For items not listed on the Agenda, please see items from the public below.

AGENDA

CALL TO ORDER - 8:30 A.M.

ROLL CALL

CLOSED SESSION

- 1 **19-814** Conference with Labor Negotiators: Solano County representatives: Marc Fox, Jeannine Seher, Mark Love, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Teamsters, Local 150 for Unit 1 (Attorneys); SEIU Local 1021 for Unit 2 (Nurses), Unit 5 (Health and Welfare Employees), Unit 7 (Regulatory, Technical and General Services Employees), Unit 8 (General Services Supervisors), Unit 9 (Clerical Employees) and Units 82, 87, 89, and 90 (Extra Help Employees); Solano

County Deputy Sheriff's Association for Unit 3 (Law Enforcement Employees) and Unit 4 (Law Enforcement Supervisors); Public Employees Union, Local One for Unit 6 (Health and Welfare Supervisors) and Unit 16 (Mid-Management Employees); Stationary Engineers, Local 39 for Unit 10 (Skilled Craft and Service Maintenance Employees); Union of American Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors); Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); Unit 60 Legislative Group; Unit 61 (unrepresented Executive Management Employees), Unit 62 (unrepresented Senior Management Employees) and Unit 30 (Confidential Employees)

Conference with Legal Counsel - Potential Litigation: Two cases

Attachments: [A - Memorandum](#)

RECONVENE - 9:00 A.M.

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

PRESENTATIONS

Board of Supervisors:

- 2 **19-757** Adopt and present a resolution recognizing the Greater Vallejo Recreation District (GVRD) for 75 years of service (Chairwoman Hannigan)
- Attachments: [A - Resolution](#)
- 3 **19-801** Adopt and present a resolution recognizing October 2019 as Filipino-American History Month in Solano County (Chairwoman Hannigan)
- Attachments: [A - Resolution](#)

Health and Social Services:

- 4 **19-798** Adopt and present a resolution recognizing November 2019 as Prematurity Awareness Month in Solano County to increase public awareness regarding the impact of premature births (Supervisor Vasquez)
- Attachments: [A - Resolution](#)

ITEMS FROM THE PUBLIC

This is your opportunity to address the Board on a matter not listed on the Agenda, but it must be within the subject matter jurisdiction of the Board. Please submit a Speaker Card before the first speaker is called and limit your comments to three minutes. The Board will hear public comments for up to fifteen minutes. Any additional public comments will be heard at the conclusion of the meeting. Items from the public will be taken under consideration without discussion by the Board and may be referred to staff.

ADDITIONS TO OR DELETIONS FROM THE AGENDA**APPROVAL OF THE AGENDA****PUBLIC COMMENT ON CONSENT CALENDAR**

Each speaker shall have 3 minutes to address any or all items on the Consent Calendar.

APPROVAL OF THE CONSENT CALENDAR

The Board considers all matters listed under the Consent Calendar to be non-controversial or routine and will adopt them in one motion. There will be no discussion on these items before the Board votes on the motion unless Board members request specific items be discussed and/or removed from the Consent Calendar.

CONSENT CALENDAR**GENERAL GOVERNMENT**Clerk of the Board of Supervisors:

- 5** **19-815** Approve the minutes of the Solano County Board of Supervisors meetings of September 24, October 1 and October 8, 2019
Attachments: [A - Minutes - September 24, 2019](#)
 [B - Minutes - October 1, 2019](#)
 [C - Minutes - October 8, 2019](#)
- 6** **19-822** Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors
Attachments: [A - Appointment List](#)

Board of Supervisors:

- 7 **19-780** Adopt a resolution amending the List of Numbers and Classifications of Positions to add 0.25 FTE Board of Supervisors Aide to District 3, effective October 20, 2019, resulting in a total of 2.0 FTE Board of Supervisors Aide's allocated to District 3, consistent with other Supervisor District Office staffing allocations

Attachments: [A - Resolution](#)

- 8 **19-803** Adopt 14 resolutions recognizing the outstanding young men and women who attended the 2019 American Legion Boys State and American Legion Auxiliary Girls State summer leadership programs

Attachments: [A - Resolutions](#)

- 9 **19-824** Adopt a resolution approving the Solano County Art Council's grant submission to the California Arts Council and, if accepted, authorizing the Solano County Arts Council to execute July 1, 2020 - June 30, 2022 State-Local Partnership Program grant contract with the California Arts Council

Attachments: [A - Resolution](#)

County Counsel:

- 10 **19-805** Approve participation with the counties of Contra Costa, San Joaquin, and Yolo in a contract with Soluri Meserve, for \$35,000 per county (\$140,000 total), to provide legal services on issues related to the Delta from October 22, 2019 through December 31, 2021; and Authorize the County Counsel to execute the contract and any amendments within budgeted appropriations

Attachments: [A - Contract](#)

Treasurer-Tax Collector-County Clerk:

- 11 **19-790** Adopt a resolution authorizing the Treasurer-Tax Collector-County Clerk to sell tax-defaulted property (APN 0136-023-140) at a Chapter 7 (Public Auction) sale via the Internet within 180 days of Board approval

Attachments: [A - Resolution](#)

[B - Authorization of Sale](#)

General Services:

- 12** **19-813** Approve an agreement with Johnson Controls, Inc. of San Leandro for \$1,319,583 for the Main Jail Security Improvement Project at 500 Union Avenue, 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 - Summary of Project Funding and Expense](#)
 [C - Bidders of Record](#)

Information Technology-Registrar of Voters:

- 13** **19-784** Adopt a resolution and plaque of appreciation honoring Julianna Olsen, Accounting Technician, upon her retirement from the Solano County Department of Information Technology with over 24 years of dedicated public service to Solano County

Attachments: [A - Resolution](#)

- 14** **19-810** Adopt a resolution amending the List of Numbers and Classifications of Positions to delete 1.0 Full-Time Equivalent (FTE) Information Technology Analyst IV and add 1.0 FTE Information Technology Analyst (Principal) in the Management Information Systems (MIS) Division of the Department of Information Technology

Attachments: [A - Resolution](#)

First 5 Solano:

- 15** **19-808** Receive the audit report of the First 5 Solano Children and Families Commission for the fiscal year ended June 30, 2019

Attachments: [A - Audit Report](#)

HEALTH AND SOCIAL SERVICESHealth and Social Services:

- 16** **19-797** Approve a contract with Community Medical Centers for \$101,600 to provide health care services to the indigent population in the community health centers for the period of November 1, 2019 through April 30, 2020; and Authorize the County Administrator to execute the contract

Attachments: [A - Contract](#)

- 17 **19-795** Adopt a resolution approving a first amendment to the revenue contract with the California Department of Aging for \$93,571, for a total revenue contract amount of \$2,833,629, to provide ombudsman services for the period of November 1, 2019 through June 30, 2020; Authorize the County Administrator to execute the first contract amendment; and Approve an Appropriation Transfer Request (ATR) for the unanticipated revenues (4/5 vote required)

Attachments: [A - Resolution](#)
 [B - Amendment](#)
 [C - Link to Original Contract](#)

- 18 **19-802** Approve a \$300,000 grant agreement with The Kresge Foundation, for the period of October 1, 2019 through September 30, 2022, to advance the Health and Social Services Department's reorganization efforts; Approve an Appropriation Transfer Request (ATR) for \$100,000 for FY2019/20 in unanticipated revenue for year one grant activities (4/5 vote required); and Delegate authority to the Director of Health and Social Services to execute the grant agreement

Attachments: [A - Grant Agreement](#)

Sheriff's Office:

- 19 **19-792** Adopt a resolution approving participation in the 2019 Homeland Security Grant Program for the period September 1, 2019 through May 31, 2022 and authorizing the Sheriff or his designees to take actions necessary for the purpose of obtaining grant funding; Approve an Appropriation Transfer Request (ATR) of \$527,487 for FY2019/20 to recognize the unanticipated grant revenue and related appropriations to enhance catastrophic incident planning, response and recovery in the Solano Operational Area (4/5 vote required); Approve \$143,209 for Solano Operational Area joint-agency response teams and non-county agencies for training and to purchase a heavy-lift air bag system; Approve fixed assets purchases totaling \$357,904 to purchase additional interoperable radio communications equipment; and Authorize the Sheriff or his designees to execute any service contracts and subsequent amendments necessary to fulfill the County's responsibility under the 2019 HSGP Expenditure Plan and which remain within budgeted appropriations

Attachments: [A - Resolution](#)
 [B - Expenditure Plan](#)

- 20** **19-800** Adopt a resolution approving participation in the 2019 Emergency Management Performance Grant for the period of July 1, 2019 through June 30, 2021 and authorizing the Sheriff or his designees to execute any actions necessary for the purpose of obtaining grant funding; Approve an Appropriation Transfer Request (ATR) of \$213,748 to recognize the unanticipated grant revenue and related appropriations to improve emergency management capabilities (4/5 vote required); and Authorize the Sheriff or his designees to execute any service contracts and subsequent amendments necessary to fulfill the County's responsibility under the 2019 Emergency Management Performance Grant Expenditure Plan and which remain within budgeted appropriations
- Attachments: [A - Resolution](#)
 [B - Expenditure Plan](#)

MISCELLANEOUS ITEMS

County Counsel:

- 21** **19-818** Approve the appointments of Dale Crossley, Martin Emigh, and Luke Detar as Trustees of Reclamation District No. 2068 for terms to expire at noon on December 1, 2023
- Attachments: [A - Reclamation District No. 2068 Correspondence](#)
- 22** **19-819** Approve the appointments of John Durand as Trustee of Reclamation District No. 2098 for a term to expire at noon on December 3, 2021, and Katie Riley and John Cain as Trustees of Reclamation District No. 2098 for terms to expire at noon on December 1, 2023
- Attachments: [A - Reclamation District No. 2098 Correspondence](#)

Health and Social Services:

- 23** **19-817** Approve the appointment of Menlo Avestro to the Mental Health Advisory Board for a term to expire on October 22, 2022

Workforce Development Board:

- 24** **19-804** Approve the appointment of Tiffany Donahue as the Adult Education Representative to the Workforce Development Board (WDB) of Solano County, for a term to expire on October 21, 2023, as required under the Workforce Innovation and Opportunity Act (WIOA)
- Attachments: [A - Application and Letter of Recommendation](#)

REGULAR CALENDAR

Rescheduled Consent Items

Consider the following:

- A)
- B)
- C)

GENERAL GOVERNMENT

County Administrator:

- 25 **19-781** Adopt and present a resolution challenging Contra Costa County to participate in the 16th annual Counties Care Holiday Food Fight friendly challenge to benefit the Food Bank of Contra Costa and Solano

Attachments: [A - Resolution](#)

HEALTH AND SOCIAL SERVICES

Health and Social Services:

- 26 **19-696** Receive a presentation on the Alcohol, Tobacco, and Other Drugs Prevention Program's achievements in FY2018/19

GENERAL GOVERNMENT

General Services:

- 27 **19-816** Approve the Department of Child Support Services Relocation Project on the 5th floor of the County Administration Center at 675 Texas Street, Fairfield; and Authorize the County Administrator or designee to execute necessary agreements and any amendments within the approved project budget

Attachments: [A - Project Funding & Budget Summary](#)
 [B - Conceptual Floor Plan](#)

LAND USE/TRANSPORTATIONResource Management:

- 28 **19-807** Receive a presentation on Microenterprise Home Kitchen operations and provide direction to staff as deemed appropriate

Attachments: [A - AB 626](#)

[B - AB 377](#)

- 29 **19-821** Consider adopting an urgency ordinance suspending the approval of certain categories of administrative permits such as small event centers and hosted short term vacation rentals proposed on private roads and instead requiring conditional use permits for uses in those categories within the unincorporated territory of the County of Solano (4/5 vote required)

Attachments: [A - Ordinance](#)

RECESS

1:30 P.M.

HEALTH AND SOCIAL SERVICESBoard of Supervisors:

- 30 **19-775** Adopt and present a resolution recognizing November 2019 as In-Home Supportive Services Home Care Workers Month in Solano County (Supervisor Brown)

Attachments: [A - Resolution](#)

Health and Social Services:

- 31 **19-793** Receive a presentation regarding the In-Home Supportive Services Public Authority Advisory Committee goals and accomplishments for FY2018/19; and Consider approval of revised Vision and Mission statements for the In-Home Supportive Services Public Authority Advisory Committee

Attachments: [A - Presentation](#)

2:00 P.M.

LAND USE/TRANSPORTATION

Resource Management:

- 32** **19-820** Conduct a Public Hearing to consider a proposed ordinance for Zone Text Amendment No. ZT 17-03 to amend Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts, allowing for the expansion of such uses subject to discretionary approval via the use permit amendment process, of which approval of this text amendment would allow the Planning Commission's granting of a conditional use permit for the expansion of the Guru Nanak Sikh Temple to become effective; and Consider terminating an easement, granted to the County in 1999 by the Guru Nanak Sikh Temple, concerning property located at 2748 Rockville Road

Attachments: [A - Ordinance](#)
 [B - Location Map](#)
 [C - Easement Deed and Agreement](#)
 [D - PC Resolution 4669](#)
 [E - PC Resolution 4677](#)
 [F - ALUC Resolution No. 18-09](#)
 [G - Public Notice](#)

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

ADJOURN:

To the Board of Supervisors meeting of November 5, 2019 at 8:30 A.M., Board Chambers, 675 Texas Street, Fairfield, CA



Solano County

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Agenda Submittal

Agenda #:	1	Status:	Closed Session
Type:	Closed Session	Department:	County Counsel
File #:	19-814	Contact:	Bernadette S. Curry, 784-6151
Agenda date:	10/22/2019	Final Action:	

Title: Conference with Labor Negotiators: Solano County representatives: Marc Fox, Jeannine Seher, Mark Love, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Teamsters, Local 150 for Unit 1 (Attorneys); SEIU Local 1021 for Unit 2 (Nurses), Unit 5 (Health and Welfare Employees), Unit 7 (Regulatory, Technical and General Services Employees), Unit 8 (General Services Supervisors), Unit 9 (Clerical Employees) and Units 82, 87, 89, and 90 (Extra Help Employees); Solano County Deputy Sheriff's Association for Unit 3 (Law Enforcement Employees) and Unit 4 (Law Enforcement Supervisors); Public Employees Union, Local One for Unit 6 (Health and Welfare Supervisors) and Unit 16 (Mid-Management Employees); Stationary Engineers, Local 39 for Unit 10 (Skilled Craft and Service Maintenance Employees); Union of American Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors); Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); Unit 60 Legislative Group; Unit 61 (unrepresented Executive Management Employees), Unit 62 (unrepresented Senior Management Employees) and Unit 30 (Confidential Employees)

Conference with Legal Counsel - Potential Litigation: Two cases

Governing body: Board of Supervisors

District: All

Attachments: A - Memorandum

Date:	Ver.	Action By:	Action:	Result:
Published Notice Required?	Yes	___	No	<u>X</u>
Public Hearing Required?	Yes	___	No	<u>X</u>

CLOSED SESSION MEMO

- A. LICENSE/PERMIT DETERMINATION (GC § 54956.7)
 - a. Number of applicants:_____
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (GC § 54956.8)
 - a.
- C. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
 - a.
- D. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (GC § 54956.9)
 - a. Significant exposure to litigation pursuant to GC § 54956.9 (b): One case
 - b. Initiation of litigation pursuant to GC § 54956.9(c): One case
- E. LIABILITY CLAIMS-JOINT POWERS AUTHORITY (GC § 54956.95)
 - a. Claimant:_____
 - b. Agency against whom claim filed:_____
- F. THREAT TO PUBLIC SERVICES OR FACILITIES (GC § 54957)
 - a. Consultation with:_____
- G. PUBLIC EMPLOYEE APPOINTMENT
 - a. Title:
- H. PUBLIC EMPLOYMENT (GC § 54957)
 - a. Title:
- I. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC § 54957)
 - a. Title:
- J. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (GC § 54957)
 - a. No information required
- K. CONFERENCE WITH LABOR NEGOTIATORS (GC § 54957.6)

Solano County representatives: Marc Fox, Jeannine Seher, Mark Love, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Teamsters, Local 150 for Unit 1 (Attorneys); SEIU Local 1021 for Unit 2 (Nurses), Unit 5 (Health and Welfare Employees), Unit 7 (Regulatory, Technical and General Services Employees), Unit 8 (General Services Supervisors), Unit 9 (Clerical Employees) and Units 82, 87, 89, and 90 (Extra Help Employees); Solano County Deputy Sheriff's Association for Unit 3 (Law Enforcement Employees) and Unit 4 (Law Enforcement Supervisors); Public Employees Union, Local One for Unit 6 (Health and Welfare Supervisors) and Unit 16 (Mid-Management Employees); Stationary Engineers, Local 39 for Unit 10 (Skilled Craft and Service Maintenance Employees); Union of American Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors);

Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); Unit 60 Legislative Group; Unit 61 (unrepresented Executive Management Employees), Unit 62 (unrepresented Senior Management Employees) and Unit 30 (Confidential Employees)

- L. CASE REVIEW/PLANNING (GC § 54957.8)
- M. REPORT INVOLVING TRADE SECRET (GC § 54962, etc.)
 - a. Estimated year of public disclosure:_____
- N. HEARINGS
 - a. Subject matter:_____
 - (nature of hearing, i.e. medical audit comm.,
quality assurance comm., etc.)



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Agenda Submittal

Agenda #:	2	Status:	Presentation
Type:	Resolution-Presentation	Department:	Board of Supervisors
File #:	19-757	Contact:	Erin Hannigan, 553-5363
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt and present a resolution recognizing the Greater Vallejo Recreation District (GVRD) for 75 years of service (Chairwoman Hannigan)		
Governing body:	Board of Supervisors		
District:	District 1		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X
Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

Chairwoman Erin Hannigan recommends that the Board of Supervisors adopt and present a resolution recognizing the Greater Vallejo Recreation District (GVRD) for celebrating 75 years of service.

SUMMARY/DISCUSSION:

The Greater Vallejo Recreation District (GVRD) was established on June 14, 1944. Supervisor Hannigan request recognition of GVRD celebrating its 75th anniversary with a celebration, "A Night to Remember" on Saturday November 2, 2019 at the Foley Cultural Center 1499 N. Camino Alto in Vallejo.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget. The costs associated with preparation and purchase of the resolution materials are included in the Board's FY2019/20 Adopted Budget.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING THE GREATER VALLEJO RECREATION DISTRICT FOR 75 YEARS OF SERVICE IN VALLEJO

WHEREAS, the Greater Vallejo Recreation District (GVRD) is celebrating the 75th anniversary of its inception, and it is appropriate at this time to highlight the positive impact the District has had on the local community and extend to it the special appreciation of the public; and

WHEREAS, an independent special service district established to provide recreational activities and leisure services to the citizens of Vallejo, the GVRD is funded primarily by property taxes paid by residents of the district, voter approved Measure K parcel tax and revenues from fees for services and programs, including park entrance fees, facility rentals, and grants and park dedication permit fees; and

WHEREAS, established on June 14, 1944, at the behest of the local electorate, GVRD is run by a General Manager with oversight by a five-member Board of Directors, and currently operates 23 neighborhood parks, 4 community parks, 5 special purpose parks, an Olympic-size swimming pool, and 4 community centers - all while managing 1,000 acres of public land; and

WHEREAS, responsible for the management of most city-owned recreational properties and the provisions of Parks & Recreational services for the residents of Vallejo, GVRD organizes and manages numerous programs for the benefit and enjoyment of the community, including youth and adult sports programs, before and after school programming, leisure classes, and a wide variety of special interest events such as the Vallejo Sports Hall of Fame, Breakfast with Santa, Arts and Concerts in the Park, Family Campouts, Family Movie Nights and the Fishing in the City program; and

WHEREAS, although independent from the City of Vallejo, GVRD has nonetheless maintained a tradition of exceptional service that is evidenced by the satisfaction of the general public and exemplified by the myriad of programs and facilities made available to local community. The tireless work of its members demonstrate the ideals that define only the most distinguished service-districts.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby congratulates the Greater Vallejo Recreation District on the celebration of its 75th anniversary; commends it for establishing and maintaining an array of parks, facilities, and programs for the benefit and amusement of the Vallejo community, and extends sincere best wishes for continued success in the future.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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Agenda Submittal

Agenda #:	3	Status:	Presentation
Type:	Resolution-Presentation	Department:	Board of Supervisors
File #:	19-801	Contact:	Erin Hannigan, 553-5363
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt and present a resolution recognizing October 2019 as Filipino-American History Month in Solano County (Chairwoman Hannigan)		
Governing body:	Board of Supervisors		
District:	District 1		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X

Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

Chairwoman Erin Hannigan recommends that the Board of Supervisors adopt and present a resolution recognizing October 2019 as Filipino-American History Month in Solano County.

SUMMARY/DISCUSSION:

The Filipino community has been in Solano County for more than a century, and, as part of their annual recognition, Chairwoman Hannigan requests that the Board of Supervisors designate October 2019 as "Filipino American History Month" in Solano County.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and included in the department's FY2019/20 Adopted Budget. The costs associated with preparation and purchase of the resolution materials and plaque are included in the Board's FY2019/20 Adopted Budget.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING OCTOBER 2019 AS FILIPINO-AMERICAN HISTORY MONTH

WHEREAS, October 18, 1587 is the earliest documented proof of Filipino presence in the continental United States as the first “Luzones Indios” set foot in Morro Bay, California, and the year 1763 was the first permanent settlement of Filipinos in the continental United States in St. Malo, Louisiana, and between 1906 and 1935, the first large wave of Filipino immigration began to work as agricultural workers in Solano County, as domestic servants, on railroads and in Vallejo, as shipyard workers at Mare Island. Their presence in Solano County set in motion the economic, cultural, social, and other contributions that Filipino Americans have made to our great Nation and County; and

WHEREAS, the Filipino presence in Solano County dates back over one hundred years starting with the arrival of war brides as well as the nannies and servants of US Naval Officers stationed at Mare Island after the Spanish-American and Philippine American Wars, and the arrival of Vallejo’s first Filipino family, a marriage between African American Buffalo soldier George Washington Carter and Maria Martinez in 1912, setting the stage for Filipinos today being the largest Asian American Pacific Islander group in Solano County, the second largest in California, and the third largest in the Nation, according to a U.S. Census Bureau multi-year trend; and

WHEREAS, the City of Vallejo and the communities in Solano County have long recognized the contributions of Filipino Americans, several of whom have dedicated many years of service as leaders with various government and private entities, as well as having served as educators, health and social workers, civil servants, military members, elected officials and policymakers; and

WHEREAS, the Filipino American National Historical Society – Vallejo Chapter continues to fulfill its mission to document, record, educate and disseminate the history of Filipinos in Vallejo, who in 2019 produced a permanent exhibit “Filipinos on Mare Island” for the Mare Island Museum, helped dedicate the “Moises Way, the first street named after a Filipino in Vallejo, and presented the Vallejo Filipino history at public events including at the Solano County Fair’s Cultural Pavilion.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby designate October 2019 as “Filipino American History Month,” and encourage our citizens to celebrate the significance of Filipino Americans, their contributions, values, culture and the positive role models that they have proudly displayed in transforming the diversity and rich history of our historic and beautiful County and our great Nation.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

675 Texas Street
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Agenda Submittal

Agenda #:	4	Status:	Presentation
Type:	Resolution-Presentation	Department:	Health and Social Services
File #:	19-798	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt and present a resolution recognizing November 2019 as Prematurity Awareness Month in Solano County to increase public awareness regarding the impact of premature births (Supervisor Vasquez)		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X

Public Hearing Required? Yes ___ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Health & Social Services recommends that the Board of Supervisors adopt and present a resolution recognizing November 2019 as Prematurity Awareness Month in Solano County to increase public awareness regarding the impact of premature births.

SUMMARY:

The U.S. Centers for Disease Control & Prevention, the California Department of Public Health and March of Dimes recognize November each year as Prematurity Awareness Month. The Department of Health & Social Services, Public Health Division, Maternal, Child and Adolescent Health Bureau joins these organizations in recognizing November 2019 as Prematurity Awareness Month to increase public awareness regarding the impact of premature births and steps Solano County residents can take to reduce risks. This resolution acknowledges the commitment to reduce rates of premature births and the need to follow recommendations for healthy pregnancies to promote and protect the health of women, infants and their families.

FINANCIAL IMPACT:

The staff time associated with preparing this Board Item and planning Prematurity Awareness activities is included in the Department's FY2019/20 Adopted Budget. There is no additional impact to the County General Fund.

DISCUSSION:

During the month of November 2019, the Department of Health & Social Services, Public Health Division, Maternal, Child and Adolescent Health (MCAH) Bureau will sponsor activities in Solano County to promote

awareness and prevention of premature births. Together with the CDC and CDPH, the MCAH Bureau recognizes that prematurity should be addressed as a significant public health issue.

Prematurity, also referred to as preterm or premature birth, is defined as the live birth of a baby before 37 weeks of pregnancy. While preterm labor and delivery can happen to any pregnant woman, certain lifestyle and environmental factors and certain health issues may increase a woman's risk for preterm labor. Risk factors for preterm birth include late or no prenatal care, pregnancy with multiple babies, certain uterine or cervical abnormalities, prior preterm delivery, diabetes, high blood pressure or other health issues, lack of social support, toxic stress, long hours of work with prolonged periods of standing, and smoking, drinking or using drugs.

Premature births and complications associated with preterm birth are the largest contributors to infant death in the U.S. and globally. Provisional data for 2017 show that the U.S. preterm birth rates have increased for the third year in a row, from 9.5 to 9.9 percent of births, with more than 480,000 babies born in the U.S. delivering before 37 weeks of pregnancy. In Solano County, eight of every one hundred births (8%) are preterm and approximately seven of every one hundred (7%) are termed low birth weight, which is a weight less than 2,500 grams at birth. Consequences of prematurity can be deep and long-lasting for babies, their families and society. Babies born too early may have more health problems or may need to stay in the hospital longer than full-term babies.

The March of Dimes Premature Birth Report Card reveals racial/ethnic and geographic disparities signifying that babies have a higher chance of a premature birth based on race/ethnicity and zip code. There are significant disparities in rates of preterm birth between race and ethnic groups nationally and locally. Specific causes for this disparity are not completely understood; even accounting for known risk factors, preterm rate disparities between White and Black infants persist. This difference in prematurity rates contributes to a higher Black infant mortality rate.

According to the most current Solano County data, the Black prematurity rate was 10.4% in 2017. The Asian rate was 8.8% and the Hispanic rate was 7.7%. However, rates continue to be higher for Black infants in Solano County (10.4% in 2017). Solano County has seen improvements in rates of women entering prenatal care in the first trimester of pregnancy, from 71.3% in 2006 to 80.9% in 2017. Solano County has been successful at improving rates of early prenatal care for women insured by Medi-Cal, from 49.8% in 2006 to 71.6% in 2017.

Beginning in July 2019, the Solano County Black Infant Health Program began restructuring to offer services that more effectively address Black/White disparities in birth rates. Using a three-pronged approach to its services, Black Infant Health is now able to offer: intensive home visitation services through the evidence-based, Healthy Families America model; group services; and, systems change efforts through the Solano HEALS (Health Equity for African American/Black Lives in Solano) community initiative. Goals of Solano's Black Infant Health Program are to improve the health of African American women and babies, decrease health and social inequities, and empower Black women to lead healthier lives and make positive connections to their culture, community and services.

The MCAH Bureau and its community partners have consistently worked to improve birth outcomes for infants in Solano County, including reducing the number of premature births. Ongoing initiatives and programs working to improve birth outcomes and reduce rates of prematurity in Solano County include the Comprehensive Perinatal Services Program, Nurse-Family Partnership, Healthy Families Solano, Black Infant Health Program, Solano HEALS and District Nursing. Each of these programs encourages women to seek early prenatal care and addresses barriers to accessing care.

In November, the MCAH Bureau will continue to encourage all women to see a doctor within the first three months of their pregnancy in order to give their baby a healthy start. The MCAH Bureau provides information

about prenatal care through social media, local health fairs, community events, access to enroll in home visiting programs and collaboration with community agencies.

ALTERNATIVES:

The Board could choose not to recognize November 2019 as Prematurity Awareness Month in Solano County. This is not recommended as this resolution encourages and supports awareness of the availability and need for education, research and risk-reduction activities related to prematurity prevention.

OTHER AGENCY INVOLVEMENT:

Partner agencies joining the Department's MCAH Bureau in efforts to prevent premature births include Solano County prenatal care providers participating in the Comprehensive Perinatal Services Program, Partnership HealthPlan of California, Solano Home Visiting Community Advisory Board, Kaiser Permanente, Touro University, La Clinica de la Raza, First 5 Solano, Fighting Back Partnership, Neighborhood Rising, New Dawn Vallejo, Solano Coalition for Better Health, Planned Parenthood, Fruits of My Labor, Divine Birthright, Hatch, Women, Infants & Children, and More Excellent Way.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING NOVEMBER 2019 AS PREMATURETY AWARENESS MONTH IN SOLANO COUNTY

WHEREAS, premature (or preterm) birth is birth of an infant at less than 37 weeks of gestation; and

WHEREAS, premature birth and its complications are the largest contributors to infant death in the U.S. and are a major cause of long-term health problems in children who survive; and

WHEREAS, the overall rate of preterm birth in the United States is currently at 9.9 percent, with a rate of 8.7 percent in California; and

WHEREAS, in California the preterm birth rate among Black women is 44 percent higher than the rate among all other women, increasing further the disparity from prior years; and

WHEREAS, risk reduction strategies such as early, comprehensive prenatal care can help ensure newborns are born at optimum birth weight; and

WHEREAS, certain medical conditions including previous preterm birth, pregnancy with multiple fetuses or certain uterine or cervical abnormalities, diabetes, high blood pressure, and obesity may also contribute to premature birth; and

WHEREAS, certain lifestyle, health and environmental factors, such as late or no prenatal care, smoking, drinking alcohol or using drugs, exposure to domestic violence, lack of social support, extremely high levels of stress, and long working hours with prolonged periods of standing may put a woman at greater risk of preterm birth; and

WHEREAS, Solano County Health & Social Services Public Health Division, Maternal, Child, and Adolescent Health Bureau is coordinating awareness, education, health and risk reduction related activities across the County during the month of November.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognizes the month of November 2019 as Prematurity Awareness Month in Solano County and urges all residents to support the health and well-being of all infants and their families.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	5	Status:	Consent Calendar
Type:	Minutes	Department:	Clerk of the Board of Supervisors
File #:	19-815	Contact:	Jeanette Neiger, 784-6125
Agenda date:	10/22/2019	Final Action:	
Title:	Approve the minutes of the Solano County Board of Supervisors meetings of September 24, October 1 and October 8, 2019		
Governing body:	Assessment Appeals Board		
District:	All		
Attachments:	A - Minutes - September 24, 2019, B - Minutes - October 1, 2019, C - Minutes - October 8, 2019		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X

Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

Presented for your approval are the minutes of the Solano County Board of Supervisors meetings of September 24, October 1 and October 8, 2019.



Solano County

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

Minutes - Draft 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, September 24, 2019

8:30 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 24th day of September, 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, Thomson and Chairwoman Hannigan. Chairwoman Hannigan presided. Supervisor Vasquez was absent. Also present were Assistant County Administrator Nancy Huston and County Counsel Bernadette Curry.

Chairwoman Hannigan advised that there was a severe accident on westbound Interstate 80 and that many people would likely be late.

ROLL CALL

Erin Hannigan, Monica Brown, James P. Spering, and Skip Thomson. John M. Vasquez arrived at 9:12 A.M.

CLOSED SESSION

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

- 1 [19-735](#) Conference with Labor Negotiators: Solano County representatives: Marc Fox, Jeannine Seher, Mark Love, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Teamsters, Local 150 for Unit 1 (Attorneys); SEIU Local 1021 for Unit 2 (Nurses), Unit 5 (Health and Welfare Employees), Unit 7 (Regulatory, Technical and General Services Employees), Unit 8 (General Services Supervisors), Unit 9 (Clerical Employees) and Units 82, 87, 89, and 90 (Extra Help Employees); Solano County Deputy Sheriff's Association for Unit 3 (Law Enforcement Employees) and Unit 4 (Law Enforcement Supervisors); Public Employees Union, Local One for Unit 6 (Health and Welfare Supervisors) and Unit 16 (Mid-Management Employees); Stationary Engineers, Local 39 for Unit 10

(Skilled Craft and Service Maintenance Employees); Union of American Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors); Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); Unit 60 Legislative Group; Unit 61 (unrepresented Executive Management Employees), Unit 62 (unrepresented Senior Management Employees) and Unit 30 (Confidential Employees)

Conference with Real Property Negotiators: Property: APN: 0133-050-230, 6996 Leisure Town Road, Vacaville, California; Agency negotiators: Birgitta E. Corsello, County Administrator, Nancy Huston, Assistant County Administrator, and Megan Greve, General Services Director; Negotiating party: Sheila Oakes, Realty One Group Fox; Under negotiation: Price and terms

Public Employee Appointment: Public Defender

Conference with Legal Counsel: Potential Litigation: One case

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

RECONVENE

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

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

Assistant County Administrator Nancy Huston announced that by a unanimous vote, the Board had appointed Elena D'Agustino as the Public Defender. She noted that Ms. D'Agustino had been serving as the Interim Public Defender since February 2019.

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

- 3 [19-702](#) Adopt and present a resolution and plaque of appreciation recognizing Maria G. Ramirez, Office Assistant III, upon her retirement from Health & Social Services, Behavioral Health Division, with over 29 years of dedicated public service to Solano County (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. 2019 - 183 recognizing Maria G. Ramirez, Office Assistant III, upon her retirement from Health & Social Services, Behavioral Health Division, with over 29 years of dedicated public service to Solano County. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-183

- 2 [19-675](#) Adopt and present a resolution and plaque of appreciation honoring Correctional Officer James Montoya upon his retirement from the Sheriff's Office with over 33 years of dedicated public service to Solano County (Supervisor Vasquez)

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

Supervisor Vasquez arrived at 9:12 A.M.

On motion of Supervisor Vasquez, seconded by Supervisor Brown, the Board adopted and presented Resolution No. 2019 - 182 honoring Correctional Officer James Montoya upon his retirement from the Sheriff's Office with over 33 years of dedicated public service to Solano County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-182

- 4 [19-741](#) Adopt and present a resolution and plaque of appreciation honoring Matthew Geisert, Hazardous Materials Specialist Supervisor, upon his retirement from the Department of Resource Management with 31 years of public service, including 18 years of dedicated service to Solano County (Chairwoman Hannigan)

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

On motion of Chairwoman Hannigan, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2019 - 184 honoring Matthew Geisert, Hazardous Materials Specialist Supervisor, upon his retirement from the Department of Resource Management with 31 years of public service, including 18 years of dedicated service to Solano County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-184

- 5 [19-727](#) Receive a presentation from the Department of General Services on the selection of Brandon Henderson for the "Employee of the Month" Parking Program for October 2019

Attachments: [Minute Order](#)

Received

- 6 [19-677](#) Adopt and present a resolution recognizing the 1 year anniversary of the Solano Safety Opioid Coalition, "Drug Safe Solano," for its collaborative work to prevent opioid overdoses and deaths in Solano County (Chairwoman Hannigan)

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

County Administrator Birgitta Corsello arrived at 9:44 A.M.

On motion of Chairwoman Hannigan, seconded by Supervisor Spering, the Board adopted and presented Resolution No. 2019 - 185 recognizing the 1 year anniversary of the Solano Safety Opioid Coalition, "Drug Safe Solano," for its collaborative work to prevent opioid overdoses and deaths in Solano County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-185

- 7 [19-701](#) Adopt and present a resolution recognizing September 23-29, 2019 as Fall Prevention Week in Solano County (Supervisor Spering)

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

On motion of Supervisor Spering, seconded by Supervisor Vasquez, the Board adopted and presented Resolution No. 2019 - 186 recognizing September 23-29, 2019 as Fall Prevention Week in Solano County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-186

- 8 [19-598](#) Adopt and present a resolution recognizing October 2019 as Sudden Infant Death Syndrome Awareness Month in Solano County (Supervisor Vasquez)

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

On motion of Supervisor Vasquez, seconded by Supervisor Thomson, the Board adopted and presented Resolution No. 2019 - 187 recognizing October 2019 as Sudden Infant Death Syndrome Awareness Month in Solano County. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-187

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) Harry T. Price, Mayor of the City of Fairfield, and Tom Martian, Fairfield Public Works Project Manager, provided information on the Fairfield-Vacaville Train Station project and presented Supervisor Spering with an award of appreciation for his efforts to bring funding to the project.

Chairwoman Hannigan commented on Supervisor Spering's accomplishments bringing in transportation projects to Solano County.

B) Bill Emlen, Director of Resource Management, introduced new County Surveyor Steve Fredericks.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for September 24, 2019.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez, seconded by Supervisor Brown, the Board approved the agenda of the Solano County Board of Supervisors for September 24, 2019 as submitted. So ordered by 5-0 vote.

ITEMS FROM THE PUBLIC

It was noted that more comment cards for Items From the Public had been received, therefore Chairwoman Hannigan invited the requesters to make their comments. The following comments were received:

C) Ricky Dean Horton, Fairfield, commented on a lawsuit that he intended to file against the County.

D) George Guynn, Jr., Suisun City, commented on regionalization.

E) Dennis Allen, Fairfield, commented on an article regarding ACA 1 and in opposition to the legislation.

F) Tracee Stacy, Vice-Chair of the Community Health Care Board, commented on a recent successful audit of the health clinics.

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 Brown, the Board approved the following Consent Calendar items by 5-0 vote.

CONSENT CALENDAR

- 9 [19-738](#) Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors
- Attachments: [A - Appointment List](#)
 [Minute Order](#)
- Received and Filed

- 10 [19-739](#) Approve the minutes of the Solano County Board of Supervisors meetings of August 27, September 10, and September 14, 2019 and the Solano County Housing Authority minutes of August 27, 2019

Attachments: [A - Minutes - August 27, 2019](#)
 [B - Minutes - September 10, 2019](#)
 [C - Minutes - September 14, 2019](#)
 [D - Housing Authority Minutes - August 27, 2019](#)
 [Approved Minutes - August 27, 2019](#)
 [Approved Minutes - September 10, 2019](#)
 [Approved Minutes - September 14, 2019](#)
 [Housing Authority Approved Minutes - August 27, 2019](#)
 [Minute Order](#)

Approved

- 11 [19-743](#) Adopt a resolution proclaiming the week of September 22, 2019 as Rail Safety Week in Solano County

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

Adopted

Enactment No: Resolution 2019-188

- 12 [19-728](#) Approve a contract with Simpler Systems in an amount not to exceed \$80,500 to provide technical services to implement a web-based property systems archive inquiry system associated with the County Assessment and Taxation System project (SCIPS Replacement) for the term of October 1, 2019 to September 30, 2020; Authorize the Chief Information Officer to execute the contract and any amendments that do not exceed 10% of original contract; and Authorize the Chief Information Officer to execute annual license/maintenance renewals that are within 10% of prior year net monthly amount for up to 3 years

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

Approved

- 13 [19-726](#) Approve a report on Best Value Project Delivery per Section 20155.7 of the Public Contract Code; and Authorize the Director of the General Services Department to transmit the report to the California Secretary of State, appropriate policy committees of the State Legislature and the Joint Legislative Budget Committee, relating to the SB1022 Rourke Vocational Training Center

Attachments: [A - California Public Contract Code Section 20155 et seq.](#)
 [B - California Government Code Section 9795](#)
 [C - SB1022 Best Value Report](#)
 [Executed Letter and Report](#)
 [Minute Order](#)

Approved

- 14 [19-692](#) Approve an Appropriation Transfer Request (ATR) of \$615,000 from First 5 Solano's Contingency Fund for tenant improvements at the Vallejo First 5 Center (4/5 vote required)

Attachments: [Minute Order](#)

Approved

- 15 [19-697](#) Accept a \$50,000 Rachael Ray: Save Them All grant funded by the Rachael Ray Foundation and administered by Best Friends Animal Society to reduce shelter deaths for the period of August 26, 2019 through September 1, 2020; Authorize the Sheriff, pending County Counsel concurrence, to execute the agreement and any amendments that remain within budgeted appropriations; and Approve an Appropriations Transfer Request (ATR) of \$50,000 to recognize unanticipated grant revenue and related appropriations associated with Animal Care Services' Hipped to be Tipped - Shelter Neuter Return project (4/5 vote required)

Attachments: [Minute Order](#)

Approved

- 16 [19-731](#) Approve updates to the 2017 Homeland Security Grant Program Expenditure Plan and the 2018 Homeland Security Grant Program Expenditure Plan to reflect the movement of grant projects from one expenditure plan to the other and that remain within the respective grant awards

Attachments: [A - HSGP Project Adjustments](#)
 [Minute Order](#)

Approved

- 17 [19-707](#) Approve the appointment of Verneal Brumfield to the Napa/Solano Area Agency on Aging Advisory Council representing Solano County for a 2 year term to expire September 31, 2021; Approve the Napa/Solano Area Agency on Aging Advisory Council Bylaws; Adopt a resolution approving the contract with the California Department of Aging for \$90,472 for October 1, 2019 through September 30, 2020 for Planning and Services Area 28 Supplemental Nutrition Assistance Program-Education funds; and Authorize the County Administrator to execute the contract and any contract amendments to distribute additional California Department of Aging Supplemental Nutrition Assistance Program-Education identified funds for federal FY2019/20

Attachments: [A - Bylaws](#)
 [B - Contract](#)
 [C - Resolution](#)
 [Executed Contract](#)
 [Adopted Resolution](#)
 [Minute Order](#)

Approved

Enactment No: Resolution 2019-189

- 18 [19-684](#) Adopt a resolution authorizing the Director of Resource Management to execute and record irrevocable offers of dedication of 3.84 acres of right of way easements for public roadway and public utility purposes on Green Valley Road and Mason Road for Minor Subdivision MS-18-02 (Russo)

Attachments: [A - Map](#)
 [B - Resolution](#)
 [C - Dedication Green Valley & Mason](#)
 [D - Dedication Roundabout](#)
 [Adopted Resolution](#)
 [Minute Order](#)

Adopted

Enactment No: Resolution 2019-190

- 19 [19-634](#) Approve an agreement and order form with Accela, Inc. for 4 annual subscriptions from September 12, 2019 through September 11, 2023 totaling \$465,494 to access Accela Environmental Health, a cloud based permitting and inspection data management software system needed to replace an existing data management system; Approve a contract with SEP Technology Consulting, LLC for \$238,820 with a term of September 24, 2019 through June 30, 2020 for one time configuration and training to use the software; and Delegate authority to the Director of Resource Management to execute the agreement, order form, contract and any change orders or amendments up to 10% of the contract amount and to renew subsequent annual subscriptions that are within 7% of the prior year net total amount within budgeted appropriations

Attachments: [A - Accela, Inc. Agreement and Order Form](#)
[B - SEP Technology Consulting, LLC. Contract](#)
[Executed Agreement - ACCELA](#)
[Executed Agreement - SEP Technology Consulting, LLC.pdf](#)
[Minute Order](#)

Approved

MISCELLANEOUS ITEMS

- 20 [19-732](#) Approve the reappointment of Lisa Howard to the Agriculture Advisory Committee, representing District 3, for a term to expire on January 1, 2022

Attachments: [Minute Order](#)

Approved

- 21 [19-722](#) Approve the appointment of Tyffany Wanberg to the First Five Solano Children and Families Commission, representing District 4, for a term to expire September 22, 2023

Attachments: [Minute Order](#)

Approved

RECESS

This meeting of the Solano County Board of Supervisors recessed at 10:30 A.M. to Closed Session with no report out.

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 11:07 A.M. All members were present and Chairwoman Hannigan presided.

22

[19-708](#)

Adopt and present a resolution proclaiming the week of September 22-28, 2019 as Centenarian Week in Solano County

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

On motion of Supervisor Vasquez, seconded by Supervisor Brown, the Board adopted and presented Resolution No. 2019 - 191 proclaiming the week of September 22-28, 2019 as Centenarian Week in Solano County. So ordered by 5-0 vote. (see Resolution Book)

From the City of Benicia: Peter Caggiano, 99 (turning 100 in December)

From the City of Fairfield: Viola Josey, age 100; Teruo "Ted" Miyagishima, age 100; Virginia Noordyk, age 100; Dorothy Hines, age 100; Charles "Charlie" Parsons, age 100; Eddie Mae Crummie, age 100; Lois Dittmer, age 100; Richard Marsch, age 100; Stanley Emerson, age 100; Linda Vasey, age 101; Mildred Healy, age 101; Irene Bruce, age 100; Charles Micks Gilbert, age 102; Lois Smylie Monez, age 102; Maria Galang, age 102; LaVonne Eyres, age 102; Robert "Sully" Sullivan, age 103; Dorothy Daviner, age 103; Ferril Mulock, age 101; Hazel Booher, age 104; Ellen Lipp, age 99 (turning 100 in October)

From the City of Rio Vista: Rose Blackburn, age 100; Luis Castro, age 101

From Suisun City: Delois "Lois" Brasher, age 100; Tillie Golden, age 102; Lucy Higgs, age 107

From the City of Vacaville: Ada Dito, age 99 (will turn 100 in October); Ed Dillion, age 100; Virginia Schmid, age 99 (turning 100 in November); Eva Hoekman, age 100; Cyril O'Neil, age 100; Julia Rico, age 100; Marian Bowen, age 100; Bernice Raemer, age 100; Elizabeth Freeman, age 100; Leona Elledge, age 101; William Oakes, age 101; Hazel Walters, age 101; Marge Bors, age 101; Valerie Rowden, age 102; Bruce Sooy, age 102; Gerald Simoni, age 102; Barbara Wilkins, age 104; Dorothy Pennycott, age 104; Perle Williams, age 106

From the City of Vallejo: Ollie "Jack" Wallin, age 101; John F. Turk, age 100; Gertrude Calit, age 101; Rachel Brautigan, age 101; Robert "Bob" Daine, age 102; Navarre Marshall, age 102; Ruth Marcacci, age 103; Valerie Haycock, age 107 and Reta Wills, age 108

Enactment No: Resolution 2019-191

RECESS

This meeting of the Solano County Board of Supervisors recessed at 12:34 A.M. to a reception in honor of the 2019 Centenarians in the Chamber lobby.

RECONVENE

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

REGULAR CALENDAR**23****19-542**

Conduct a noticed public hearing to consider an appeal of the Planning Commission's denial of Administrative Permit Application No. AD-18-02 for Leeanna Ellis to have an outdoor special events facility for up to 6 events per year with up to 150 attendees at 5580 Nicholas Lane, Dixon (*continued from the July 23, 2019 Board meeting*)

Attachments:

[A - Updated Resolution](#)

[B - Updated Map of Nicholas Lane](#)

[C - Link to Board Appeal Package](#)

[D - Planning Commission Resolution](#)

[E - Excerpt from May 16, 2019 PC Minutes](#)

[F - Links to Planning Commission Staff Report Package](#)

[G - Links to Planning Commission Meeting Comment Letters](#)

[H - Public Notices](#)

[I - Administrative Permit & Appeal Zoning Regulations](#)

[J - Planning Division Permit History](#)

[K - Updated Record of Survey](#)

[L - July 23, 2019 Minute Order](#)

[Adopted Resolution](#)

[September 24, 2019 Minute Order](#)

Director of Resource Management Bill Emlen noted that a request had been received from Leeanna Ellis for a continuance to January and asked whether the Board would like staff to continue with a presentation or not.

Chairwoman Hannigan and Supervisor Spering noted they would like to proceed with staff's presentation.

In response to a question from Supervisor Thomson, Mr. Emlen noted that the permit issue had been going on for a while and that staff would like to proceed with the hearing in order to bring closure.

In response to a question from Supervisor Brown, County Counsel Bernadette Curry confirmed that the Board could hear the presentation and testimony and then decide whether to grant the request to continue.

Senior Planner Karen Avery provided an overview of the item.

In response to questions from Chairwoman Hannigan, Ms. Avery noted that there were no paved roads in the area of the map shown in yellow. She then noted that the subject property was parcel four and that the main access to the property was from Nicholas Lane. Ms. Avery provided information about the easement on that property and the proposed development by the applicant. She advised that the appeal packet included information on other issues in the neighborhood and noted that the County had been provided the information through the applicant's appeal submission. Mr. Emlen advised that there were code components as well that were being tracked by court records through County Counsel. Ms. Avery then provided information on the history of the denial of the permit request, noting that there were still concerns about legal issues resulting from the Ellis' restraining order and the current road maintenance agreement.

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

A) Marshall Foletta, Nicholas Lane property owner, commented on access issues with access, parameters of the restraining order that he had been granted against Mr. Ellis, and in support of tabling the appeal.

B) George Guynn, Jr., Suisun City, commented on court records, change in the circumstances of the matter and consideration of the appeal at a later date.

Chairwoman Hannigan invited the applicant to provide comments.

Leeanna Ellis, applicant, provided the Board with information on the circumstances and status of court proceedings, and the reasons behind her request for a reconsideration and a request for a continuance of the appeal.

In response to a question from Supervisor Vasquez, Ms. Avery advised that the original application for the permit was received in March or April of 2018. Mr. Emlen advised that the application had been deemed incomplete for some time due to basic items that had to be resolved before the matter could move forward.

Supervisor Vasquez noted that the application and conditions today were before the Board for a decision and not what could happen in the future.

In response to a question from Chairwoman Hannigan, Ms. Avery advised that John Malone from the Dixon Fire Department had reviewed the site for fire apparatus issues but did not review the site for an event facility or a second access. Mr. Emlen advised that the road was not up to County standards from an engineering standpoint.

In response to a question and comments from Supervisor Vasquez, Deputy County Counsel Jim Laughlin provided information on the road maintenance agreement, noting that the four property owners were required to work together to take care of the road. He advised that the public would be attending the facility if the permit was approved and that it was a valid assumption that the facility renters would expect the road to be inspected and safe.

In response to questions from Supervisor Vasquez, Mr. Emlen provided information on the applicant's statement regarding the road being up to standard and noted that staff did not concur with the statement due to the issues with the road. He then noted that staff felt that closing out the appeal and letting the process start over after the issues were resolved was best.

In response to questions from Supervisor Thomson, Engineering Manager Matt Tuggle provided information on required road standards for roads that serviced more than one parcel. He advised that Nicholas Lane did not have the double chip seal surface as required by the private road standards. Mr. Emlen provided information on the applicant's statement regarding issues being addressed by January.

In response to questions from Supervisor Spering, Mr. Emlen provided information on staff's findings concerning the denial of the administrative permit. He noted that staff should be able to give the applicant a list of conditions that needed to be met prior to being permitted.

Supervisor Thomson commented on the double chip seal paving requirement and advised that it could be very costly and hold up the process.

Mr. Emlen noted that staff did not have flexibility to deal with private road conditions as part of an administrative permit.

Supervisor Spering asked what authority the County had over private roads when it came to these types of permits.

Mr. Tuggle provided additional information on the double chip seal process and required road standards.

Mr. Laughlin noted that the County did not have much authority over the private roads beyond the subdivision stage. He advised that the County did have authority over the uses that needed to use a private road for access in that it could approve, deny or in some cases impose conditions on the uses that use the private road for access.

In response to a question from Supervisor Spering, Mr. Laughlin noted that the County did not have authority to impose conditions on an administrative permit beyond what was spelled out in Chapter 28 of the County Code. He noted that Mrs. Ellis' statement that the restraining order was not an issue for her because it did not pertain to her was not accurate. He advised that the restraining order pertained to Mr. Ellis, however the use permit would run with the land ownership and that as long as Mr. Ellis had some degree of ownership and control over the property, then he would be entitled to operate under this use permit.

Supervisor Spering indicated that he was not supportive of extending the appeal and would like to have the Board make a decision.

Supervisor Thomson commented on the difficulty of the decision and on being critical of development in the unincorporated area that did not meet County standards. He then made a motion to uphold the denial and affirm the Planning Commission's decision.

Chairwoman Hannigan commented on a prior road condition precedence.

Vasquez commented on the creation of the roads, noting they were intended for agriculture use and not for public event centers. He then commented on a need to look at how the County permitted for these uses and advised that the other adjoining property owners had a right to have a say in the issue as they would be impacted.

Supervisor Brown seconded the motion.

Ms. Ellis commented that denial of the permit based on the condition of the road would be biased, noting that other event facility permits had been approved for the road already. She advised that she should be treated equally and that the other permits should be revoked if this permit was denied.

In response to a question from Chairwoman Hannigan, Mr. Emlen advised that permits were approved for life once approved.

Chairwoman Hannigan commented on the learning curve in handling agriculture properties being used with commercial uses.

Mr. Emlen noted that staff was looking at this in order to be more clear and proactive in the future.

In response to questions from Supervisor Spering, Ms. Avery advised that there were two properties with permits, a stable on the Foletta property and a kennel on the Fielding property. She noted that neither party was active or had requested an extension. She noted that there were road improvement requirements on the minor use permit for the stable.

Supervisor Spering commented that it was not fair for other people to use Nicholas Lane for commercial uses without having to improve the road.

Mr. Laughlin advised that the Planning Commission had denied the permit due to the restraining order and lack of an active road maintenance agreement. He noted that new information had come forward showing that there was a road maintenance agreement in place.

In response to a question from Supervisor Spering, Mr. Laughlin noted that the administrative permit process did not allow for conditions to be put on the road, and only allowed for determination of whether there was an active road maintenance agreement in place.

County Administrator Birgitta Corsello provided information on minimum road standards that the Board had adopted in the past. She advised that the department could bring back the standards if the Board would like to review them.

In response to questions from Supervisor Spering, Mr. Emlen provided information on road maintenance requirements on the use permit for the Foletta property. Mr. Laughlin noted that a building permit requirement would be avoided because the property owner would be bringing in temporary tents and advised that staff would not get opportunities to look at access issues.

In response to questions from Supervisor Vasquez, Ms. Avery provided information the history of the development of Nicholas Lane.

In response to a question from County Counsel Bernadette Curry, Supervisor Thomson noted that his motion included adoption of the resolution in the agenda item.

In response to requests from the public and concurrence from the Board, Chairwoman Hannigan invited the following individuals to speak:

A) Karen Tieseler, Nicholas Lane property owner, noted that Nicholas Lane had always been a road for farming going back to when the land was one parcel.

B) Mr. Foletta, Nicholas Lane property owner, noted that the access issues were complicated, that he had met the prior road conditions placed on his own use permit and that his business had to be suspended because of the issues with the neighbors.

Chairwoman Hannigan called for a vote. The motion was approved by a 5-0 vote.

On motion of Supervisor Thomson, seconded by Supervisor Brown, the Board considered the appeal of the Planning Commission's denial of Administrative Permit Application No. AD-18-02 for Leeanna Ellis to have an outdoor special events facility for up to 6 events per year with up to 150 attendees at 5580 Nicholas Lane, Dixon; Affirmed the Planning Commission's decision; and Adopted Resolution No. 2019 - 192 denying Administrative Permit Application No. AD-18-02 (Ellis). So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-192

24

[19-734](#)

Receive an update from staff and the County's State Legislative Advocate on the status of legislation that is of interest to the County that was discussed at the September 16, 2019 Legislative Committee meeting

Attachments: [A - Federal Legislative Update](#)
 [B - State Legislative Update](#)
 [Minute Order](#)

Assistant County Administrator Nancy Huston introduced the item.

State Legislative Advocate Karen Lange provided an update on state activities and legislation of interest to the County.

In response to a question from Supervisor Brown, Ms. Lange advised that she would follow up and provide information back on AB 45 regarding construction of housing at the community colleges or higher education.

In response to a question from Supervisor Vasquez and Supervisor Brown, Ms. Lange provided information on the funding for housing under AB 1487 that establishes the San Francisco Bay Regional Housing Finance Act. She advised that should follow up on whether there would be rules and regulations in regard to competitive bidding for the funding pool.

In response to a question from Supervisor Vasquez, Ms. Lange provided information on federal and state activities around banning vaping.

Chairwoman Hannigan commented on the number of vaping stores currently operating and advertisements she'd seen against vaping.

Ms. Lange advised that she would follow up on the matter.

County Administrator Birgitta Corsello provided information on recent a news medical report concerning vaping and the black market version of cannabis for vaping. She noted that the crackdown on illegitimate production and permitting for CBD (Cannabidiol) oil was starting to work and that more enforcement may be seen soon.

Chairwoman Hannigan commented on the issue, noting that stores like CVS and Walgreens could sell CDB oil without a permit while cannabis stores were required to have permits and were also selling it.

Ms. Lange noted that federal and state governments were joining together and urging people to stop vaping entirely until they could resolve the issue. She advised that the Center for Disease Control (CDC) and the California Department of Public Health were working together to solve the issue.

Received

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 an update on the veteran halls from General Services.

County Administrator Birgitta Corsello advised that there was a report in process. She noted that she had asked that the department provide a summary of improvements to the veterans halls, recommendations on how to coordinate management and maintenance with veteran groups, insights on challenges and needed repairs due to a greater rate of utilization of the veterans halls than what was anticipated.

B. Supervisor Spering requested an update on why the fountain feature was still closed. He noted that there were many people showing up at the fountain, especially on the hottest days.

Ms. Corsello advised that staff would provide an analysis and a write up of the issue. She noted that an anonymous complaint had been received through the whistleblower complaint process concerning the fountain.

Supervisor Spering advised that an anonymous complaint should be discarded unless there really was a public safety issue. He commented that he was concerned as to why it was taking so long to get it back on and working.

C. Chairwoman Hannigan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Anne Fourie, an active member of the Vallejo community.

Chairwoman Hannigan noted that the Board would be adjourning back to Closed Session with no report out.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned back to Closed Session at 3:20 P.M. and in memory of Anne Fourie. Next meeting of the Solano County Board of Supervisors will be October 1, 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



Solano County

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Minutes - Draft 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, October 1, 2019

9:00 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 1st day of October, 2019 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 9:00 A.M. Present were Supervisors Brown, Spering, Vasquez, Thomson and Chairwoman Hannigan. Chairwoman Hannigan presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Bernadette S. Curry.

ROLL CALL

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

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

- 1 [19-746](#) Adopt and present a resolution recognizing October 2019 as Domestic Violence Awareness Month 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. 2019-193 recognizing October 2019 as Domestic Violence Awareness Month in Solano County. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019 - 193

2 [19-719](#)

Adopt and present a resolution recognizing October 20-26, 2019 as National Childhood Lead Poisoning Prevention 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. 2019-194 recognizing October 20-26, 2019 as National Childhood Lead Poisoning Prevention Week in Solano County. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019 - 194

ITEMS FROM THE PUBLIC

Chairwoman Hannigan commented on the previous board meeting regarding the Centenarian Commemoration and on the dedication of the Fairfield Vacaville Train Station on September 27th.

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) Alma Alicia Lepe-Santana, representing Jose and Alicia Lepe, commented on domestic violence at her parent's ranch.

B) George Guynn, Jr., Suisun City, commented on taxpayers' expenses for Amtrak, the Fairfield Vacaville Train Station, current road conditions and using funds to fix roads instead of other projects.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for October 1, 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 October 1, 2019 as submitted. So ordered by 5-0 vote.

PUBLIC COMMENT ON CONSENT CALENDAR

In response to questions from Supervisor Thomson, Assistant Director of Health and Social Services Debbie Vaughn provided information on Item 7 and advised that she would get back to the board on the date that funds were expected.

APPROVAL OF THE CONSENT CALENDAR

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

CONSENT CALENDAR

- 3 [19-752](#) Approve 2 contracts with Thomson Reuters (dba West Publishing Corporation) in amounts not to exceed \$102,627 for a Prolaw Software License Agreement for the term October 1, 2019 through June 30, 2020, and \$111,446 for Westlaw online legal research services for the term of October 1, 2019 through December 31, 2022; Authorize the County Administrator to execute the contracts; and Approve an Appropriation Transfer Request (ATR) in the amount of \$123,635 to recognize unanticipated litigation revenue (4/5 vote required)

Attachments: [A - Prolaw Agreement](#)
 [B - Westlaw Agreement](#)
 [Adopted Agreement - Prolaw](#)
 [Adopted Agreement - Westlaw](#)
 [Minute Order](#)

Approved

- 4 [19-749](#) Accept the Annual Audit of the Statement of Assets of the Solano County Treasury as of June 30, 2019

Attachments: [A - Treasury Audit Report FY2018-19 Q4](#)
 [Minute Order](#)

Accepted

- 5 [19-720](#) Approve a contract with Innovative Health Solutions for \$360,000 to provide nutrition education classes and events from October 1, 2019 through September 30, 2022; and Authorize the County Administrator to execute the contract

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

Approved

- 6 [19-721](#) Adopt a resolution and plaque of appreciation honoring Patricia A. Jacobs, Office Assistant III, Health & Social Services Department, Public Health Division, Older & Disabled Adult Services Bureau, upon her retirement with over 32 years of dedicated public service to Solano County

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

Adopted

Enactment No: Resolution 2019 - 195

- 7 [19-718](#) Adopt a resolution to authorize the County to submit an application to the Department of Health Care Services for one-time funds for the Whole Person Care Pilot program to invest in long-term or short-term housing for Medi-Cal beneficiaries who are mentally ill and are experiencing homelessness or at-risk of homelessness; and Delegate authority to the County Administrator to approve an Appropriation Transfer Request (ATR) for \$1,603,828 once the California Department of Healthcare Services approves the Whole Person Care application (4/5 vote required)

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

Adopted

Enactment No: Resolution 2019 - 196

- 8 [19-740](#) Adopt a resolution authorizing the Solano County Probation Department to participate in the Youth Reinvestment Grant Program funded through the State of California Recidivism Reduction Fund and Administered by the Board of State and Community Corrections (BSCC); Authorize the Chief of Probation or his designee to execute Grant Agreement Number BSCC 592-19 with the BSCC for the program effective July 1, 2019 through February 28, 2023 in the amount of \$300,000; and Approve an Appropriations Transfer Request (ATR) of \$100,000 in unanticipated revenue from the BSCC (4/5 vote required)

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

Adopted

Enactment No: Resolution 2019 - 197

- 9 [19-744](#) Adopt a resolution proclaiming the second week of October as Code Enforcement Officer Appreciation Week in Solano County

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

Adopted

Enactment No: Resolution 2019 - 198

- 10 [19-756](#) Approve a plaque of appreciation honoring Karen Avery, Senior Planner, upon her retirement from the Department of Resource Management with over 13 years of dedicated public service to Solano County

Attachments: [Minute Order](#)

Approved

MISCELLANEOUS ITEMS

- 11 [19-737](#) Appoint the Director of Resource Management as Solano County's Authorized Designee to review timberland conversions of less than three (3) acres in response to a request from the California Board of Forestry and Fire Protection

Attachments: [A - Board of Forestry and Fire Protection Request](#)
 [Minute Order](#)

Approved

REGULAR CALENDAR

- 12 [19-742](#) Receive an initial review and assessment of affordable housing efforts in Solano County prepared by Consero Solutions in coordination with the Department of Resource Management and the County Administrators Office; and Provide comments and direction to staff and the consultant team for formulating recommendations on the County's approach to affordable housing moving forward

Attachments: [A - Findings Memo](#)
 [B - Options Memo](#)
 [C - Funding Recommendations Memo](#)

Director of Resource Management Bill Emlen introduced the item.

President of Consero Solutions Petrea Marchand provided an overview of the item.

Supervisor Vasquez commented on the County's challenges on the matter of housing, noting that the cities had the responsibility for providing housing in their cities.

In response to questions from Supervisor Vasquez, Mr. Emlen advised that the housing being developed would likely be restricted. Debbie Vaughn provided information on the housing restrictions.

Chairwoman Hannigan commented on recertification of affordable housing.

Mr. Emlen noted that the length of the restriction depended on the terms of the funding.

Ms. Vaughn advised that staff would follow up and get back to the Board regarding the length of the restrictions.

Chairwoman Hannigan commented on calls for service resulting from a low income housing project.

County Administrator Birgitta Corsello commented on other counties adoption of policies that were requiring permanent covenants, noting that the Board had control over what restrictions were put on projections that came before them.

Chairwoman Hannigan commented on the need to house individuals to help them and then help them move on.

Supervisor Spering commented on concerns with placing deed restrictions on single family residences. He suggested looking at a formula that would make sure that families were not denied the opportunity for growth and provided incentive for the family to take care of the home. He then commented in support of deed restrictions for apartments.

Mr. Emlen provided additional information on restrictions and the focus on multifamily housing.

Supervisor Thomson commented on contributions missing from the City of Vacaville.

Ms. Vaughn advised that the City of Vacaville was contributing some land to the Eden Housing project and that staff did not have any other additional information on what the city was contributing.

Supervisor Thomson commented on the need to help those cities that were making significant contributions and efforts to provide affordable housing.

Supervisor Thomson commented on the lack of a single point of contact in the County for affordable housing that could go after grant funds. He then commented on the rise in the number of homeless individuals, noting that the homeless population was getting younger. Lastly, he commented on the need to find a better way to count the number of homeless individuals.

Supervisor Brown commented on a visit to San Joaquin County and to look at doing what other counties are doing. She then commented on affordable housing and the need to define the narrative of what affordable housing meant.

Chairwoman Hannigan commented on the county's efforts in the past regarding the creation of an executive housing team.

In response to a question from Supervisor Thomson, Ms. Marchand provided information on Placer County's activities for affordable housing, noting that Placer County was different than Solano County in that it owned homes.

Chairwoman Hannigan commented on the need to take a bigger step in the role of working with cities and identifying funds for housing gaps.

Supervisor Vasquez commented that implementation of a housing team, noting that it would be difficult to get cities to listen or comply.

Ms. Marchand advised that the CAP Solano JPA was an important component that involved all the cities around the table.

Supervisor Vasquez commented on the challenges of keeping goals and the mission in place given changes in city and county leadership.

Ms. Marchand provided information on Santa Clara County's experience with its housing team and noted that it had realized that outreach and having a funding plan was needed.

In response to a question from Chairwoman Hannigan, Ms. Marchand provided a history of Santa Clara's activities to address affordable housing.

Mr. Emlen commented on the importance of requirements from the state regarding provision of affordable housing in incentivizing cities to listen and participate.

Supervisor Vasquez commented on the water crises and lack of water for new homes. He noted that utility companies like sewer and water agencies needed to be involved in the affordable housing issue.

Chairwoman Hannigan commented on concerns with policies that put pressure on counties that had limited resources, and on the need to get them changed.

Mr. Emlen noted that the RHNA (Regional Housing Need Allocation) obligations were likely to double for the County and cities.

Chairwoman Hannigan commented on a discussion she'd had with an individual regarding the Eden Housing project in Sacramento, noting that there were misconceptions about it. She then asked where substandard housing fit into the equation of affordable housing.

Mr. Emlen commented on the challenges of these types of housing and its effect on sustainability of affordable housing, noting that the County provided inspections, code enforcement and rehabilitation programs to assist with this.

Supervisor Spering commented in opposition to expanding CAP Solano and advised that the County should oversee any additional funding and partner with the Solano Transportation Authority. He commented on the need to internally get things in order and then to determine affordable housing targets. He noted that provided housing for mentally ill or drug addicts was a health issue and not an affordable housing issue. He advised that there needed to be an individual in charge and suggested that there be one aide appointed from each Supervisor's office to form a group to talk about this.

Supervisor Spering commented on an affordable housing developer near the train station that wanted to provide housing. He then commented on the City of Fairfield's efforts to reduce fees and accelerate the process for affordable housing developers. He noted that providing incentives for developers to build affordable housing was needed. He then advised that the County needed to come up with its own plan, strategy and investment and that he was not in support of expanding CAP Solano.

Supervisor Spering commented in support of SB 330 legislation regarding the right to build.

Chairwoman Hannigan commented on the purpose of the presentation to identify options and noted that SB 330 was on the Governor's desk for signature. She then commented on the County's involvement to improve CAP Solano and the success it had over the last year to bring in funding to the county.

Supervisor Thomson commented on the need for the County to decide its own destiny and not wait for cities to decide whether to participate. He commented on the need to help those cities willing to participate.

Supervisor Vasquez commented on the need to talk to the business community about the type of workforce they need and to look at needed housing for agricultural workers. He then noted that interest rates and terms from lenders to developers was not something the County could control.

Supervisor Brown commented in support of taking charge and not forming another layer of bureaucracy.

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 housing, focusing on higher paying jobs, government bureaucracy and local control.

B) Jesus Morales, Fairfield Senior Project Manager, commented on covenants on affordable housing, projects the city was working on and the willingness of the city to work with the County.

Chairwoman Hannigan commented on housing types, rehabilitation and funding for affordable housing in Vallejo.

C) Donald Tipton, unincorporated Vallejo, commented on the issues of blight in the Homeacres area, redlining, homelessness, using the fairgrounds for housing homeless, utilizing Habitat for Humanity, and the number of homeless in Vallejo.

Supervisor Spering noted that redlining was illegal.

Supervisor Thomson suggested that the County start with forming an executive team with a housing czar point person that was dedicated to affordable housing, that it start developing a housing plan, and that a relationship with the hospitals be fostered.

Supervisor Spering commented on the need to invest in quality projects. He then asked about the development near the train station and asked how the developer could get assistance with the project's funding shortfall.

Ms. Corsello provided information in regard to discussions she'd had with city managers regarding the project.

Supervisor Spering commented on incentives that employers were giving their employees to be reimbursed for using public transit. He advised that he would meet with the County Administrator about this. He then noted that he would like to see the County have access to projects it put money into.

Chairwoman Hannigan commented in agreement with the Housing Administrator but noted she was not in support of it replacing the current position already allocated in the County Administrator's Office. She then commented in agreement with having a housing plan and on fostering relationships with hospitals.

Supervisor Vasquez commented on the need to maintain, create and expand the structure in place.

13

[19-747](#)

Receive a presentation and consider adopting a resolution recognizing October 2019 as National Cybersecurity Awareness Month

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

On motion of Supervisor Thomson, seconded by Supervisor Brown, the Board adopted Resolution No. 2019 - 199 recognizing October 2019 as National Cybersecurity Awareness Month. So ordered by 5-0 vote. (see Resolution Book)

Chief Information Officer Tim Flanagan introduced the item.

IT Infrastructure and Operations Manager Jaime Fontelera provided an overview of the item.

Chairwoman Hannigan commented on the seriousness of cyber attacks.

County Administrator Birgitta Corsello advised that IT staff was working on a strategy for awareness training for employees and commented on the prevalence of cyber attacks on agencies.

Chairwoman Hannigan commented on emails going back and forth, noting that it was a challenge when individuals and the public were emailing to personal and county emails.

In response to a question from Chairwoman Hannigan, Mr. Fontelera provided information on upcoming plans for security awareness training for employees. Mr. Flanagan provided information on a mock fishing campaign to help educate individuals on what to look for.

Chairwoman Hannigan commented on the importance of the training and having it annually.

Mr. Fontelera noted that security advisory emails were also sent out periodically to employees.

Supervisor Sperring commented on the need to look at win.dat files, noting that he was not able to open them.

Mr. Flanagan advised that staff would follow up with Supervisor Sperring on this.

Adopted

Enactment No: Resolution 2019 - 199

14

[19-733](#)

Accept the Auditor-Controller's Follow-up Review Report on the Solano County Fair Audit for the years ended December 31, 2017 & 2016

Attachments: [A - SCF Follow-Up Report](#)
 [Minute Order](#)

Auditor-Controller Phyllis Taynton provided an overview of the item.

In response to a question from Supervisor Vasquez, Ms. Taynton noted that nothing had significantly changed regarding the operation side of the agreement with the Fair Association. She then provided information on what the association could do.

In response to a question from Chairwoman Hannigan, Ms. Taynton advised that she had not been asked for suggestions or input on separation of responsibilities. She noted that this would be between the County and the Fair Association.

In response to questions from Supervisor Vasquez, Ms. Taynton provided information on the association's efforts in regard to pension obligations from CalPERS. She noted that the past obligation was being captured as a line item in the association's budget and that the 2018 numbers had not been audited as part of this review.

Chairwoman Hannigan noted that no vote was required on the item.

Accepted

15

[19-759](#)

Receive a verbal update from the Solano County Fair Association

Attachments: [Minute Order](#)

Solano County Fair Association Executive Director/Chief Executive Officer Mike Ioakimedes provided an update on current efforts and activities by the association.

Chairwoman Hannigan commented on Youth Ag Day and asked where the funding of the event came from.

Mr. Ioakimedes noted that the funding for the event was from outside sources and that the difference was underwritten.

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 lack of profit from the Youth Ag Day and suggested incorporating the event with the annual fair.

Chairwoman Hannigan noted that the fair happened after school let out. She then noted that the Youth Ag Day event was designed to provide agricultural exposure to students in the County.

Supervisor Vasquez noted that the event was associated with the state Ag Day in March.

Supervisor Sperring commented on SB 5 and asked for clarification of the difference between those funded and the association's.

Mr. Ioakimedes noted that the others had energy saving components and that the association's next application would include this.

Supervisor Sperring noted a need for the association to look at what made them competitive. He then asked if there was any consideration of charging one or two dollars for admission to the fair.

Mr. Ioakimedes noted that there was labor cost involved with collecting the admission and that those costs would be more than what was taken in.

Supervisor Spering suggested a donation method for the admission. He noted that he felt the actions being taken to approach some of the shortfalls were going in the right direction.

Mr. Ioakimedes noted a need to clarify the role of the association and the role of the County in the management agreement.

In response to a question from Chairwoman Hannigan, County Counsel Bernadette Curry advised that she would need direction from the Board in regard to revising the management agreement.

Chairwoman Hannigan commented on past discussion by the Board to look at the agreement and the need to clarify the roles and address this issue.

Mr. Ioakimedes suggested a subordination clause to modify the agreement accordingly.

Chairwoman Hannigan noted a need to provide some certainty to the association moving forward.

Received

16

[19-723](#)

Receive an update on implementation of the Solano360 Specific Plan and status of the Fairgrounds Demolition Project at the Solano County Fairgrounds in Vallejo; and Consider the Solano County Fair Association's request to access and use County controlled areas at the Solano County Fairgrounds site for fireworks events on December 31, 2019 and January 25, 2020 only

Attachments: [A - Site Map](#)
[B - List of Structures for Demolition](#)
[C - Land Use Map](#)
[D - Site Fireworks Aerial Map](#)
[Minute Order](#)

Principal Management Analyst James Bezek provided an overview of the item.

In response to a question from Supervisor Vasquez, Mr. Bezek advised that the Solano County Fair Association would be hosting a New Years and Lantern Festival event on December 31, 2019 and January 25, 2020 that included fireworks.

Chairwoman Hannigan commented on the successfulness of last year's Lantern Festival. She noted that the association was working with the City of Vallejo, ensuring that safety precautions and security of the area would be taking place.

In response to a question from Supervisor Spering, Mr. Bezek advised that the final closeout piece of the project included chain link fencing that matched the existing fencing, as well as chain link around the perimeter fencing.

Assistant County Administrator Nancy Huston provided information about landscaping improvements and replacement of the fencing on the site. She noted that the fencing would be short term until a developer had been found and the fence was replaced. Mr. Bezek noted that the project was budgeted for \$5.5 million and that the final payment would show approximately \$450,000 in savings.

Supervisor Spering requested that staff look at the aesthetics of the fencing with the association and provide an update when the Notice of Completion came back to the Board.

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 contributions to the fair being accounted for, cost of the demolition, cost of Solano360 project, removal of a golf course pro shop, contributions by the City of Vallejo to the project and shared parking access with Six Flags.

Mr. Bezek noted that the approved amount for the site improvements and demolition was a combined total of \$5.5 million, with \$4 million for demolition and \$1.5 million for site improvements.

Chairwoman Hannigan noted that the lease with Six Flags for parking had been approved by the Board in the past.

On motion of Supervisor Vasquez, seconded by Supervisor Thomson, the Board received an update on implementation of the Solano360 Specific Plan and status of the Fairgrounds Demolition Project at the Solano County Fairgrounds in Vallejo; and Approved the Solano County Fair Association's request to access and use County controlled areas at the Solano County Fairgrounds site for fireworks events on December 31, 2019 and January 25, 2020 only. So ordered by 5-0 vote.

County Administrator Birgitta Corsello advised that based on the Board's direction, staff's intent was to secure indemnification, grant access only to those that need access for the two events, and to ensure that there was adequate liability and insurance coverage to protect the County.

Approved

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 Thomson requested that there be a discussion placed on an upcoming agenda regarding the POW/MIA flag and asked for a status on the meet and confer process for changes to the military deployment policy.

County Administrator Birgitta Corsetto advised that staff would follow up on the process and get back to the Board.

B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Stephen LeRoy Hausler, of Bastrop, TX.

C. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Michael Pearson Glide, an active member of the Dixon community.

D. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Gary Ray Liefer, an active member of the Vacaville community.

E. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Carmen Girardot, an active member of the Vacaville community.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 12:16 P.M. in memory of Stephen LeRoy Hausler, Michael Pearson Glide, Gary Ray Liefer, Carmen Girardot. Next meeting of the Solano County Board of Supervisors will be on October 8, 2019 at 9:00 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



Solano County

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

Minutes - Draft 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, October 8, 2019

9:00 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 8th day of October, 2019 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 9:00 A.M. Present were Supervisors Brown, Spering, Vasquez, Thomson and Chairwoman Hannigan. Chairwoman Hannigan presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Bernadette S. Curry.

ROLL CALL

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

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

- 1 [19-769](#) Adopt and present a resolution and plaque of appreciation to Dianne Luna, Central Services Manager, upon her retirement from the Solano County Department of General Services, honoring her for 31 years of public service in California counties, including over 14 years of dedicated service to Solano County (Chairwoman Hannigan)

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

On motion of Chairwoman Hannigan, seconded by Supervisor Brown, the Board adopted and presented Resolution No. 2019-200 and a plaque of appreciation to Dianne Luna, Central Services Manager, upon her retirement from the Solano County Department of General Services, honoring her for 31 years of public service in California counties, including over 14 years of dedicated service to Solano County. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019 -200

- 2 [19-745](#) Adopt and present resolutions recognizing the Solano County Office of Education selectees, Daryl "DJ" Stillwell as the Solano County Classified School Employee of the Year for 2019/20 and Matt O'Reilly as the Solano County Teacher of the Year for 2019/20 (Supervisor Brown and Supervisor Thomson)

Attachments: [A - Resolution - Teacher of the Year](#)
 [B - Resolution - Classified School Employee of the Year](#)
 [Minute Order](#)

On motion of Supervisor Thomson, seconded by Supervisor Brown, the Board adopted and presented Resolution No. 2019-201 and Resolution No. 2019-202 recognizing the Solano County Office of Education selectees, Daryl "DJ" Stillwell as the Solano County Classified School Employee of the Year for 2019/20 and Matt O'Reilly as the Solano County Teacher of the Year for 2019/20. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019 -201 and Resolution 2019-202

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) Heather Henry, Workforce Development Board, recognized the Solano County Public Health Division and the Department of Child Support Services for their collaboration and efforts with employment and the workforce.

B) George Guynn, Jr., Suisun City, commented on cost of affordable housing in Mountain View and development of affordable housing.

C) Jodi Smith, Fairfield, commented on concerns with lack of training by mental health workers and in support of assistance for Mark Rippee.

In response to questions from Chairwoman Hannigan, Ms. Smith provided information on her experiences with mental health services.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for October 8, 2019.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez, seconded by Supervisor Brown, the Board approved the agenda of the Solano County Board of Supervisors for October 8, 2019 as submitted. So ordered by 5-0 vote.

PUBLIC COMMENT ON CONSENT CALENDAR

Chairwoman Hannigan invited members of the public to address the Board on items listed on the Consent Calendar. The following comments were received:

A) Donald Tipton, unincorporated Vallejo, commented on Items 3 regarding tax-default property sales, Item 5 regarding construction of a new Child Start facility, Item 6 regarding the total cost to taxpayers for the Solano360 Project and recoupment of security or cleanup costs and Item 11 regarding accountability of library sales tax funds for Dixon and Benicia.

Chairwoman Hannigan noted that the Solano360 Implementation Committee was holding a meeting on October 10th at 1:30 PM and advised that Mr. Tipton was welcome to join the meeting. She then noted that the Library Director was available in the audience to speak with Mr. Tipton.

Supervisor Thomson commented that Mr. Tipton deserved to be given answers to his questions.

County Administrator Birgitta Corsello noted that staff always followed up with Mr. Tipton on his questions and would do so again.

APPROVAL OF THE CONSENT CALENDAR

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

CONSENT CALENDAR

- 3 [19-761](#) Adopt a resolution accepting claims for excess proceeds from tax-defaulted property sales and authorizing distribution of excess proceeds from the sales
- Attachments:* [A - Excess Proceeds Table](#)
 [B - Resolution](#)
 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2019 -203**
- 4 [19-758](#) Approve a resolution authorizing the transfer of up to 85% of FY2019/20 anticipated revenues from the Treasury Pool funds to the Dixon Unified School District (DUSD) as mandated under Article XVI Section 6 of the California Constitution from July 1, 2019 to April 27, 2020
- Attachments:* [A - Resolution](#)
 [B - DUSD Resolution 19-1611](#)
 [C - DUSD Resolution 19-1604](#)
 [Minute Order](#)
- Adopted**
- Enactment No: Resolution 2019 -204**
- 5 [19-748](#) Approve agreements with Cannon Parkin, Inc. (dba. Cannon Design) for \$193,000, and KC Engineering Company for \$10,989, for architectural and engineering services to prepare project site improvement plans for a Child Start facility on County property located at 1500 Solano Avenue, Vallejo; Approve an Appropriation Transfer Request (ATR) for \$914,930 from the Accumulated Capital Outlay Fund Contingencies for project design and construction costs (4/5 vote required); and Authorize the County Administrator to execute the agreements and amendments within the approved budget, and to execute a ground lease with Child Start, Inc.
- Attachments:* [A - Location Map](#)
 [B - Project Budget](#)
 [C - Ground Lease Rates](#)
 [D - Cannon Design Contract](#)
 [E - KC Engineering Contract](#)
 [Minute Order](#)
- Approved**

- 6 [19-768](#) Approve the Notices of Completion for the Solano County Fairgrounds Grandstands, Stables and Site Demolition Project located at 900 Fairgrounds Drive, and for the demolition of the former Weights and Measures building at 540-560 Fairgrounds Drive in Vallejo by Central Valley Environmental, Inc. of Fresno; and Authorize the Clerk of the Board to record the executed Notices of Completion

Attachments: [A - Notice of Completion - 900 Fairgrounds](#)
 [B - Notice of Completion - 540-560 Fairgrounds](#)
 [C - Summary of Project Funding and Expense](#)
 [Minute Order](#)

Approved

- 7 [19-778](#) Adopt a resolution approving a successor collective bargaining agreement between Solano County and Unit 12 - Probation Officers represented by Solano Probation Peace Officer Association

Attachments: [A - Resolution](#)
 [B - MOU for Unit 12](#)
 [Minute Order](#)

Adopted

Enactment No: Resolution 2019 -205

- 8 [19-779](#) Adopt a resolution approving a successor collective bargaining agreement between Solano County and Unit 15 - Probation Supervisors represented by Solano Probation Peace Officer Association

Attachments: [A - Resolution](#)
 [B - MOU for Unit 15](#)
 [Minute Order](#)

Adopted

Enactment No: Resolution 2019 - 206

- 9 [19-771](#) Adopt a resolution amending the List of Numbers and Classifications of Positions to add 2.0 FTE project based limited term Information Technology Analyst IV, expiring on June 30, 2022, in the Department of Information Technology's Solano County Integrated Property System (SCIPS) Division to assist with the replacement of the County's property tax system and the implementation of the County Assessment and Taxation System (CATS)

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

Adopted

Enactment No: Resolution 2019 - 207

- 10 [19-762](#) Approve an agreement with the City of Vallejo for \$100,000 in revenue for tenant improvements at the Vallejo First 5 Center, for a term of October 1, 2019 to June 30, 2020; and Approve an Appropriation Transfer Request (ATR) for \$100,000 to recognize the unanticipated revenue in FY2019/20 (4/5 vote required)

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

Approved

- 11 [19-770](#) Accept the annual report from the Measure L Library Sales Tax Measure Independent Citizen's Oversight Committee on the use of library sales tax funds for the period of July 1, 2018 through June 30, 2019

Attachments: [A - Measure L Expenditure Plans](#)
 [B - September 16, 2019 Minutes](#)
 [Minute Order](#)

Accepted

- 12 [19-755](#) Consent to the disbursement of \$200,000 from the Green Valley Open Space Maintenance District Fund to the Solano Land Trust to fund a portion of the acquisition of the Souza-Azevedo Ranch

Attachments: [A - SLT letter](#)
 [B - Agreement](#)
 [C - Souza Lynch Brown Map](#)
 [Minute Order](#)

Approved

MISCELLANEOUS ITEMS

- 13 [19-754](#) Approve the appointments of Otome Lindsey and Katie Wadsworth as Trustees of Reclamation District No. 1667 for terms to expire at noon on December 1, 2023

Attachments: [A - Appointment Request Letter](#)
 [Minute Order](#)

Approved

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.

CLOSED SESSION

Chairwoman Hannigan noted that there would be no report out from Closed Session. The Solano County Board of Supervisors adjourned the meeting to Closed Session at 9:51 A.M. to discuss the following matters:

14**19-753**

Conference with Labor Negotiators: Solano County representatives: Marc Fox, Jeannine Seher, Mark Love, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Teamsters, Local 150 for Unit 1 (Attorneys); SEIU Local 1021 for Unit 2 (Nurses), Unit 5 (Health and Welfare Employees), Unit 7 (Regulatory, Technical and General Services Employees), Unit 8 (General Services Supervisors), Unit 9 (Clerical Employees) and Units 82, 87, 89, and 90 (Extra Help Employees); Solano County Deputy Sheriff's Association for Unit 3 (Law Enforcement Employees) and Unit 4 (Law Enforcement Supervisors); Public Employees Union, Local One for Unit 6 (Health and Welfare Supervisors) and Unit 16 (Mid-Management Employees); Stationary Engineers, Local 39 for Unit 10 (Skilled Craft and Service Maintenance Employees); Union of American Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors); Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); Unit 60 Legislative Group; Unit 61 (unrepresented Executive Management Employees), Unit 62 (unrepresented Senior Management Employees) and Unit 30 (Confidential Employees)

Conference with Real Property Negotiators: Property: APN: 0133-050-230, 6996 Leisure Town Road, Vacaville, California; Agency negotiators: Birgitta E. Corsello, County Administrator, Nancy Huston, Assistant County Administrator, and Megan Greve, General Services Director; Negotiating party: Sheila Oakes, Realty One Group Fox; Under negotiation: Price and terms

Attachments: [A - Memorandum](#)

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 9:51 A.M. to Closed Session with no report out. Next meeting of the Solano County Board of Supervisors will be October 22, 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



Solano County

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

Agenda Submittal

Agenda #:	6	Status:	Consent Calendar
Type:	Meeting Attendance Report	Department:	Clerk of the Board of Supervisors
File #:	19-822	Contact:	Jeanette Neiger, 784-6125
Agenda date:	10/22/2019	Final Action:	
Title:	Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Appointment List		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

Receive and file the Meeting Attendance Reports for the month of September 2019 from the members of the Board of Supervisors.

SUMMARY:

The Monthly Meeting Attendance Reports may disclose meetings attended by each supervisor where compensation and reimbursement was received from the County and/or other agencies.

The Meeting Attendance Reports for September 2019, submitted by the Supervisors or their staff on their behalf, are on file with the Clerk of the Board and available for public inspection. These reports are also available for review in the public agenda packet binder during Board meetings. This report is submitted on a monthly basis to reflect the meeting attendance from the previous month.

A listing of the 2019 Board of Supervisors Appointments to various Boards and Commissions, some of which include per diem reimbursements, is attached for reference and in compliance with California Code of Regulations (Fair Political Practices Commission), title 2, section 18702.5(b)(3). The current Board of Supervisors Appointments is posted on the County's website at:

[<http://www.solanocounty.com/depts/bos/assignments.asp>](http://www.solanocounty.com/depts/bos/assignments.asp)

Government Code section 53232.3(d) requires that members of legislative bodies provide brief reports on meetings they attended for which they receive an expense reimbursement, such as meals, lodging and travel. Claims for reimbursement from the County for meeting attendance related expenses are processed by the Auditor/Controller and available for public inspection.

2019 BOARD OF SUPERVISORS APPOINTMENTS

2 CCR 18702.59(b)(3)/Form 806

Committee	Contact Information	District 1 Supervisor Hannigan	District 2 Supervisor Brown	District 3 Supervisor Spering	District 4 Supervisor Vasquez	District 5 Supervisor Thomson	Appointment Date	Length of Term	Meeting Time	Compensation	Estimated Annual	Economic Interest Statement Required	
NATIONAL													
NACO		Primary	Primary	Primary	Primary	Primary	Jan. 8, 2019	1 year					
REGIONAL/STATE													
ABAG Executive Board	Fred Castro, Clerk of the Board (415) 820-7900	Primary	Alternate				Jun. 26, 2018	June 30, 2020	Board every 2 months, 3rd Thurs. 7 p.m.	\$150	\$0-\$1,000	Yes	
ABAG General Assembly	Fred Castro, Clerk of the Board (415) 820-7901	Primary	Alternate				Jun. 26, 2019	June 30, 2020	Twice a year	No		No	
ABAG Regional Planning Committee	Miriam Chion (415) 820-7900		Primary				Jan. 8, 2019	1 year	1st Wed. alternative months 1 p.m. - 3 p.m.	\$150	\$0-\$1,000	No	
Bay Area Air Quality Management District (BAAQMD). Term ends January 2021	Marcy Hiratzka (415) 749-5073			Primary			Jan. 8, 2019	4 years	1st and 3rd Wed., 9:45 a.m.	\$100 + tolls & milage	\$2,000-\$3,000	Yes	
BAAQMD Sub Committees	Marcy Hiratzka (415) 749-5074			Primary			Jan. 8, 2019	4 years	9:30 a.m.	\$100 + tolls & milage	\$2,000-\$3,000	Yes	
Bay Conservation and Development Commission	Lawrence Goldzband (415) 352-3600			Primary	Alternate		Jan. 8, 2019	1 year	1st & 3rd Thurs., 1 p.m.	\$100	\$2,000-\$3,000	Yes	
California Fairs Financing Authority	Becky Bailey-Findley (916) 263-6177				Primary		Jan. 8, 2019	1 year	Quarterly	No		Yes	
CASA the Committee to House the Bay Area Legislative Task Force (MTC/ABAG)	Fred Castro, Clerk of the Board (415) 820-7901				Primary		Mar. 12, 2019	1 year	Monthly	No		No	
CSAC, Board of Directors	Matt Cate, Executive Director (916) 327-7500 ext. 506	Primary	Alternate				Jan. 8, 2019	1 year	2/16, 5/18, 9/7, 11/30	No		No	
Delta Conservancy Board	Brandon Chapin (916) 375-2091				Alternate	Primary	Jan. 8, 2019	2 years	4th Wed. alternate months beginning Jan. 9 a.m. - 12 p.m.			Yes	
Delta Counties Coalition	Roberta Goulart 784-7914				Alternate	Primary	Sept. 11, 2018	1 year	As Needed	No		No	
Delta Protection Commission	Ashlet Medina (916) 375-4800				Alternate	Primary	Jan. 8, 2019	1 year	Every other month	No		Yes	
Delta Stewardship Council (appointment required only when Supervisor is appointed as the Chair of the Delta Protection Commission)	Jessica Pearson (916) 445-4500						Jan. 8, 2019	2 years	4th Thurs. (and often Friday) of the month			Yes	
Marin Clean Energy JPA Board of Directors	Darlene Jackson, (415) 464-6032		Alternate		Primary		Apr. 9, 2019	1 year	3rd Thursday of the month at 7 p.m.	No		Yes	
Northern California Counties Trinal Matters Consortium	Nancy Huston 784-6107 & Michelle Heppner 784-3002	Alternate			Primary		Jan. 8, 2019	1 year	As Needed			No	
Yolo Bypass/Cache Slough Complex MOA	Roberta Goulart 784-7914				Alternate	Primary	May 1, 2018	1 year	As Needed	No		No	
Yolo-Solano Air Quality Board	Denise Almaguer (530) 757-3675		Primary	Alternate	Primary	Primary	Jan. 8, 2019	1 year	2nd Wed., 9 a.m.	\$100	\$1,001-\$2,000	Yes	
4 C's	Michelle Heppner 784-3002	Primary	Primary	Primary	Primary	Primary	Jan. 8, 2019	1 year	1/12, 3/9, 5/11, 8/10, 11/9 @ 7 p.m.	No		Yes	
4 C's Joint Steering Committee *Vice Chair of 4C's and Chair of Board of Supervisors	Michelle Heppner 784-3002	Primary			Primary		Jan. 8, 2019	1 year	As Needed	No		Yes	
REGIONAL/STATE - OTHER													
Metropolitan Transportation Commission (MTC) (Appointment to MTC is through nomination by the Mayor's City Selection Committee and affirmed by the Board of Supervisors every four years)	Therese McMillan, Executive Director (415) 778-5210			Primary			Dec. 4, 2018	4 years	4th Wed., 9:30 a.m.	\$100 + tolls & milage	\$2,000-\$3,000	Yes	
Bay Area Toll Authority (BATA) (MTC Member)	Therese McMillan, Executive Director (415) 778-5210			Primary			Dec. 4, 2018	4 years	4th Wed., 9:30 a.m.	\$100 + tolls & milage	\$1,001-\$2,000	Yes	

2019 BOARD OF SUPERVISORS APPOINTMENTS

2 CCR 18702.59(b)(3)/Form 806

Committee	Contact Information	District 1 Supervisor Hannigan	District 2 Supervisor Brown	District 3 Supervisor Spering	District 4 Supervisor Vasquez	District 5 Supervisor Thomson	Appointment Date	Length of Term	Meeting Time	Compensation	Estimated Annual	Economic Interest Statement Required	
Napa/Solano Area Agency on Aging Oversight Board	Joyce Goodwin, 784-8203	Alternate	Primary				Nov. 6, 2018	4 years	TBD	No		Yes	
Service Authority for Freeways & Expressways (SAFE) (MTC Member)	Therese McMillan, Executive Director (415) 778-5210			Primary			Dec. 4, 2018	4 years	As Needed	\$100 + tolls & milage	\$0-\$1,000	Yes	
COUNTYWIDE													
Community Action Partnership (CAP) Solano JPA Tripartite Advisory Board	Debbie Vaughn 784-6113	Primary					Jan. 8, 2019	2 years	As Needed	No		No	
East Vallejo Fire Protection District	Magen Yambao 784-1969	Primary	Primary	Primary	Primary	Primary	Jan. 8, 2019	1 year	Quarterly	No		Yes	
First 5 Solano Commission	Megan Richards 784-1335	Primary					Jan. 8, 2019	1 year	1/10, 3/7, 4/4, 6/6, 8/8, 10/3, 10/21, Retreat 10 a.m. - 3 p.m., 12/5	\$100	\$0-\$1,000	Yes	
In-Home Supportive Services Public Authority	Teri Ruggiero 784-8803	Primary	Primary	Primary	Primary	Primary	Jan. 8, 2019	1 year	Jan., Mar., Apr., Jun., Aug., Oct., Nov., 3rd Mon. 2 p.m. - 4 p.m.			Yes	
Juvenile Justice Coordinating Council	Christopher Hansen 784-4803	Primary					Jan. 8, 2019	1 year	As Needed	No		No	
LAFCO	Michelle McIntyre 439-3897			Primary	Primary	Alternate	Jan. 8, 2019	1 year	2nd Mon. of even numbered months, 1:30 p.m.	\$100	\$0-\$1,000	Yes	
Law Library Board of Trustees	Bonnie Katz 784-1502				Primary		Jan. 8, 2019	1 year	Monthly	No		No	
Mental Health Advisory Board	Cindy Limerick 784-8336		Primary				Jan. 8, 2019	1 year	3rd Tues. of the month with exception of July 4:30 p.m. - 6 p.m.	No		Yes	
Remote Access Network Board	Angelica Russell 784-7048					Primary	Jan. 8, 2019	1 year	Last Thurs. in Feb., or Mar. & Oct. 10 a.m.	No		No	
Solano Economic Development Corp.	Pat Uhrich 864-1855	Primary			Alternate		Jan. 8, 2019	1 year	1/12, 3/9, 5/11, 7/13, 9/14, 11/9 @ 9 a.m.	No		No	
Solano Facilities Corporation	Megan Greve, 784-7900	Primary	Primary	Primary	Primary	Primary	Jan. 8, 2019	1 year	As Needed	No		Yes	
Solano Land Trust	Nicole Byrd 432-0150 ext. 210				Primary		Jan. 8, 2019	1 year	1st Wed. @ 5:30 p.m.	No		Yes	
Solano Open Space (formerly Tri-City & County Cooperative Planning Group)	Resource Management Matt Walsh 784-3168	Alternate	Primary				Jan. 8, 2019	1 year	Quarterly	No		Yes	
Solano Transportation Authority	Johanna Masiclat 424-6008	Alternate		Primary			Jan. 8, 2019	1 year	2nd Wed., 6 p.m.	\$100	\$1,001-\$2,000	Yes	
Solano Subbasin Groundwater Sustainability Agency Board of Directors (Dist. 4 & 5 permanent primaries. Alternate Board member appointed annually)	Misty Kaltreider 784-3311			Alternate	Primary	Primary	Jan. 8, 2019	Alternate 1 year	2nd Thurs., each month @ 5 p.m.	No		Yes	
Solano Water Authority	Natasha Montgomery 455-4080			Primary	Alternate		Jan. 8, 2019	1 year	As Needed	No		Yes	
Solano County Blue Ribbon Commission on Children in Foster Care	Sara Jones 207-7619	Primary					Jan. 8, 2019	1 year	As Needed	No		No	
Solano County Consolidated Oversight Board (effective July 1, 2018) Public Member: Jerry Wilkerson	Jeanette Neiger 784-6125			Primary		Alternate	Mar. 13, 2018	1 year	TBD	No		Yes	
Solano County Water Agency	Sandra McLean 455-1100	Primary	Primary	Primary	Primary	Primary	Jan. 8, 2019	1 year	2nd Thur., 6:30 p.m.	100 + milage	\$1,001-\$2,000	Yes	
Solid Waste Independent Hearing Panel	Jag Sahota 784-3308				Primary		Jan. 8, 2019	1 year	As Needed	\$100	\$0-\$1,000	Yes	
Travis Community Consortium	David White, Fairfield City Manager 428-7400				Alternate	Primary	Jan. 8, 2019	1 year	As Needed			No	
Vacaville-Fairfield-Solano Greenbelt Authority	Brian Miller 428-7446			Primary	Primary		Jan. 8, 2019	1 year	As Needed	No		No	

2019 BOARD OF SUPERVISORS APPOINTMENTS

2 CCR 18702.59(b)(3)/Form 806

Committee	Contact Information	District 1 Supervisor Hannigan	District 2 Supervisor Brown	District 3 Supervisor Spering	District 4 Supervisor Vasquez	District 5 Supervisor Thomson	Appointment Date	Length of Term	Meeting Time	Compensation	Estimated Annual	Economic Interest Statement Required	
Vallejo Flood & Wastewater District	Holly Charlety 644-8949 ext 202	Primary	Alternate				Jan. 8, 2019	1 year	2nd Tues. Jan. - July 6 p.m. - 7 p.m., 3rd Tues. Aug. 6 p.m. - 7 p.m., 2nd Tues. Sept. - Dec. 6 p.m. - 7 p.m.	\$100	\$1,001-\$2,000	Yes	
Winters Branch Library Financing Authority	Chris Crist, Business Svcs. Manager (530) 666-8083				Primary	Primary	Jan. 8, 2019	1 year	As Needed	No		Yes	
BOARD OF SUPERVISORS COMMITTEES													
Area Agency on Aging Committee	Birgitta Corsello 784-6100		Primary	Primary			May 1, 2018	1 year	As Needed	No		No	
Cannabis Committee	Bill Emlen 784-6765	Primary			Primary		Jan. 8, 2019	1 year	As Needed	No		No	
City of Vallejo Interagency Committee	City Manager's Office, City of Vallejo 648-4576	Primary	Primary				Jan. 8, 2019	1 year	As Needed	No		No	
Fair Governance Committee Inactive	Nancy Huston 784-6107		Primary			Primary	Feb. 6, 2018	1 year	As Needed	No		No	
Health & Social Services & Family Justice Committee Inactive	Jerry Huber 784-8400	Primary	Primary				Jan. 8, 2019	1 year	As Needed	No		No	
Historical Records Committee	Dianne Luna 784-3105		Primary			Primary	Jan. 8, 2019	1 year		No		No	
Human Services Needs Assessment Committee	Megan Richards 784-1335	Primary				Primary	Sept. 25, 2018	1 year	As Needed	No		No	
Lakes Water System Policy Committee	Misty Kaltreider 784-3311	Primary		Primary			Feb. 5, 2019	1 year	TBD	No		No	
Law & Justice Committee Inactive							Jan. 8, 2019	1 year	As Needed	No		No	
Legislation	Michelle Heppner 784-3002	Primary			Primary		Jan. 8, 2019	1 year	As Needed	No		No	
Military & Veterans Affairs Committee	Ted Puntillo 784-6590				Primary	Primary	Jan. 8, 2019	1 year	As Needed	No		No	
Public Art Committee	Kanon Artiche 784-2781	Primary			Alternate		Jan. 8, 2019	1 year	As Needed	No		No	
Regional Park Committee	Resource Management Bill Emlen 784-6765	Primary			Primary		Jan. 8, 2019	1 year	As Needed	No		No	
Senior Issues Committee	Jerry Huber 784-8400		Primary		Primary		Jan. 8, 2019	1 year	As Needed	No		No	
Solano 360 Committee Project	Nancy Huston 784-6107	Primary		Primary			Jan. 8, 2019	1 year	As Needed	No		No	
Solano 360 Implementation Committee	Nancy Huston 784-6107	Primary		Primary			Jan. 8, 2019	1 year	As Needed	No		No	
Solano Children's Alliance	Alan Kerzin 421-7229		Primary				Jan. 8, 2019	4 years	1st Wed., 12 p.m.	No		No	
Transportation Land Use Committee	Resource Management Bill Emlen 784-6765			Primary	Primary		Jan. 8, 2019	1 year	As Needed	No		No	
University of California Cooperative Extension Capital Corridor Multi-County Partnership Leadership Advisory Committee	Morgan Doran 784-1317				Primary	Alternate	Jan. 8, 2019	1 year	As Needed	No		No	
TOTAL ASSIGNMENTS		30	23	23	35	22							
Updated 4-9-19													



Solano County

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

Agenda Submittal

Agenda #:	7	Status:	Consent Calendar
Type:	Resolution	Department:	Board of Supervisors
File #:	19-780	Contact:	Ian Goldberg, 784-6116
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution amending the List of Numbers and Classifications of Positions to add 0.25 FTE Board of Supervisors Aide to District 3, effective October 20, 2019, resulting in a total of 2.0 FTE Board of Supervisors Aide's allocated to District 3, consistent with other Supervisor District Office staffing allocations		
Governing body:	Board of Supervisors		
District:	District 3		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒

Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

District 3 recommends the Board adopt a resolution amending the List of Numbers and Classifications of Positions to add 0.25 FTE Board of Supervisors Aide to District 3, effective October 20, 2019, resulting in a total of 2.0 FTE Board of Supervisors Aide's allocated to District 3, consistent with other Supervisor District Office staffing allocations.

SUMMARY/DISCUSSION:

The District 3 Supervisor represents citizens residing within the City of Fairfield (excluding the section north of Air base Parkway), portions of Suisun City and Travis Air Force Base, Suisun Valley and parts of Green Valley.

In FY2015/16 the Board of Supervisors approved increasing the position allocations for each supervisorial district to include 2.0 FTE Board of Supervisors Aides to meet the growing needs and increased responsibilities of the District Offices. Since that time District 3 employed two Board of Supervisors Aide staff, one of whom maintained part time status, resulting in an allocation currently at 1.75 FTE. With the recent retirement of the part time Board of Supervisors Aide, the District is requesting to increase the position allocation by 0.25 FTE to bring the total District 3 allocation to 2.0 FTE consistent with the other District Office staffing allocations.

FINANCIAL IMPACT:

The financial impact of the additional 0.25 FTE is anticipated to be fully offset by unspent appropriations associated with the staff vacancy due to the retirement. District 3 staff in coordination with the County Administrator will be reviewing the District budget in connection with the County Midyear budget review and will return to the Board with any further budget adjustments as necessary. The costs associated with preparing

the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board could choose not to approve the addition of a 0.25 FTE Board of Supervisors Aide to District 3. However, this is not recommended as it will prevent District 3 from maintaining equivalent staffing to the other supervisorial districts and limit the District 3 Supervisor's ability to serve residents in District 3.

OTHER AGENCY INVOLVEMENT:

The Department of Human Resources and the County Administrator's Office have reviewed this proposal and recommend the position change.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2019 - _____

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS
WITHIN SOLANO COUNTY**


Resolved, that the Solano County Board of Supervisors authorizes the Director of Human Resources to make any technical corrections if needed; and,

Further resolved, that the Solano County Board of Supervisors does hereby amend, modify and/or alter its Allocation List of Positions of Solano County as set forth below:

Department	Budget Unit	Class No.	Position Control No.	Class Title	Effective Date	Departmental Total Positions			
						Allocated	Filled	Proposed	Change
BOS-District 3	1003	783200	11708	Board of Supervisors Aide	10/20/19	1.75	1.00	2.00	0.25



Director of Human Resources



Date

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on _____ by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:

BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	8	Status:	Consent Calendar
Type:	Resolution	Department:	Board of Supervisors
File #:	19-803	Contact:	John M. Vasquez, 784-6129
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt 14 resolutions recognizing the outstanding young men and women who attended the 2019 American Legion Boys State and American Legion Auxiliary Girls State summer leadership programs		
Governing body:	Board of Supervisors		
District:	District 4		
Attachments:	A - Resolutions		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

Chair Vasquez requests that the Board adopt 14 resolutions recognizing the outstanding young men and women who attended the 2019 American Legion Boys State and American Legion Auxiliary Girls State summer leadership programs.

SUMMARY/DISCUSSION:

Each year, outstanding high school juniors are selected by the Rago Christopher American Legion Post 165, of Vacaville, and the American Legion Auxiliary Unit 165 and Dixon American Legion Post 208 to attend Boys State and Girls State summer leadership programs. For more than 75 years, the program has offered hard-working students the opportunity to learn about the rights, privileges and responsibilities of our citizens. The training objectives focus on city, county and state government structure and places attendees in the position of being elected to various offices and holding mock legislative sessions, court proceedings, assemblies and more.

The 2019 Boys State and Girls State attendees include: Vacaville High School students Reid Digman, Austin Morgan and Avery Bernard; Vanden High School students Anthony Mendoza, Harkeerat Singh, Sarah Bergendahl and Hao Tran; Vacaville Christian High School students William Rivers and Lilya Gardner; Buckingham Charter Magnet High School students Mason Hall, Patrick Khoury and Cecilia Ochoa; Will C. Wood High School students Khanh Nguyen and Emily Torres.

The Rago Christopher American Legion Post 165, Dixon American Legion Post 208 and American Legion Auxiliary Unit 165 will honor these outstanding students during their annual Youth Recognition Night, to be held Wednesday, Oct. 23, 2019, at the Vacaville Veterans Memorial Hall.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and absorbed by the District 4 FY2019/20 Adopted Budget. The costs associated with preparation and purchase of the resolution materials are included in the Board's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board could choose not to adopt this resolution, however, that is not recommended because this is an opportunity to honor the outstanding high school juniors who were chosen to attend the Boys State and Girls State summer leadership programs.

OTHER AGENCY INVOLVEMENT:

Rago Christopher American Legion Post 165, American Legion Auxiliary Unit 165 and Dixon American Legion Post 208.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING AVERY BERNARD FOR HER PARTICIPATION IN THE 2019 AMERICAN LEGION AUXILIARY UNIT 165 GIRLS STATE PROGRAM

WHEREAS, each year, outstanding young women from area high schools are honored by American Legion Auxiliary Unit 165 for their participation in the Girls State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Girls State program, sponsored by the American Legion Auxiliary Unit, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Girls State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Avery Bernard is a 2019 Girls State delegate representing Vacaville High School. As a California Girls State delegate, Avery was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Avery Bernard has excelled academically and is ranked in the top one percent of her class. Upon attending a Spanish-immersion program in elementary school, she continued her studies and became proficient enough to serve as a bilingual interpreter for the Thrive Church mission trips in partnership with Living Water International to El Salvador and Honduras. Additionally, she is tutor for students needing extra help in subjects such as history and Spanish. Avery Bernard describes herself as a proven leader and problem solver with strong moral convictions.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Avery Bernard for her accomplishments and salutes her for participating in the Girls State program sponsored by American Legion Auxiliary Unit 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING LILYA GARDNER FOR HER PARTICIPATION IN THE 2019 AMERICAN LEGION AUXILIARY UNIT 165 GIRLS STATE PROGRAM

WHEREAS, each year, outstanding young women from area high schools are honored by American Legion Auxiliary Unit 165 for their participation in the Girls State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Girls State program, sponsored by the American Legion Auxiliary Unit, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Girls State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Lilya Gardner is a 2019 Girls State delegate representing Vacaville Christian High School. As a California Girls State delegate, Lilya was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Lilya Gardner is a student-athlete who has excelled in the classroom as well as on the softball diamond and volleyball court. In addition to making the Honor Roll for her academics, she is a member of the National Honor Society and Spanish Club. She has earned coaches awards in Volleyball and been named defensive player of the year in softball. Outside of school, Lilya Gardner is an active participant in 4-H, where she has taken on leadership roles such as treasurer and vice president. She has given back to her community through volunteer projects at the Vacaville Storehouse, Operation Christmas Child as well as taught youth how to play volleyball at The Leaven's after school tutoring and mentoring center.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Lilya Gardner for her accomplishments and salutes her for participating in the Girls State program sponsored by American Legion Auxiliary Unit 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING CECILIA OCHOA FOR HER PARTICIPATION IN THE 2019 AMERICAN LEGION AUXILIARY UNIT 165 GIRLS STATE PROGRAM

WHEREAS, each year, outstanding young women from area high schools are honored by American Legion Auxiliary Unit 165 for their participation in the Girls State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Girls State program, sponsored by the American Legion Auxiliary Unit, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Girls State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Cecilia Ochoa is a 2019 Girls State delegate representing Buckingham Charter Magnet High School. As a California Girls State delegate, Cecilia was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Cecilia Ochoa is a student-athlete who has excelled in the classroom as well as outside of it. She describes herself as self-motivated and practices goal setting daily. In the classroom, she challenges herself with advanced placement courses in calculus, English, as well as Honors Spanish. Cecilia has gotten a head start on college by enrolling in classes at Solano Community College. When the cross-country running team was without a coach at the start of the school year, Cecilia Ochoa took it upon herself to lead workouts for her teammates, leading her to be named a captain once a coach was named. Her leadership skills have also led her to create two new clubs on her campus, the Newspaper Club and Academic Decathlon.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Cecilia Ochoa for her accomplishments and salutes her for participating in the Girls State program sponsored by American Legion Auxiliary Unit 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING EMILY TORRES FOR HER PARTICIPATION IN THE 2019 AMERICAN LEGION AUXILIARY UNIT 165 GIRLS STATE PROGRAM

WHEREAS, each year, outstanding young women from area high schools are honored by American Legion Auxiliary Unit 165 for their participation in the Girls State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Girls State program, sponsored by the American Legion Auxiliary Unit, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Girls State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Emily Torres is a 2019 Girls State delegate representing Will C. Wood High School. As a California Girls State delegate, she was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Emily Torres is a student-athlete and musician who has excelled at softball and violin. In addition to excelling outside of the classroom, she maintains at 4.67 GPA while taking advanced placement and honors classes. She has built leadership skills at school through various clubs and activities, such as Asian Pacific Islander Club, Multicultural Club and Link Crew. She has volunteered at the adult school and works as a tutor. Emily Torres plans to attend college at Massachusetts Institute of Technology or CalTech in Southern California.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Emily Torres for her accomplishments and salutes her for participating in the Girls State program sponsored by American Legion Auxiliary Unit 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING SARAH BERGENDAHL FOR HER PARTICIPATION IN THE 2019 AMERICAN LEGION AUXILIARY UNIT 165 GIRLS STATE PROGRAM

WHEREAS, each year, outstanding young women from area high schools are honored by American Legion Auxiliary Unit 165 for their participation in the Girls State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Girls State program, sponsored by the American Legion Auxiliary Unit, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Girls State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Sarah Bergendahl is a 2019 Girls State delegate representing Vanden High School. As a California Girls State delegate, she was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Sarah Bergendahl set out to attend Girls State with the objective of learning more about government while creating memories and meeting new people. She developed a passion for engineering at a young age and doesn't pass up an opportunity to attend or participate in robotics competitions, referee tournaments, or teach elementary and middle school students robotics and programming. Sarah Bergendahl has earned awards for her athleticism as a member of the tennis team and taken on leadership positions at school, having served as secretary of Vanden Robotics and vice president of Vanden Interact Club.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Sarah Bergendahl for her accomplishments and salutes her for participating in the Girls State program sponsored by American Legion Auxiliary Unit 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING HAO TRAN FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 208 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by American Legion Post 208 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Hao Tran is a 2019 Boys State delegate representing Vanden High School. As a California Boys State delegate, Hao was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Hao Tran is a student-athlete who enjoys giving back to his community through volunteer work. His objective for attending Boys State was to display different aspects of his character through the activities he took part in. Outside of school, he holds a job as a sales associate which has allowed him to develop effective communication skills as well as work ethic and self-motivation. As a volunteer, Hao Tran has given back to his community through Saint Mary's Church by helping to feed the less fortunate. Additionally, he is a member of Junior State of America, Soka Gakkai International and has studied fine art through Sadie Valeri Atelier. Hao has also participated on the wrestling team at Vanden High School.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Hao Tran for his accomplishments and salutes him for participating in the Boys State program sponsored by American Legion Post 208 of Dixon.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING KHANH NGUYEN FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Khanh Nguyen is a 2019 Boys State delegate representing Will C. Wood High School. As a California Boys State delegate, Khanh was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Khanh Nguyen is a student-athlete who has achieved academic honors and enjoys giving back to his community through volunteer work. Born and raised in Vietnam until the age of nine, he learned the importance of working hard by watching his family members work as farmers and fisherman and his father, who owned a small business. He is a member of his school's Asian Pacific Islander group, Interact Club and F.I.R.S.T. Robotics team. Khanh Nguyen has volunteered his time to help adult English language learners at Country High School, participated in the Teen Youth Summit and helps his mother on weekends at her job. He is a member of the California Scholarship Foundation as well as the National Junior Classical League Latin Honor Society. Khanh Nguyen is also a member of the badminton and track and field teams.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Khanh Nguyen for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING HARKEERAT SINGH FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Harkeerat Singh is a 2019 Boys State delegate representing Vanden High School. As a California Boys State delegate, he was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Harkeerat Singh took up playing the saxophone and marching band at his sister's urging when he was in seventh grade. He considers this to be the best decision he has made in his life. In his freshman year, he was one of only two freshmen to make the high school drumline. Academically, Harkeerat Singh has already completed 25 college units beginning when he was in eighth grade. He considers these two characteristics vital for success: passion and proactive work ethic. One of his everlasting goals is to march with the world-class drum and bugle corps Blue Devils. Outside of the classroom, Harkeerat Singh has volunteered through Key Club, a student-led community service organization.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Harkeerat Singh for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING AUSTIN MORGAN FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Austin Morgan is a 2019 Boys State delegate representing Vacaville High School. As a California Boys State delegate, Austin was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Austin Morgan is a student-athlete who is taking rigorous courses with the goal of going to college and completing his dream of becoming a neurosurgeon. He has taken on numerous community service jobs ranging from tutoring other students to feeding the homeless. Austin Morgan plays baseball and has wrestled and played football for Vacaville High School. He describes himself as a hard-working individual that is always up for the challenge in front of him. He hopes to be a large influence in others' lives and hopes to help many through his chosen profession.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Austin Morgan for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING ANTHONY MENDOZA FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Anthony Mendoza is a 2019 Boys State delegate representing Vanden High School. As a California Boys State delegate, Anthony Mendoza was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Anthony Mendoza is an exceptional student, ranked in the top-five in his graduating class. He describes himself as a hard-working, quick learner who is reliable, responsible and capable of working independently or with others. With an interest in engineering, he joined his school's robotics team his sophomore year and ultimately made it to the World Championship in Houston, Texas. He has since taken on mentoring robotics teams at the elementary school level and has won numerous awards. Outside of school, Anthony Mendoza holds two part-time jobs and plans to attend a four-year university after high school where he will major in Biomedical Engineering.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Anthony Mendoza for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING REID DIGMAN FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Reid Digman is a 2019 Boys State delegate representing Vacaville High School. As a California Boys State delegate, he was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Reid Digman is a student-athlete enrolled in Advance Placement courses at Vacaville High School (VHS). It is at VHS that he has excelled at soccer, football and tennis at the varsity level. Because of his leadership qualities, he has served as a soccer and football team captain and earned awards such as the school's Bionic Award for exhibiting positive behavior and serving as a role model for others. Reid Digman carries a 4.3 GPA and serves as an academic tutor in the subjects of English, math and science. He feels it is important to set a good example for his peers and chooses to lead by example.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Reid Digman for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING WILLIAM RIVERS FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, William Rivers is a 2019 Boys State delegate representing Vacaville Christian High School. As a California Boys State delegate, he was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, William Rivers is a student-athlete enrolled in Advance Placement courses at Vacaville Christian High School (VCHS). It is at VCHS that he has excelled at soccer, volleyball, track and cross-country. Because of his leadership qualities, he has earned numerous "player of the game" accolades and has served as a volleyball team captain. Additional extra-curricular activities include Chinese culture club, chess club, Soroptimist club, science club, National Honor Society and the military club, of which he is the president. Whether it be at his job, or in sports, William Rivers eagerly accepts leadership roles and has an interest in serving in the United States Air Force.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize William Rivers for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING PATRICK KHOURY FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Patrick Khoury is a 2019 Boys State delegate representing Buckingham Charter Magnet High School (BCMHS). As a California Boys State delegate, he was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, Patrick Khoury is a student-athlete whose affinity for taking on leadership roles began at a young age. In middle school, he served as vice-president and president of his student council. Fluent in both English and Arabic, he has been comfortable speaking in front of an audience, which helped him lead successful campaigns for leadership positions at school. An accomplished athlete, Patrick Khoury has excelled in baseball and basketball at BCMHS, for which he has served as captain and co-captain respectively and earned All-League honors. In his junior year, Patrick Khoury served as president of his school's chapter of the National Honor Society and participated in Academic Decathlon and the robotics club.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Patrick Khoury for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING MASON HALL FOR HIS PARTICIPATION IN THE 2019 AMERICAN LEGION POST 165 BOYS STATE PROGRAM

WHEREAS, each year, outstanding young men from area high schools are honored by Rago Christopher American Legion Post 165 for their participation in the Boys State summer leadership and citizenship program; and

WHEREAS, for over 75 years, the Boys State program, sponsored by the American Legion, has offered hard-working students the opportunity to learn about the structure and responsibility of their government. Boys State offers training in the positive processes of self-government and good citizenship as practiced in a democratic society. Over the course of a week, students practice self-governance and learn the importance of meaningful participation on all levels of government; and

WHEREAS, Mason Hall is a 2019 Boys State delegate representing Buckingham Charter Magnet High School. As a California Boys State delegate, he was chosen from some of the highest-achieving high school juniors from throughout the state; and

WHEREAS, at the age 13, Mason Hall found his passion for leadership and love for his community. It was at this young age he developed an affection for volunteering. Through the Vacaville Police Activities League Teen Leadership Council, he has developed character along with amassing over 400 hours of volunteer service. The opportunities he has received through volunteering have shaped him into a leader and culminated with him receiving the Citizen of the Year award, bestowed upon him during the organization's annual crab feed. At school, Mason Hall has been able to adopt these leadership skills and put them into practice by joining the school's leadership group. Additionally, Mason Hall is enrolled in Advanced Placement courses and is CPR and First Aid certified.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors hereby recognize Mason Hall for his accomplishments and salutes him for participating in the Boys State program sponsored by Rago Christopher American Legion Post 165 of Vacaville.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	9	Status:	Consent Calendar
Type:	Resolution	Department:	Board of Supervisors
File #:	19-824	Contact:	Erin Hannigan, 553-5363
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution approving the Solano County Art Council's grant submission to the California Arts Council and, if accepted, authorizing the Solano County Arts Council to execute July 1, 2020 - June 30, 2022 State-Local Partnership Program grant contract with the California Arts Council		
Governing body:	Board of Supervisors		
District:	District 1		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

As Chairwoman of the Board, Supervisor Hannigan requests the Board of Supervisors adopt a resolution approving the Solano County Art Council's grant submission to the California Arts Council and, if accepted, authorizing the Solano County Arts Council to execute July 1, 2020 - June 30, 2022 State-Local Partnership Program grant contract with the California Arts Council.

SUMMARY:

The California Arts Council and the California Legislature established a State-Local Partnership Program in 1977 designed to encourage local cultural planning and decision-making and to reach previously under-served constituents.

The Solano Arts Council (SCAC) is an all-volunteer organization whose mission is to bring pride and artistic experiences directly to Solano County through programs and resources that enable people to create, present, produce, teach, and learn.

FINANCIAL IMPACT:

The cost associated with preparing the agenda item and purchase of the resolution are nominal and absorbed by the department's FY2019/20 Adopted Budget.

OTHER AGENCY INVOLVEMENT:

No other agencies were involved in the preparation of this report.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2019 - ____

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
APPROVING THE APPLICATION AND AUTHORIZING THE EXECUTION OF
A GRANT CONTRACT WITH THE CALIFORNIA ARTS COUNCIL**

Whereas, the California Arts Council and the California Legislature established a State-Local Partnership Program designed to encourage local cultural planning and decision-making and to reach previously under-served constituents; and

Whereas, the Solano County Arts Council is an all-volunteer organization whose mission is to bring pride and artistic experiences directly to Solano County through programs and resources that enable people to create, present, produce, teach, and learn; and

Whereas, the Solano County Arts Council will submit an application to the California Arts Council requesting a grant for the 2019-20 Grant year to support their operations which promote art in Solano County; and

Resolved, that the Solano County Board of Supervisors does hereby approve the Solano County Art Council's grant submission to the California Arts Council and, if accepted, authorizes the Solano County Arts Council to execute July 1, 2020 – June 30, 2022 State-Local Partnership Program grant contract with the California Arts Council.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 22, 2019 by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

EXCUSED: Supervisors _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	10	Status:	Consent Calendar
Type:	Contract	Department:	County Counsel
File #:	19-805	Contact:	Dan Wolk, 784-6150
Agenda date:	10/22/2019	Final Action:	
Title:	Approve participation with the counties of Contra Costa, San Joaquin, and Yolo in a contract with Soluri Meserve, for \$35,000 per county (\$140,000 total), to provide legal services on issues related to the Delta from October 22, 2019 through December 31, 2021; and Authorize the County Counsel to execute the contract and any amendments within budgeted appropriations		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Contract		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board approve participation with the counties of Contra Costa, San Joaquin, and Yolo in a contract with Soluri Meserve, for \$35,000 per county (\$140,000 total), to provide legal services on issues related to the Delta from October 22, 2019 through December 31, 2021; and Authorize the County Counsel to execute the contract and any amendments within budgeted appropriations.

SUMMARY:

The Delta Counties Coalition (DCC) is a consortium of the five counties that comprise the Sacramento-San Joaquin River Delta - including Contra Costa, Sacramento, San Joaquin, Solano, and Yolo counties - and advocates on behalf of the region in various forums and processes since its informal inception in 2008. While the DCC has been active on a number of issues and forums related to the Delta, it has been a challenge to be vigilant about every process, including attending the many relevant meetings and providing timely responses, including written documents when required. With a new State administration have come additional higher-visibility opportunities for the collective Delta voice to be heard and concerns addressed.

As such, four of the members of the DCC - the Counties of Contra Costa, San Joaquin, Solano, and Yolo - are seeking to participate in a contract with the law firm of Soluri Meserve to assist the Delta counties in advancing the shared interests and goals of the DCC in areas that the DCC is unable to effectively participate in due to those resource constraints. Sacramento County currently contracts with an outside counsel to handle similar matters and has chosen not to participate in this agreement at this time.

FINANCIAL IMPACT:

The maximum amount of the contract is \$140,000 over approximately two years, to be split between the four county signatories - Contra Costa, San Joaquin, Solano, and Yolo. For Solano County, this amounts to \$35,000 over approximately two fiscal years, or around \$17,500 per year. The Delta Water Activities FY2019/20 adopted budget included appropriations for this purpose.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

The Delta Counties Coalition (DCC) is a consortium of the five counties that comprise the Sacramento-San Joaquin River Delta - including Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties - that has been advocating on behalf of the region in various forums and processes since its informal inception in 2008. While the DCC has been active on a number of issues and forums related to the Delta, it has been a challenge for the DCC to be vigilant about every process, including attendance at the many relevant meetings and providing timely responses, including written documents when required.

In January 2018, the five counties agreed to fund staffing to coordinate DCC efforts and agreed to fund a coordinator position. Sacramento County is currently the contracting agency for purposes of the designated coordinator position, and has a funding agreement with the remaining four counties, including Solano County, to fund the position through December 31, 2020, for an annual amount of \$35,000 for each county.

However, individual county staffs, elected officials, and the designated Sacramento County staff member, are limited in the ability to provide the necessary level of support on programs of direct consequence to the counties. Furthermore, with a new State administration have come additional higher-visibility opportunities for the collective Delta voice to be heard and concerns addressed.

As such, four of the members of the DCC - the counties of Contra Costa, San Joaquin, Solano, and Yolo - are seeking to participate in a contract with the law firm of Soluri Meserve to assist the Delta counties in advancing the shared interests and goals of the DCC in areas that the DCC is unable to effectively participate in due to those resource constraints. (Sacramento County has chosen not to participate in this agreement due to the fact that it already contracts with outside counsel to handle similar matters.) Such areas include the development of the Governor's Water Resilience Portfolio Initiative, the State Water Resources Control Board Water Quality Control Plan ("WQCP"), the Voluntary Agreement process, and the Design and Construction Authority work on a single tunnel.

Soluri Meserve is already providing outside legal counsel services to Solano County, among others, regarding the WaterFix Litigation, and has represented the County before the Delta Stewardship Council.

The agreement among the counties of Contra Costa, San Joaquin, Solano, Yolo, and Soluri Meserve will be executed in counterparts with each entity signing separately, each of which shall be deemed an original agreement.

ALTERNATIVES:

The Board could choose not to enter into this contract. This option is not recommended as the services are important to Solano County's efforts vis-à-vis the Delta, there are economies of scale as the other counties have signed on, and the contract would provide needed assistance.

OTHER AGENCY INVOLVEMENT:

County Counsel worked with Resource Management to develop this contract and approves the contract as to

form.

APPROVE DEPARTMENTAL RECOMMENDATION

**CONTRACT FOR LEGAL SERVICES AMONG
THE COUNTIES OF CONTRA COSTA, SAN JOAQUIN,
SOLANO, AND YOLO (as members of the Delta Counties Coalition)
AND
SOLURI MESERVE**

1. Parties and Effective Date. Effective October __, 2019 (“Effective Date”), this contract is entered into by and among County of Contra Costa, a political subdivision of the State of California, (“Contra Costa”), the County of San Joaquin, a political subdivision of the State of California (“San Joaquin”), the County of Solano, a political subdivision of the State of California (“Solano”), and the County of Yolo, a political subdivision of the State of California (“Yolo”) (together, the “Agencies” and each an “Agency”), and Soluri Meserve, A Law Corporation (“Firm”). The Agencies and the Firm are sometimes referred to herein together as “Parties” and each as a “Party.” The Parties mutually agree as follows:

2. Term. The term of this contract shall be from the effective date through December 31, 2021, unless sooner terminated as provided herein. This contract supersedes all previous contracts, if any, between or among the Parties hereto concerning the Scope of Work of this contract.

3. The Firm’s Obligations.

(a) Scope of Representation. As directed by the Agencies’ County Counsel Offices, the Firm shall:

1. Provide legal services to the Agencies, through their County Counsel Offices, in an advisory capacity to assist the Agencies with managing and responding to issues affecting the Sacramento-San Joaquin Delta and the Delta Counties Coalition, and Delta-related matters described in Attachment A (Scope of Work).
2. Perform all legal research, prepare all memos, and letters, and complete any other tasks related to the representation of the Agencies within the Scope of Work;
3. Provide each Agency a reasonable opportunity to review, comment on, edit, and revise all written materials being submitted to third-party individuals and agencies arising from the Scope of Work before filing or submitting the written materials on behalf of the Agencies, or before reading the materials into the record of proceedings before the third-party individuals and agencies;
4. Confer with the Agencies’ County Counsels, or designees, regarding advocacy strategy and all other matters relevant to the Scope of Work; and
5. Advise the Agencies of all meetings and other appearances related to the Scope of Work, and, unless directed otherwise by the Agencies, attend all such meetings and appearances on behalf of the Agencies.

(b) The Firm’s member Osha Meserve shall have the primary responsibility for rendering services for the Firm under this contract. However, certain assignments may be delegated to other attorneys at the Firm who are qualified and competent to provide the professional legal services engaged hereunder. No major decision concerning the Scope of Work,

initiation of litigation, or an adversarial adjudicative proceeding, any commitment for substantial expenditure, or the hiring of a consultant is to be made without the prior approval of the Agencies' County Counsel Offices, which may be subject to the prior approval of the Agencies' governing bodies.

- (c) The Firm cannot and does not guarantee the outcome of the Scope of Work or any matter related to the Scope of Work. Neither this contract nor any term herein or in the Firm's or its attorneys' other statements to the Agencies, express or implied, shall be construed as a guarantee about the outcome of the Scope of Work or any related matter.

4. Compensation.

- (a) **Payment Limit.** The total of all fees and expenses the Firm charges the Agencies during the term of this Contract shall not exceed \$140,000 ("Payment Limit"). Notwithstanding anything to the contrary in this contract, the Agencies shall not be required to pay any fees or expenses in excess of the Payment Limit.
- (b) **Fees.** In consideration of the Firm's provision of services under this contract, the Firm shall charge the following hourly rates:

Partner	\$225/hour
Associate	\$175/hour
Paralegal	\$100/hour
Law Clerk	\$50/hour

Attachment B to this contract sets forth the names of the Firm's current attorneys and paralegals and their current hourly rates. During the term of this contract, Attachment B may be replaced whenever necessary to reflect staffing changes at the Firm, provided that Firm employees' hourly rates do not exceed the hourly rates set forth above. The Firm shall not adjust any of these hourly rates until after (a) the Firm provides at least 60 days' advance written notice to the Agencies regarding the proposed adjustment, and (b) the Agencies approve the proposed adjustment.

- (c) **Expenses.** The Firm shall be entitled to reimbursement of the following expenses incurred while performing services under this contract:
 - (1) Automobile mileage at the then-current IRS rate (currently, \$0.58 per mile);
 - (2) Parking and meals required while attending meetings at actual costs; and
 - (3) Messenger and delivery services, computerized research, videotape recording, conference call services, postage, long distance telephone charges, facsimile transmission, photocopying costs, and similar expenses at actual cost incurred.

5. Billing and Payment. The Firm shall bill in six-minute increments for services provided under this contract. The Firm shall charge each of the Agencies one-fourth of the Firm's attorney's fees and expenses incurred under this contract. No Agency shall be required to pay

more than one fourth of the Payment Limit of this contract. The Firm shall submit to each Agency, through that Agency's County Counsel's Office, a properly documented billing statement monthly, in the form and manner prescribed by the Agencies. The Firm shall include with its billing statement to each Agency a copy of each billing statement sent to each other Agency, unless the same billing statement is sent to all of the Agencies. Each billing statement shall itemize the type of services performed under this contract related to Scope of Work, the date the services were performed, who performed the services, the amount of time spent on such services, the total fees and charges incurred, and the total to be paid individually by each Agency. Each Agency will remit payment to the Firm within 60 days of receipt of a billing statement.

6. Independent Contractor Status. This contract is by and among independent contractors and is not intended, and shall not be construed, to create the relationship of agent, servant, employee, partnership, joint venture, or association.

7. Subcontract and Assignment. The Firm may not subcontract any of the work or assign any of his rights or obligations under this contract without prior written consent of the Agencies.

8. Records. The Firm shall at all times keep a complete and thorough record of the time expended and services performed on behalf of Agencies and shall also make available to the Agencies for audit all such records maintained.

9. Indemnification. The Firm shall defend, indemnify, save, and hold harmless each Agency and its officers and employees from any and all claims, costs, and liability for any damages, injury, or death arising directly or indirectly from or connected with the services provided hereunder due to claimed or alleged to be due to negligent or wrongful acts, errors, or omissions of the Firm or any person under its control, save and except claims or litigation arising through the sole negligence or willful misconduct of any Agency, or its officers or employees, and will make good to and reimburse each Agency for any expenditures, including reasonable attorney's fees, the Agency may make by reason of such matters. The obligations contained in this section shall survive the termination of this contract.

10. Insurance. The Firm shall maintain malpractice insurance throughout the term of this contract.

11. Fee Disputes. While the Firm does not anticipate any disputes about the quality of legal services rendered or the cost of those services, if any such disputes should arise the Firm's policy is to promptly and equitably address disagreements with the Agencies. The Agencies have the right to submit any dispute regarding the Firm's fees to the local bar association pursuant to California Business & Professions Code section 6200 et seq.

12. Conflicts of Interest.

(a) Avoiding Conflicts. The Firm and members of the Firm's staff shall avoid any actual or potential conflicts of interest. The Firm agrees to notify each Agency immediately of any case or situation which may involve an actual or potential conflict of interest for Agency's

review and decision.

- (b) Joint Representation. Notwithstanding Section 12(a), above, Agencies are informed and understand that each Agency may disagree with the intent, strategy, or instruction to the Firm of one or more other Agencies related to the Scope of Work, including but not limited to, legal arguments and theories, and communications with opposing parties. Each Agency acknowledges and consents to such potential conflicts in the representation and agrees to work cooperatively with each other and the Firm to resolve any such conflict. However, each Agency expressly reserves the right to send its own correspondence if there is substantial disagreement among the Agencies regarding the content of a proposed correspondence.
 - (c) Adverse Litigation. The Firm and the Agencies agree that a lawsuit filed by the Firm on behalf of a third party against any Agency during the term of the Firm's representation of that Agency under this contract would create an actual conflict of interest, and the Firm shall not file such a lawsuit without the informed written consent of each Agency that would be a party to such litigation.
13. Termination.
- (a) This contract may be terminated by an Agency, at its sole discretion, upon written notice to the Firm and the other Agencies. Should any Agency exercise termination of the contract pursuant to Section 13(a), or elect to retain alternate counsel, each Agency agrees that the Firm may continue to represent the other Agencies in the Scope of Work and this contract shall survive and continue with respect to the non-terminating Agencies.
 - (b) The Firm may terminate this contract as to any Agency upon 90 days prior written notice to the Agency provided the Agency is current on all billing invoices. If the Agency is delinquent on any billing invoice, the Firm may terminate this contract upon 60 days prior written notice, subject to any court authorization required. An Agency will be deemed delinquent if Agency has not paid a billing statement sent to that Agency within 60 days of receipt, as long as that billing statement is not the subject of a dispute between the Agency and the Firm.
14. Reports. The Firm shall comply with California Government Code section 7550.
15. Entire Agreement. This contract contains the entire agreement among the Parties hereto and all prior understandings or agreements, oral or written, of whatsoever nature regarding this matter are superseded and terminated by this contract and are hereby abrogated and nullified. This contract may not be modified in any manner except by an instrument in writing executed by the parties or their respective successors in interest.
16. Counterparts. This contract may be executed in counterparts, each of which shall be deemed an original.

[Remainder of page left blank. Signatures on next page.]

COUNTY OF CONTRA COSTA

COUNTY OF SAN JOAQUIN

By: _____
Purchasing Agent/Designee

By: _____
J. Mark Myles, County Counsel

Approved as to form:
Sharon L. Anderson, County Counsel

By: _____
Stephen M. Siptroth, Deputy County Counsel

COUNTY OF SOLANO
Bernadette Curry, County Counsel

COUNTY OF YOLO

By: _____
Dan Wolk, Deputy County Counsel

By: _____
Philip Pogledich, County Counsel

SOLURI MESERVE, A Law Corporation

By:  _____
Osha Meserve

Taxpayer Identification No.: 26-0668716

Attachments

Attachment A – Scope of Work

Attachment B – Soluri Meserve Scope of Work and Attorneys' & Paralegals' Names and Hourly Rates

SMS

H:\Client Matters\Water Agency\San Joaquin et al v DWR (CEQA & CESA)\Joint Legal Services Agreement - Freeman Firm - 091917.docx

ATTACHMENT A

Scope of Work for Agencies

Introduction. The Agencies are four of the five counties that comprise the Delta Counties Coalition (DCC). The DCC advances the shared interests and goals of the five Delta counties in the various processes relating to management of water and resources in the Delta. The Firm shall assist the Agencies in this effort by using its existing expertise on Delta matters to ensure that the Agencies' interests are effectively and efficiently advanced in the processes that will affect the Agencies' resources and populations. The table below sets forth the services that the Firm will perform to represent the Agencies interests before certain boards, commissions, and groups, and in certain processes, on matters related to the development of a one-tunnel WaterFix project, and on matters related to the State Water Resources Control Board's water quality control plan and related voluntary settlements.

Scope of Work. As directed by the Agencies' County Counsels, or designees, the Firm shall perform the following services on behalf of the Agencies:

Entity/Process	Agencies' Goal to be Advanced by the Firm	Meetings/Monthly Hours
Resources Agency Resources Agency Water Resilience Portfolio Initiative ("WRPI")	Open and transparent process for development of WRPI that includes a prominent role for the counties. Ensure suites of options that do not include tunnels are fully considered.	As needed. <i>Avg. approx. 4 hours/month</i>
Department of Water Resources Review of Single Tunnel Project	Open and transparent process for review of new one tunnel alternative, ideally after completion of the WRPI process. At minimum, EIR for the single tunnel must include consideration of non-tunnel suites of options to improve water supplies, etc. DWR should be consulting with the counties as responsible agencies. Investigative work is underway and counties may insist on local permits being obtained.	As needed. Notice of Preparation expected in Fall 2019. <i>Avg. approx. 4 hours/month</i>
Design and Construction Authority ("CCDA")/Finance Authority	Prevent DDCA from conducting work in furtherance of the tunnel project and from taking over environmental review and community relations functions previously handled by DWR/Resources. The DDCA represents selected water export contractors and has little interest in	Two meetings per month <i>Avg. approx.. 4 hours/month</i>

Entity/Process	Agencies' Goal to be Advanced by the Firm	Meetings/Monthly Hours
	anything other than a single tunnel project. It appears that the JPAs and the JEPA need to be amended and the individual water agency approvals need to be re-done. At the Agencies' direction, the Firm will push for these actions, which will create additional opportunities for Agencies' input.	
State Water Resources Control Board Water Quality Control Plan ("WQCP") Update/Voluntary Agreement process	Participate, initially in a monitoring role, in the Voluntary Agreement process for the WQCP update. The actions contemplated will impact the Agencies and their constituents, yet there has been minimal Delta participation. The Firm will represent the Agencies and may continue to represent the interests of the Local Agencies of the North Delta representative.	One plenary meeting per month. Various workgroups may become relevant to advance DCC concerns about restoration, water quality and water supply implications for counties. <i>Avg. approx. 4 hours/month</i>
DCC	Coordination meetings and calls to develop overall DCC strategy, goals and objectives.	Regular weekly calls/meetings as necessary.* <i>Avg. approx. 6 hours/month</i>
	Estimated avg. total monthly budget:	Approx.. 22 hours @ \$225 = approx.. \$4,950

Other Potential Venues as Needed:

- Delta Stewardship Council
- EcoRestore (for Delta-wide restoration concerns)
- Water Commission
- Delta Protection Commission

With the advance written approval of the Agencies' County Counsels, or designees, the Firm may appear before these other bodies, to represent the Agencies' shared interests on matters related to the Delta.

ATTACHMENT BSOLURI MESERVE
ATTORNEYS' & PARALEGALS' NAMES AND HOURLY RATES

Name	Hourly Rate
Osha Meserve	\$225
Patrick Soluri	\$225
Nicolas Sweeney	\$175
Mae Empleo	\$100
Law Clerk	\$50



Solano County

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

Agenda Submittal

Agenda #:	11	Status:	Consent Calendar
Type:	Resolution	Department:	Treasurer-Tax Collector-County Clerk
File #:	19-790	Contact:	Charles Lomeli, 784-3419
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution authorizing the Treasurer-Tax Collector-County Clerk to sell tax-defaulted property (APN 0136-023-140) at a Chapter 7 (Public Auction) sale via the Internet within 180 days of Board approval		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution, B - Authorization of Sale		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

Adopt a resolution authorizing the Treasurer-Tax Collector-County Clerk to sell tax-defaulted property (APN 0136-023-140) at a Chapter 7 (Public Auction) sale via the Internet within 180 days of Board approval.

SUMMARY:

Revenue & Taxation Code §3692 requires the Tax Collector to attempt to sell tax-defaulted property within four years after the property becomes subject to sale. Property becomes subject to sale after taxes have been delinquent for at least 3 years for commercial property and 5 years for all other property. The property (APN 0136-023-140) has been delinquent for 11 years and has not been offered at any previous sales.

The Board has approved this parcel for sale five times beginning in 2015 and most recently in February of 2019. However, the parcel has not previously been through the sale process due to multiple bankruptcy filings that stay the tax sale process. The latest bankruptcy filing was recently dismissed by the court prompting this action.

The property owner or parties of interest may redeem the parcel up until 5:00 p.m., the day prior to the sale, by paying the delinquent taxes, interest, penalties and fees owing on the parcel. Revenue and Taxation Code §3692.2 allows a tax sale to be conducted via the Internet.

FINANCIAL IMPACT:

The successful sale of the property at auction will recover \$59,333.52 in taxes, penalties, interest, and fees for the County if the property sells or is redeemed. It is estimated that the cost of conducting the sale will be \$798. The cost, including the publication, parties of interest search, recording fees, etc., will be paid out of the Tax Collector's budget and will be recovered from the proceeds of the sale. The amount of taxes recovered

minus fees and costs will be deposited into the Tax Loss Reserve Fund to reimburse the County for money already apportioned through the TEETER program. Excess proceeds, if any, generated at the sale will be distributed to qualified claimants for the property by the Auditor-Controller on recommendation of County Counsel.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

A. Authority to Sell Tax-Defaulted Property

The Tax Collector assumes the power to sell after taxes have been delinquent at least 3 years for commercial property and 5 years for all other property. Revenue & Taxation Code §3692 states the tax collector must attempt to sell tax-defaulted property within four years after the property becomes subject to sale for nonpayment of taxes. Property owners or parties of interest may redeem properties up until 5:00 p.m. the day prior to the sale by paying the delinquent taxes, interest, penalties and fees owing on the property. Revenue & Taxation Code §3692.2 allows a tax sale to be conducted via the Internet.

B. List of Parcels for Sale

Property 0136-023-140 has been delinquent for 11 years and during each year of delinquency, the property owner has been sent an annual tax bill in October, a delinquent notice in May and additional notices in July, November and March.

C. Notification to Property Owners and Parties of Interest

As required by Revenue and Taxation Code § 3701, a Notice to Parties of Interest will be given to all owners of record and all other parties of interest via certified mail. A search for parties of interest will be conducted by First Corporate Solutions. In addition to the work to be performed by First Corporate Solutions, Tax Collector staff will search for property owners and other parties of interest by searching county records, telephone and address records, and other information available through an internet search engine used for locating individuals. This additional work by the Tax Collector's office will provide further assurances that all property owners and other parties of interest are notified of the pending sale and are aware of the procedures for redeeming the parcels, thus affording them a fair opportunity to redeem the parcel prior to the sale.

As a further effort to afford due process to persons interested in property 0136-023-140, the County's Collection Officer is in the process of personally visiting the location and providing a courtesy notice of the impending sale. While this additional step is not required by the Revenue & Taxation Code, it will assist in accomplishing the Tax Collector's goal of providing the property owner every opportunity to become aware of the delinquency, impending sale and redemption procedures.

Additionally, per Revenue and Taxation Code §3704.7(a) if the property has a homeowner's exemption or the situs and mailing address are the same, personal contact will be accomplished via a deputy sheriff prior to the sale.

The Tax Collector will also publish the property for sale and information concerning the auction in the Fairfield Daily Republic and will notify other local taxing agencies in accordance with the Revenue and Taxation Code.

D. Approval of the Proposed Sale

Pursuant to Revenue & Taxation Code §3694 the Board must either approve or disapprove the proposed sale. If approved, the public auction sale will be held via the Internet within 180 days of the Board approval. If approved, the Tax Collector may re-offer the property if it does not sell, at a reduced minimum price at a second sale that will be held within 90 days of the original sale date per Revenue & Taxation Code §3692(e) and §3698.5(c).

ALTERNATIVES:

The Board can elect to disapprove the sale. This option is not recommended because 1) per Revenue and Taxation §3692 the Tax Collector shall attempt to sell tax-defaulted property, within four years of the time that the property becomes subject to sale for nonpayment of taxes, 2) the sale will result in recovered income to the County, and 3) experience has shown that by conducting an annual sale, the property owner, Tax Collector, and other parties of interest are afforded the best opportunity to resolve outstanding issues in manner that gets the majority of properties redeemed prior to the auction.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the resolution and is in agreement with its form and content. Additionally, County Counsel has reviewed all notices and procedures to ensure accuracy and due process. Relevant cities, agencies and special districts will be notified in accordance with the Revenue & Taxation Code and will be afforded the opportunity to purchase the properties within their jurisdiction at a Chapter 7 Sale.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE TREASURER-TAX COLLECTOR-COUNTY CLERK TO SELL TAX-
DEFAULTED PROPERTY (APN 0136-023-140) AT A CHAPTER 7 (PUBLIC AUCTION) SALE
VIA THE INTERNET WITHIN 180 DAYS**

Whereas, Revenue and Taxation Code § 3692 requires the Tax Collector to attempt to sell tax-defaulted property within four years after the property becomes subject to sale for nonpayment of taxes; and

Whereas, the Tax Collector has submitted a list including the property to be approved for sale and the minimum bid price for the property; and

Whereas, Revenue and Taxation Code § 3692.2 allows a tax sale to be conducted via the Internet; and

Whereas, Revenue and Taxation Code § 3692(e) and §3698.5(c) provides that any property remaining unsold may be re-offered within a 90-day period with the option to offer the remaining unsold properties at a reduced minimum price.

Resolved, the Solano County Board of Supervisors authorizes the Tax Collector to hold a sale of tax-defaulted property, via the Internet within 180 days of Board approval pursuant to Revenue and Taxation Code §3694 and §3692.2.

Resolved, any property that does not sell may be re-offered within a 90-day period with the option to offer the remaining unsold property at a reduced minimum price pursuant to Revenue and Taxation Code § 3692(e) and §3698.5(c).

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 22, 2019 by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

AUTHORIZATION FOR SALE - PUBLIC AUCTION

With approval of the Board of Supervisors the property listed below will be offered for sale at Public Auction within 180 days of Board approval

Item #	APN	Last Assessee	SITUS	Minimum Bid
1	0136-023-140	TUCKER STACY	2097 CALIFORNIA DRIVE, VACAVILLE	\$59,333.52



Solano County

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

Agenda Submittal

Agenda #:	12	Status:	Consent Calendar
Type:	Contract	Department:	General Services
File #:	19-813	Contact:	Mark Hummel, 784-7908
Agenda date:	10/22/2019	Final Action:	
Title:	Approve an agreement with Johnson Controls, Inc. of San Leandro for \$1,319,583 for the Main Jail Security Improvement Project at 500 Union Avenue, in Fairfield; and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Contract, B - Summary of Project Funding and Expense, C - Bidders of Record		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Department of General Services recommends that the Board of Supervisors:

1. Approve an agreement for \$1,319,583 with Johnson Controls, Inc. of San Leandro for the Main Jail Security Improvement Project at 500 Union Avenue in Fairfield; and
2. Authorize the County Administrator or designee to execute the agreement and any amendments within the approved budget.

SUMMARY:

The Department of General Services recommends the Board approve an agreement (Attachment A) for \$1,319,583 with Johnson Controls, Inc. as the lowest responsible bidder for the Main Jail Security Improvement Project located at 500 Union Avenue in Fairfield.

FINANCIAL IMPACT:

The Board approved a total project budget of \$2,955,927 (BU 1664) from a combination of funding sources including: \$2,358,000 from General Fund - Capital Renewal Reserve and General Expenditures; \$500,000 from Criminal Justice Temporary Construction Fund; \$65,000 from Accumulated Capital Outlay Fund and \$32,927 transfer from BU 1744 Main Jail WIFI Connectivity Project.

Planned security upgrades are to occur over four phases of work, with the first two phases funded for design and construction to achieve compliance with Federal statute in the shorter term, and the second two phases funded for design only for future improvements. Funded work includes construction (estimated at \$1,319,583),

project management (estimated at \$95,000) and engineering and design fees (\$328,648). Total estimated project cost for the first two phases including design only work for future phases is \$1,743,231. Attachment B provides a breakdown of the estimated costs and funding sources for the Project.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

This Project consists of full design and construction of the first two phases, and design only of the second two phases, of a planned four phase project to upgrade outdated and inadequate security equipment at the downtown Main Jail (also known as the Justice Center Detention Facility). Phase 1 will install new digital security cameras and increase camera video storage capacity to bring the facility fully into compliance with the Federal Prison Rape Elimination Act (PREA). Concurrently, Phase 2 will replace and upgrade existing older analog security camera equipment with digital cameras. Phases 3 and 4 (currently funded for design only) plan for future replacement and modernization of additional aging security control equipment.

The project was advertised as required by the Public Contract Code. A total of 12 contractors attended a pre-bid site walk. A total of two bids were received (Attachment C). The Department of General Services recommends the Board approve a contract for \$1,319,583 with Johnson Controls, Inc.

ALTERNATIVES:

The Board could reject, postpone, or re-bid the project. These actions are not recommended because security upgrades have been identified as a priority for continued facility operation in compliance with PREA standards and the bid process was conducted in conformance with the Public Contract Code.

OTHER AGENCY INVOLVEMENT:

The Department of Resource Management Building Division reviewed and approved the Project plans. County Counsel reviewed and approved the contract as to form.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

AGREEMENT

This Agreement is made as of October 22, 2017 between the COUNTY OF SOLANO, a political subdivision of the State of California, (referred to as 'Owner') and the Contractor: **Johnson Controls, Inc.**

the Project: **Main Jail Security Improvements**
500 Union Ave, Fairfield, CA
Architect/Engineer: Guidepost Solutions LLC
180 Grand Avenue, Suite 950
Oakland, CA 94612

The Owner and the Contractor agree as set forth below.

ARTICLE 1 **THE CONTRACT DOCUMENTS**

The Contract documents consist of this Agreement, the General Conditions and those documents enumerated in Sub-paragraph 1.1.1 of the General Conditions, which documents are incorporated into and made a part of this Agreement

ARTICLE 2 **THE WORK**

The Contractor shall perform all the Work required by the Contract Documents for **Main Jail Security Improvements**, 500 Union Ave. Fairfield, CA

ARTICLE 3 **TIME OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

The Work to be performed under this Contract shall commence no later than five (5) calendar days after the Notice to Proceed is issued to the Contractor, and shall be carried out and completed according to the schedule set forth in Document 00 73 00/ Supplementary Conditions, and Section 00 11 00/ Notice To Bidders and Addendum No.2.

The Contractor agrees that the Work identified in drawings as 'Phase '1 will be completed in 97 calendar days from the Notice to Proceed and that the Work identified in drawings as 'Phase 2' will be complete in 216 calendar days from the Notice to Proceed. The Contractor agrees that the County will suffer economic damages, which may be difficult to quantify, in the event that the Work is not completed within this time period and therefore, Contractor agrees to pay the County liquidated damages in the amount outlined in Document 00 73 00/ Supplementary Conditions, Article 1.4, Liquidated Damages for each and every calendar day of delay beyond the 97 calendar days provided above.

ARTICLE 4 **CONTRACT SUM**

The County shall pay the Contractor for the performance of the Work, subject to additions and deductions by Change Order or as otherwise provided in the Contract Documents, the Sum of the Base Bid of **\$1,319,583.00**.

ARTICLE 5 **PROGRESS PAYMENTS**

Based upon Applications for Payment submitted to the Project Manager by the Contractor and Project Certificates for Payment issued by the Project Manager, the County shall make progress payments on account of the Contract Sum to the Contractor as provided in the Contract Documents as follows:

Progress Payments: The Contractor shall on or before the first day of each month, make an estimate of the work performed during the preceding month and submit same to the Project Manager for checking and approval. On or about the 20th day of the month following the month in which the work was performed, the County shall pay to the Contractor ninety-five (95%) percent of the value of said work in place, as checked and approved by the Project Manager. The balance of five (5%) percent of the estimate shall be retained by the County until the time of final acceptance of said work.

The remaining retention would be held until 35 days after the Notice of Completion is filed with the Solano County Recorder's Office if the following requirements have been met:

1. The Contractor shall be seventy-five (75%) percent complete with the Work, not including stored materials.
2. The Work shall be on schedule.
3. The Contractor shall be maintaining a good practice of schedule and quality control as determined by the Project Manager.
4. Proof of payment to all sub-contractors shall be provided to the County in the form of unconditional lien release upon progress payment prior to the following application.
5. There are no claims, pending or anticipated.
6. County is satisfied with Contractor's performance and with the Work completed up to, and including, the time of request for reduction in retention.

ARTICLE 6 **FINAL PAYMENT**

Final payment, constituting the entire unpaid balance of the Contract Sum, shall be paid by the County to the Contractor when the Work has been completed, the Contract fully performed, the Project Manager has issued a Project Certificate for Payment which approves the final payment due the Contractor, Board of Supervisors of Solano County has formally accepted the project as complete by Resolution and Notice of Completion filed by the County Recorder's Office.

ARTICLE 7 **MISCELLANEOUS PROVISIONS**

7.1 Terms used in this Agreement, which are defined in the Document 00 72 00/ General Conditions of the Contract for Construction, shall have the meanings designated in those Conditions.

7.2 Notices shall be addressed as follow:

OWNER:
COUNTY OF SOLANO
Birgitta E. Corsello, County Administrator
675 Texas Street
Fairfield, CA 94533

CONTRACTOR:
Johnson Controls, Inc.
Marc Duchesneau
1615 Alvarado St.
San Leandro, CA 94577

7.3 **Prevailing Wages.** The Contractor agrees that State Prevailing Wages apply to this Project, and that the Contractor will pay the rates for each trade or craft and shall require the subcontractors on the project to pay the rates for each trade and craft. The Payroll Submittal Information attached as Section 00 45 46/ Payroll Information is incorporated as if set forth in full and is a part of this Contract. The Contractor agrees to repay the County any and all amounts paid to any subcontractor in violation of Public Contract Code Section 6109.

7.4 **Execution of Contract in Counterparts.** This Contract may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. In the event that any signature is delivered by facsimile or electronic transmission (e.g., by e-mail delivery of a ".pdf" format data file), such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or electronic signature page were an original signature.

ARTICLE 8

EXECUTION OF AGREEMENT

The parties have executed this Agreement as of the day and year first above written.

COUNTY:

CONTRACTOR:

By:

Birgitta E. Corsello, County Administrator
Solano County

By:


Marc Duchesneau

Date:

Date:

10-02-2019

APPROVED AS TO FORM:

County Counsel of Solano County, California

By:


Jan Maza, Deputy

**Solano County JCDF Security Improvement Project
500 Union Avenue, Fairfield**

Summary of Project Budget and Expenses

Approved Project Budget (Budget Units 1664)	\$	2,955,927
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Construction Expense

Construction Contract	\$	1,319,583
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Total Construction Expense	\$	1,319,583
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Other Project Expense

Project and Construction Management	\$	95,000
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Engineering and Design Fees	\$	328,648
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Electrical Upgrades Allowance	\$	17,000
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Facilities Commissioning / Support	\$	10,000
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Project Contingency	\$	263,917
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Total Other Project Expense <i>(Phases 1 and 2)</i>	\$	714,565
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Total Project Expense	\$	2,034,148
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Project Balance <i>(To support Phases 3 and 4)</i>	\$	921,779
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(Balance to be returned to the Accumulated Capital Outlay Fund Balance)

Solano County JCDF Security Improvement Project
500 Union Avenue, Fairfield

Name of Firm	Location	Bid	
Johnson Controls, Inc.	San Leandro, CA	\$	1,319,583
American Alarm Company	Antioch	\$	1,355,000



Solano County

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

Agenda Submittal

Agenda #:	13	Status:	Consent Calendar
Type:	Resolution	Department:	Information Technology - Registrar of Voters
File #:	19-784	Contact:	Tim Flanagan, 784-2703
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution and plaque of appreciation honoring Julianna Olsen, Accounting Technician, upon her retirement from the Solano County Department of Information Technology with over 24 years of dedicated public service to Solano County		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X
Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Information Technology recommends that the Board of Supervisors adopt a resolution and plaque of appreciation honoring Julianna Olsen, Accounting Technician, upon her retirement from the Solano County Department of Information Technology with over 24 years of dedicated public service to Solano County.

SUMMARY/DISCUSSION:

Julianna Olsen started her career with the County of Solano as a Fiscal Clerk with the General Services Department on January 17, 1995. She was reclassified to the Accounting Clerk series on April 4, 1999 and was later promoted to Accounting Technician with the Department of Information Technology on November 19, 2006.

Over the course of twenty-four years, Julianna Olsen has been a highly respected and valued member of Solano County. She has been a contributing team member, a hard worker, and a leader to the Department of Information Technology staff. Her last day of service is November 15, 2019, and she will be greatly missed by her friends and coworkers.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item is nominal and absorbed by the department's FY2019/20 Adopted Budget. The costs associated with preparation and purchase of the resolution materials and plaque are included in the Board's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board could choose not to adopt this resolution. This is not recommended as this is an opportunity to recognize Julianna Olsen's dedication and contributions to Solano County.

OTHER AGENCY INVOLVEMENT:

There is no other agency involvement.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS HONORING JULIANNA OLSEN, ACCOUNTING TECHNICIAN, UPON HER RETIREMENT FROM THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH OVER 24 YEARS OF DEDICATED PUBLIC SERVICE TO SOLANO COUNTY

WHEREAS, Julianna Olsen began her career with the County of Solano as a Fiscal Clerk with the General Services Department on January 17, 1995, and was reclassified to the Accounting Clerk series on April 4, 1999; and

WHEREAS, Julianna Olsen was later promoted to Accounting Technician with the Department of Information Technology on November 19, 2006, where she became responsible for fiscal and accounts payables tasks to ensure smooth operations in the department. She grew and learned all aspects of the administration process, including processing contracts, onboarding new staff, procurement, fiscal and budgeting tasks; and

WHEREAS, Julianna Olsen was the expert in managing communications billings of the county's phone lines, radio and circuits. She assisted county staff with questions, and various needs, and if she did not have an immediate answer, she knew who would; and

WHEREAS, Julianna Olsen showed exceptional customer services to her co-workers and vendors. She showed her leadership skills as she trained and supported staff, solved complex situations, responded to vendor inquiries, and always would step in to help when called upon; and

WHEREAS, Julianna Olsen was a highly respected and valued member of the Department of Information Technology. Her last day of service is November 16, 2019, and she will be greatly missed by her friends and coworkers.

NOW, THEREFORE BE IT RESOLVED that the Solano County Board of Supervisors hereby honors and recognizes Julianna Olsen for over 24 years of dedicated service to the citizens of Solano County, and wishes her success in her future endeavors and a long, happy and well-deserved retirement.

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	14	Status:	Consent Calendar
Type:	Resolution	Department:	Information Technology - Registrar of Voters
File #:	19-810	Contact:	Tim Flanagan, 784-2703
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution amending the List of Numbers and Classifications of Positions to delete 1.0 Full-Time Equivalent (FTE) Information Technology Analyst IV and add 1.0 FTE Information Technology Analyst (Principal) in the Management Information Systems (MIS) Division of the Department of Information Technology		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Department of Information Technology (DoIT) recommends the Board adopt a resolution amending the List of Numbers and Classifications of Positions to delete 1.0 Full-Time Equivalent (FTE) Information Technology Analyst IV and add 1.0 FTE Information Technology Analyst (Principal) in the MIS Division of DoIT.

SUMMARY

The Department of Information Technology seeks changes to its organizational structure to realign Finance, Human Resources (HR), Payroll and Legislative systems under a single unit. Deleting a vacant Information Technology Analyst IV position and adding an Information Technology (Principal) position will create efficiencies within the department and improve data system support through the consolidation of management and leadership responsibilities for these systems.

FINANCIAL IMPACT:

The projected annual increase for salary and benefits will be approximately \$15,085. All costs associated with this position change can be absorbed by DoIT's FY2019/20 Adopted Budget. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

Prior to 1999, the County data technology system for Human Resources (HR), Finance and Accounting, and Procurement operated on the Integrated Financial and Administrative Solution (IFAS) structure, and Payroll operated on another separate system, the Management Science America (MSA) Payroll system. In 1999, the County transitioned to the PeopleSoft HR system, which included Payroll modules, but remained on IFAS for

Finance and Accounting and Procurement. Technical management for both of these back-office administrative solutions systems remained with a single Senior IT Manager until 2012, when the economic recession required the County to reduce operating costs, including reductions in staff. This resulted in splitting the areas of technical management and support between two senior IT manager positions.

The current organizational design splits responsibilities for the back-office administrative solutions between four IT functional teams under two senior managers and resulting in little cross training. The Department of Information Technology sees an opportunity to improve data system support through the consolidation of management and leadership responsibilities of the two County Enterprise Resource and Planning (ERP) systems (Peoplesoft and ONESolution) under a single division.

The current Information Technology Analyst IV position works as a dedicated member of the Peoplesoft support team and the focus is solely on the support and maintenance of the Peoplesoft HR/Payroll system. The Department of Information Technology is seeking to delete this vacant position and add an Information Technology Analyst Principal position to facilitate the change in organizational structure and oversee the ERP systems.

Organizational efficiencies will be improved through the alignment of the duties and responsibilities with the position classification. Currently, the business functions of back-office administrative solutions all have significant overlap in the operation of the County. Supervision of the support staff for these systems are a shared responsibility between two senior managers. Generally, changes to one application typically have effects on other applications or related business processes. Merging the teams that support Finance, HR, Payroll, and Legislative software solutions under one-supervisor will enable the department to make better and more informed decisions about how to best support these critical business functions and will lead to cross training to eliminate single points of failure for support of these solutions. This classification change would improve support through better alignment with support teams.

This Information Technology Analyst (Principal) position would be responsible for the supervision of the consolidated Enterprise Resource and Planning (ERP) support team. As the technical lead, this position would have visibility into both Finance and HR/Payroll systems and provide more informed guidance as to the capabilities of each system.

ALTERNATIVES:

The Board could choose not to approve the position change request. However, this is not recommended as the addition of an Information Technology Analyst (Principal) position will create efficiencies within DoIT and streamline technical management and coordination of critical enterprise systems.

OTHER AGENCY INVOLVEMENT:

The Department of Human Resources and the County Administrator's Office have reviewed this proposal and concur with DoIT's recommendation.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS
WITHIN SOLANO COUNTY**

Resolved, that the Solano County Board of Supervisors authorizes the Director of Human Resources to make any technical corrections if needed; and,

Further resolved, that the Solano County Board of Supervisors does hereby amend, modify and/or alter its Allocation List of Positions of Solano County as set forth below:

Department	Budget Unit	Class No.	Position Control No.	Class Title	Effective Date	Departmental Total Positions			
						Allocated	Filled	Proposed	Change
DOIT – Support Team	1877	364060C	13418	Info Tech Analyst IV	11/3/19	36.0	33.0	35.0	(1.0)
DOIT – Support Team	1877	367070	NEW	Info Tech Analyst (Principal)	11/3/19	7.0	7.0	8.0	1.0

Director of Human Resources

Date

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on _____ by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:

BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	15	Status:	Consent Calendar
Type:	Miscellaneous	Department:	First 5 Solano
File #:	19-808	Contact:	Michele Harris, 784-1332
Agenda date:	10/22/2019	Final Action:	
Title:	Receive the audit report of the First 5 Solano Children and Families Commission for the fiscal year ended June 30, 2019		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Audit Report		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

DEPARTMENTAL RECOMMENDATION:

First 5 Solano recommends the Board of Supervisors receive the audit report of the First 5 Solano Children and Families Commission for the fiscal year ended June 30, 2019.

SUMMARY/DISCUSSION:

In accordance with Health & Safety Code Section 130150, First 5 Solano is required to conduct an annual audit of its functions and submit its audit report for the preceding fiscal year by November 1. The report must be filed with both the State Controller's Office and First 5 California for inclusion in the State Commission's consolidated report.

This is the second year that First 5 Solano contracted with Eide Bailey (formerly Vavrinek, Trine, Day & Co., LLP) to conduct the Commission's audit. The FY2018/19 Financial and Compliance Audit was conducted in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States, and State requirements contained in the Standards and Procedures for Audits of Local Entities Administering the California Children and Families Act.

As a result of the audit, three required reports were issued:

- The Independent Auditor's Report contains an unmodified opinion (a "clean" opinion). An unmodified opinion indicates the financial statements are presented fairly in accordance with accounting principles generally accepted in the United States of America.
- The Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters did not disclose any instances of noncompliance or any reportable conditions on internal controls over financial reporting.
- The Independent Auditor's Report on State Compliance did not disclose any instances of

noncompliance.

The full audit report can be found in attachment A.

FINANCIAL IMPACT:

The acceptance of the audit report has no financial impact. The costs associated with preparing the agenda item are nominal and absorbed by the Department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board of Supervisors could elect not to receive the report as presented. This is not recommended, as it is legislatively required for the Board to receive the audit prior to submission to the State.

OTHER AGENCY INVOLVEMENT:

The First 5 Solano Children and Families Commission received the audit on October 8, 2019.



Financial Statements
For the Year Ended June 30, 2019

**FIRST 5 SOLANO
CHILDREN AND FAMILIES
COMMISSION**

**FIRST 5 SOLANO
CHILDREN AND FAMILIES COMMISSION
FOR THE YEAR ENDED JUNE 30, 2019**

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First 5 Solano Children & Families Commission

Commissioners

(as of June 30, 2019)

Erin Hannigan, Chair
Solano County Board of Supervisors District 1

Gerald Huber, Vice Chair
Director of Health & Social Services, Solano County

Dan Ayala
Retired Air Force Technical Sergeant

Jennifer Barton
Chief of Staff, Assemblymember Jim Frazier

Aaron Crutison
Deputy Director of Health & Social Services, Solano County

Lisette Estrella-Henderson
Solano County Superintendent of Schools

Nicole Neff
Parent

Mina Diaz
Realtor, RE/MAX Gold and Founder of Diaz & Loera Centro Latino

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FINANCIAL SECTION



INDEPENDENT AUDITOR'S REPORT

To the Board of Commissioners
First 5 Solano Children and Families Commission
Fairfield, California

Report on the Financial Statement

We have audited the accompanying financial statements of the governmental activities and the general fund of the First 5 Solano Children and Families Commission (Commission), a component unit of the County of Solano, California, as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the general fund of the Commission, as of June 30, 2019, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, the schedule of proportionate share of the net pension liability, the schedule of pension contributions, the schedule of proportionate share of the net other post employment benefit (OPEB) liability, and the schedule of OPEB contributions as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Commission's basic financial statements. The schedule of expenses by fund source and net position of SCCFC funds for First 5 programs and activities (Schedule) is presented for the purpose of additional analysis and is not a required part of the basic financial statements.

The Schedule is the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated October 3, 2019 on our consideration of the Commission's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and that results of that testing, and not to provide an opinion on the effectiveness of the Commission's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control over financial reporting and compliance.

Eide Bailly LLP

Sacramento, California
October 3, 2019



IT'S ALL ABOUT THE KIDS

Management's Discussion and Analysis

As management of the First 5 Solano Children & Families Commission (Commission), we offer readers of the Commission's financial statements this narrative overview and analysis of the financial activities of the Commission for the fiscal year ended June 30, 2019. We encourage readers to consider the information presented here in conjunction with additional information in our financial statements.

Financial Highlights

- The Commission's net position totaled \$8,737,448 at June 30, 2019. \$176,690 is reported as net investment in capital assets, \$348,310 is restricted for capital projects related to tenant improvements, and \$8,212,448 is unrestricted.
- The Commission's total net position increased by \$1,270,422 due to a variety of factors including:
 - Capital contributions received in FY2018/19 for tenant improvements which will be fully spent in FY2019/20.
 - Underspending on grants; primarily those which were new in FY2018/19 and took time to start up.
- At June 30, 2019, the Commission's governmental funds reported an ending fund balance of \$9,751,039, an increase of \$1,397,363 from June 30, 2018. Of the ending fund balance at June 30, 2019, \$348,310 is categorized as restricted for tenant improvements, \$4,186,951 is categorized as committed for contractual obligations for First 5 program expenditures, and \$656,146 categorized as assigned for contractual obligations for lease expenditures. The remaining fund balance of \$4,559,632 is categorized as unassigned. The Commission's funds are for the purpose of the entity.

Overview of the Financial Statements

This management discussion and analysis is intended to serve as an introduction to the Commission's basic financial statements. The Commission's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements.

Government-wide financial statements. The government-wide financial statements are designed to provide readers with a broad overview of the Commission's finances, in a manner similar to a private-sector business.

The statement of net position presents information on the Commission's assets/deferred outflows of resources and liabilities/deferred inflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Commission is improving or deteriorating. The Commission has adopted a revised Long-Term Financial Plan (LTFP) which projects the Commission's assets over a ten-year period of time (FY2016/17-FY2025/26).

The statement of activities presents information showing how the Commission's net position changed during the fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements can be found on pages 11-12 of this report.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

MANAGEMENT'S DISCUSSION AND ANALYSIS FOR THE YEAR ENDED JUNE 30, 2019

Fund financial statements. A fund is a grouping of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. The Commission, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a Commission's near-term financing requirements.

Since the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Commission's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The basic governmental fund financial statements can be found on pages 13-16 of this report.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 17-32 of this report.

Required Supplementary Information. In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning the Commission's budgetary comparison schedule for the Commission's general fund, pension schedules and OPEB schedules. Required supplementary information can be found on pages 33-37 of this report.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

MANAGEMENT'S DISCUSSION AND ANALYSIS FOR THE YEAR ENDED JUNE 30, 2019

Government-wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of the Commission's financial position. In the case of the Commission, assets/deferred outflows of resources exceeded liabilities/deferred inflows of resources by \$8,737,448 at June 30, 2019.

First 5 Solano Children & Families Commission
Government-wide
Statement of Net Position
June 30, 2019 and 2018

	2019	2018
Assets:		
Current assets	\$ 10,224,457	\$ 8,902,274
Non-current assets	176,690	-
Total assets	<u>10,401,147</u>	<u>8,902,274</u>
Deferred Outflows of Resources:		
Deferred outflows related to pensions and OPEB	267,942	375,785
Total deferred outflows of resources	<u>267,942</u>	<u>375,785</u>
Liabilities:		
Current liabilities	501,970	548,598
Non-current liabilities	1,384,136	1,226,869
Total liabilities	<u>1,886,106</u>	<u>1,775,467</u>
Deferred Inflows of Resources:		
Deferred inflows related to pensions and OPEB	45,535	35,566
Total deferred inflows of resources	<u>45,535</u>	<u>35,566</u>
Net Position:		
Net investment in capital assets	176,690	-
Restricted	348,310	-
Unrestricted	8,212,448	7,467,026
Total net position	<u>\$ 8,737,448</u>	<u>\$ 7,467,026</u>

The key elements in the significant changes in assets/deferred outflows of resources and current/non-current liabilities/deferred inflows of resources are as follows:

Current assets: Current assets increased by \$1,322,183 from June 30, 2018. The primary reasons are revenues received in FY2018/19 for tenant improvements which will be spent in FY2019/20 and underspending on grants; primarily those which were new in FY2018/19 and took time to start up.

Non-current assets: Non-current assets increased by \$176,690 from June 30, 2018. This was due to capitalization of tenant improvements on the renovations of the Commission's Vallejo First 5 Center.

Deferred outflows of resources: Deferred outflows of resources decreased by \$107,843 from June 30, 2018. The decrease is attributable to employer contributions to the pension and OPEB plan applicable to a future accounting period and current year changes in the net pension liability and related amortization and other factors.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

MANAGEMENT'S DISCUSSION AND ANALYSIS FOR THE YEAR ENDED JUNE 30, 2019

Current liabilities: Current liabilities decreased by \$46,628 from June 30, 2018. The decrease is due to amounts owed to vendors for goods and services received prior to fiscal year-end.

Non-current liabilities: Non-current liabilities increased by \$157,267 from June 30, 2018. The increase is due to an increase of the Commission's proportionate share of the net pension liability. Some contributing factors to the decrease were the difference in expected and actual experience and changes in assumptions.

Deferred inflows of resources: Deferred inflows of resources increased by \$9,969. The increase is attributable to current year changes in the net pension liability, net OPEB liability, related amortization, and other factors.

Governmental activities increased the Commission's net position by \$1,270,422 during fiscal year 2018/19, which represents an increase of approximately 17% from total net position at June 30, 2018. The primary reasons are capital contributions received in FY2018/19 for tenant improvements which will be fully spent in FY2019/20, underspending on grants; primarily those which were new in FY2018/19 and took time to start up, and an overall increase in Prop 10 revenues.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

MANAGEMENT'S DISCUSSION AND ANALYSIS FOR THE YEAR ENDED JUNE 30, 2019

	2019	2018
Program expenses:		
Strategic plan implementation		
Employee services	\$ 1,248,962	\$ 522,567
Program evaluation costs	110,850	135,150
Countywide admin overhead	44,600	49,385
Interfund services	31,431	47,454
Professional & specialized services	61,182	60,344
Rents & leases	71,463	55,374
Memberships	7,354	7,226
Transportation & travel	9,063	10,363
Communication	5,853	5,945
Insurance	7,353	7,411
Special departmental expense	7,650	4,615
Supplies	2,999	1,732
Meals/Refreshments	3,682	2,854
Non capitalized equipment	4,363	-
Miscellaneous	6,531	3,150
Total strategic plan implementation expenses	1,623,336	913,570
Grant:		
Family support	306,697	564,308
Early mental health	450,554	502,556
Child care and development	340,645	421,920
Annual Grants	161,667	-
Pre K academy	187,828	204,328
Systems change	222,074	220,075
Community engagement	83,518	86,846
Co-sponsorship of conferences	9,650	18,475
Help me grow	200,000	-
Oral health	20,154	-
EPSDT - Early Periodic Screening Diagnosis & Treatment	-	185,371
H&SS IFSI - Family Strengthening Project	-	161,852
Pre-natal grants	-	35,000
Health access initiative	-	121,000
Total grant expenses	1,982,787	2,521,731
Total program expenses	3,606,123	3,435,301
Program revenues:		
Operating grants and contributions	3,722,846	3,247,429
Charges for services	454,418	344,643
Donations/grants	-	52,846
Capital grants and contributions	525,000	-
Total program revenues	4,702,264	3,644,918
Net program revenues	1,096,141	209,617
General revenues:		
Investment income	174,281	102,534
Total general revenues	174,281	102,534
Change in net position	1,270,422	312,151
Net position:		
Beginning	7,467,026	7,154,875
End of the year	\$ 8,737,448	\$ 7,467,026

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

MANAGEMENT'S DISCUSSION AND ANALYSIS FOR THE YEAR ENDED JUNE 30, 2019

The key elements for the significant changes in net position are as follows:

Program expenses-general:

General expenses increased overall from prior year by \$709,766. The most significant increases are noted as follows:

- Employee services increased by \$726,395 mainly due to changes in the Commission's proportionate share of the County's net pension liability and related deferred inflows and outflows of resources.

Program expenses-grants:

Grant expenses decreased overall from prior year by \$538,944.

The Commission transitioned to the 2018-2023 Program Investment Plan which reduced on-going expenditure to be in line with long term revenue. The 2018-2023 Program Investment Plan transitioned several program strategies including:

- Transitioned family strengthening from support in each city to intentional support based on city indicators.
- Reduced early mental health treatment funding and implemented Triple P Positive Parenting Program which was matched by Mental Health Services Act.
- Began planning for the Vallejo First 5 Center which was budgeted in FY2018/19, but will not be implemented until FY2019/20

The decrease in grant expenses is related to intentional decrease in budgeted grant expenditure, along with an underspending of grant—primarily with new grants which were starting up.

Program revenue:

Program revenue increased from prior year by \$1,057,346. This was primarily due to increased funding from First 5 California Proposition 10 annual allocations and IMPACT funding and capital contributions for tenant improvements for the Vallejo First 5 Center from local governments.

Financial Analysis of the Commission's Governmental Funds

As noted earlier, the Commission uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The general fund is a governmental fund type that is used to account for general activities of the Commission. The focus of the Commission's governmental fund is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Commission's net resources available for spending at the end of the fiscal year. At June 30, 2019, the Commission's general fund reported an ending fund balance of \$9,751,039. This was the result of an increase to fund balance of \$1,397,676 for the fiscal year ended June 30, 2019.

Governmental revenues totaled \$4,876,545 in fiscal year 2018/19. This represents an increase of approximately 30% from fiscal year 2017/18. This increase is due to an increase in Proposition 10 revenue, IMPACT revenue, increased investment income, and revenue for tenant improvements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

MANAGEMENT'S DISCUSSION AND ANALYSIS FOR THE YEAR ENDED JUNE 30, 2019

Governmental expenditures totaled \$3,479,182 in fiscal year 2018/19. This represents a decrease of approximately 8% from fiscal year 2017/18 due primarily to the intentional budgeted decrease for various services funded by grant expenditures.

Budgetary Highlights

The Commission's general fund budget (Adopted and Final versions) is reflected in the Schedule of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual, as presented on page 33 in the Required Supplementary Information (RSI) section of this report.

Revenues recognized were less than budget by \$145,008 as a result of less charges for services provided to Health & Social Services Mental Health Division for early childhood mental health programs. Expenditures incurred were less than budget by \$1,590,110 due to the overall reduction in grant disbursement expenditures resulting from the new funding cycle that reduced overall allocations to various grant categories as well as underspending on grants—primarily those that were in Year 1.

Debt Administration

Capital assets – At June 30, 2019, the Commission has \$176,690 of capital assets related to tenant improvements under construction for the Vallejo First 5 Center. The Commission anticipates taking occupancy in November 2019.

Long-term liabilities – At June 30, 2019, the Commission had \$1,384,136 of long term liabilities composed of the net pension liability, net OPEB liability, and compensated absences. For more information, see Note 2 on page 23 of this report.

Economic Factors and Next Year's Operating Activities

Fiscal Year 2019/20 will be the second year of the Commission's 2018-2023 Program Investment Plan and budgeted revenue and expenditure will remain relatively stable with FY2018/19, with the exception of tenant improvements and program expenditure related the implementation of the First 5 Center in Vallejo.

Requests for Information

This financial report is designed to provide a general overview of the Commission's finances for all those with an interest with the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the First 5 Solano Children and Families Commission, 601 Texas Street, Suite 210, Fairfield, California 94533.



BASIC FINANCIAL STATEMENTS

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

GOVERNMENT-WIDE FINANCIAL STATEMENTS STATEMENT OF NET POSITION JUNE 30, 2019

	Governmental Activities
ASSETS	
Current assets	
Cash and investments in County Treasury	\$ 8,788,708
Restricted cash and investments in County Treasury	348,310
Due from County	177,433
Due from State Commission	910,006
Total current assets	<u>10,224,457</u>
Noncurrent assets	
Capital assets, not being depreciated	176,690
Total noncurrent assets	<u>176,690</u>
Total assets	<u>10,401,147</u>
DEFERRED OUTFLOWS OF RESOURCES	
Deferred outflows related to pensions	255,640
Deferred outflows related to OPEB	12,302
Total deferred outflows of resources	<u>267,942</u>
LIABILITIES	
Current liabilities	
Outstanding warrants	46,449
Accounts payable	255,366
Due to County	85,126
Due to other agencies	86,477
Compensated absences	28,552
Total current liabilities	<u>501,970</u>
Noncurrent liabilities	
Compensated absences, net of current portion	10,638
Net pension liability	1,327,469
Net OPEB liability	46,029
Total noncurrent liabilities	<u>1,384,136</u>
Total liabilities	<u>1,886,106</u>
DEFERRED INFLOWS OF RESOURCES	
Deferred inflows related to pensions	43,375
Deferred inflows related to OPEB	2,160
Total deferred inflows of resources	<u>45,535</u>
NET POSITION	
Net investment in capital assets	176,690
Restricted for capital projects	348,310
Unrestricted	8,212,448
Total net position	<u>\$ 8,737,448</u>

The accompanying notes are an integral part of these financial statements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

GOVERNMENT-WIDE FINANCIAL STATEMENTS STATEMENT OF ACTIVITIES FOR THE YEAR ENDED JUNE 30, 2019

	Governmental Activities
Program expenses:	
Strategic plan implementation:	
Employee services	\$ 1,248,962
Program evaluation costs	110,850
Countywide admin overhead	44,600
Interfund services	31,431
Professional & specialized services	61,182
Rents & leases	71,463
Memberships	7,354
Transportation & travel	9,063
Communication	5,853
Insurance	7,353
Special departmental expense	7,650
Supplies	2,999
Meals/Refreshments	3,682
Non capitalized equipment	4,363
Miscellaneous	6,531
Total strategic plan implementation expenses	<u>1,623,336</u>
Grants:	
Family support	306,697
Early mental health	450,554
Child care and development	340,645
Annual grants	161,667
Pre K academy	187,828
Systems change	222,074
Community engagement	83,518
Co-sponsorship of conferences	9,650
Help me grow	200,000
Oral health	20,154
Total grant expenses	<u>1,982,787</u>
Total program expenses	<u>3,606,123</u>
Program revenues:	
Operating grants and contributions	3,722,846
Charges for services	454,418
Capital grants and contributions	525,000
Total program revenues	<u>4,702,264</u>
Net program revenues	<u>1,096,141</u>
General revenues:	
Investment income	174,281
Total general revenues	<u>174,281</u>
Change in net position	1,270,422
Net position- beginning of year	7,467,026
Net position- end of year	<u><u>\$ 8,737,448</u></u>

The accompanying notes are an integral part of these financial statements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

BALANCE SHEET GOVERNMENTAL FUND JUNE 30, 2019

Assets	<u>General Fund</u>
Cash and investments in County Treasury	\$ 8,788,708
Restricted cash and investments in County Treasury	348,310
Due from County	177,433
Due from State Commission	910,006
Total assets	<u>\$ 10,224,457</u>
 Liabilities	
Outstanding warrants	\$ 46,449
Accounts payable	255,366
Due to County	85,126
Due to other agencies	86,477
Total liabilities	<u>473,418</u>
 Fund Balance	
Restricted	348,310
Committed	4,186,951
Assigned	656,146
Unassigned	4,559,632
Total fund balance	<u>9,751,039</u>
 Total liabilities and fund balance	<u>\$ 10,224,457</u>

The accompanying notes are an integral part of these financial statements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

RECONCILIATION OF THE BALANCE SHEET OF THE GOVERNMENTAL FUND TO THE STATEMENT OF NET POSITION JUNE 30, 2019

Governmental fund balance	\$ 9,751,039
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in governmental funds.	176,690
Deferred inflows and outflows of resources related to the net pension liability are not due and payable in the current period and therefore, are not reported in the funds:	
Deferred outflows of resources related to pensions	255,640
Deferred inflows of resources related to pensions	(43,375)
Deferred inflows and outflows of resources related to the net OPEB liability are not due and payable in the current period and therefore, are not reported in the funds:	
Deferred outflows of resources related to OPEB	12,302
Deferred inflows of resources related to OPEB	(2,160)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds.	
Compensated absences	(39,190)
Long-term obligations- net pension liability	(1,327,469)
Long-term obligations- net OPEB liability	(46,029)
Net position of governmental activities	<u>\$ 8,737,448</u>

The accompanying notes are an integral part of these financial statements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE OF THE GOVERNMENTAL FUND TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED JUNE 30, 2019

Revenues:	General Fund
Intergovernmental revenues	\$ 3,625,856
Charges for services	454,418
Investment income	174,281
Donations/grants	96,990
Capital grants and contributions	525,000
Total revenues	<u>4,876,545</u>
Expenditures:	
Current	
Strategic plan implementation:	
Employee services	945,331
Program evaluation costs	110,850
Countywide admin overhead	44,600
Interfund services	31,431
Professional & specialized services	61,182
Rents & leases	71,463
Memberships	7,354
Transportation & travel	9,063
Communication	5,853
Insurance	7,353
Special departmental expense	7,650
Supplies	2,999
Meals/Refreshments	3,682
Non capitalized equipment	4,363
Miscellaneous	6,531
Total strategic plan implementation expenditures	<u>1,319,705</u>
Grants:	
Family support	306,697
Early mental health	450,554
Child care and development	340,645
Annual grants	161,667
Pre K academy	187,828
Systems change	222,074
Community engagement	83,518
Co-sponsorship of conferences	9,650
Help me grow	200,000
Oral health	20,154
Total grant expenditures	<u>1,982,787</u>
Capital outlay:	
Tenant improvements	176,690
Total capital outlay expenditures	<u>176,690</u>
Total expenditures	<u>3,479,182</u>
Net change in fund balance	1,397,363
Fund balance - beginning	8,353,676
Fund balance - ending	<u>\$ 9,751,039</u>

The accompanying notes are an integral part of these financial statements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE OF THE GOVERNMENTAL FUND TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED JUNE 30, 2019

Changes in fund balance - governmental funds	\$ 1,397,363
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of capital assets is allocated over their estimated useful lives and reported as depreciation expense.	
Tenant improvements	176,690
Compensated absences expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds. This amount represents the net change in the compensated absences liability.	
	(7,533)
Governmental funds report OPEB plan contributions as expenditures. However, in the statement of activities, OPEB expense is measured as the change in net OPEB liability and the amortization of deferred outflows and inflows related to OPEB. The following amount reflect changes in the OPEB related balances.	
	9,156
Governmental funds report pension contributions as expenditures. However, in the statement of activities, pension expense is measured as the change in net pension liability and the amortization of deferred outflows and inflows related to pensions. The following amounts reflect changes in the pension related balances.	
	(305,254)
Change in net position of governmental activities	<u><u>\$ 1,270,422</u></u>

The accompanying notes are an integral part of these financial statements.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity

Solano County is a political subdivision of the State of California. An elected, five member Board of Supervisors governs the County.

First 5 Solano Children and Families Commission (Commission) was organized on July 8, 1999, by the Solano County Board of Supervisors through the adoption of Ordinance No. 1579 in accordance with the California Children and Families Act of 1998. The Commission currently operates under the State of California Health and Safety Code§ 130100-130155 and Solano County Code§ 7.3. The purpose of the Commission is to promote, support, and improve the early development of children from the prenatal stage through five years of age. The First 5 Solano Commission is funded by a surtax imposed statewide on the sale and distribution of cigarettes and other tobacco related products.

The Commission consists of nine members encompassing a myriad of professional and personal experience. The Board of Supervisors of Solano County approves the appointment of each Commission member's four-year term.

Basis of Accounting Measurement Focus

The basic financial statements of the Commission are composed of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to the basic financial statements

Government-wide Financial Statements

Government-wide financial statements consist of the statement of net position and the statement of activities. These statements are presented on an economic resources measurement focus. All economic resources and obligations of the reporting government are reported in the financial statements.

The government-wide financial statements have been prepared on the accrual basis of accounting. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets and liabilities resulting from non-exchange transactions are recognized in accordance with the requirements of GASB Statement No. 33.

Fund Financial Statements

The fund financial statements consist of the balance sheet and the statement of revenues, expenditures and changes in fund balance of the Commission's general fund. These statements are presented on a current financial resources measurement focus. Generally, only current assets, deferred outflows of resources, current liabilities and deferred inflows of resources are included on the balance sheet. The statement of revenues, expenditures and changes in fund balance for the governmental fund generally presents inflows (revenues) and outflows (expenditures) in net current position. All operations of the Commission are accounted for in the general fund.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Financial Statements (Continued)

The fund financial statements have been prepared on the modified accrual basis of accounting. Revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current period. Revenues are considered available if they are received within 90 days after year-end. Revenues susceptible to accrual include tax revenues, grant revenues and investment income. Expenditures are recognized in the accounting period in which the fund liability is incurred except for compensated absences, which are recognized when due and payable at year-end.

Adjustments Between Fund Financial Statements and Government-Wide Financial Statements

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources expense/expenditure until then. The Commission reports deferred outflows related to pensions and OPEB. Refer to additional details in note 5 and note 6.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. In the fund financial statements, the Commission has one item which arises only under a modified accrual basis of accounting that qualifies for reporting in this category. The governmental fund report unavailable revenues from intergovernmental revenues. This amount is deferred and recognized as an inflow of resources in the period that the amounts become available. The Commission also reports deferred inflows related to pensions and OPEB. Refer to additional details in note 5 and note 6.

Compensated Absences

As of June 30, 2019, the Commission estimated its liability for vested compensated absences to be \$39,190. Compensated absence obligations are considered long-term in nature and are reported in the fund financial statements as expenditures in the period paid or when due and payable at year-end under the modified accrual basis of accounting. The compensated absences have been accrued in the government wide financial statements and are included in liabilities. The compensated absences are liquidated by the general fund.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS JUNE 30, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Net Position

Net position can be displayed in three components:

- Net investment in capital assets - Consists of capital assets including restricted capital assets, net of accumulated depreciation, and net of related debt.
- Restricted net position – Consists of resources in the net position with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation. At June 30, 2019, \$348,310 is restricted for funding received for tenant improvements on the Commission's Vallejo office.
- Unrestricted net position – All other resources making up net position that do not meet the definition of "restricted" or "net investment in capital assets." At June 30, 2019, \$8,212,448 is unrestricted.

The Commission applies restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

Fund Balance Classification

Fund balance can be displayed under the following components:

- *Nonspendable Fund Balance* – includes elements of fund balance that cannot be spent because of their form, or because they must be (a) assets that will never convert to cash, such as prepaid items, or (b) resources that must be held intact pursuant to legal or contractual requirements.
- *Restricted Fund Balance* – includes resources that are subject to constraints that are externally enforceable legal restrictions.
- *Committed Fund Balance* – includes amounts that meet one of the following two criteria; (a) use of funds is constrained by limits imposed by formal action of the Commission and removal or (b) modification of use of funds can be accomplished only by the same formal action of the Commission. The Solano First 5 Commission is the government's highest level of decision-making authority; and the formal action required to be taken to establish, modify, or rescind a fund balance restriction is a majority vote by the Commission.
- *Assigned Fund Balance* – The assigned portion of the fund balance policy reflects a commission's intended use of resources, which is established either by the First 5 Solano Commission, a body created by the commission, such as the commission finance committee, or an official designated by the commission (e.g., an Executive Director).
- *Unassigned Fund Balance* – includes resources in fund balance that cannot be classified into any of the other categories.

The Commission has evaluated the composition of its fund balance and has reported the following categories:

- *Restricted* – At June 30, 2019, the Commission reported \$348,310 as restricted for tenant improvements for the Commission's Vallejo office.
- *Committed* – At June 30, 2019, the Commission reported \$4,186,951 as committed for contractual obligations for First 5 program activities approved by the Board of Commissioners.
- *Assigned* – At June 30, 2019, the Commission reported \$656,146 as assigned for contractual obligations for lease expenditures for the Commission's Vallejo office.
- *Unassigned* – At June 30, 2019, the Commission reported \$4,559,632 as unassigned.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balance Classification(Continued)

The Commission's policy states that when an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, it is presumed that restricted funds are spent first; and when an expenditure is incurred for purposes for which amounts in any unrestricted fund balances could be used, it is presumed that the committed amounts are spent first, then the assigned amounts, then the unassigned amounts.

Pensions

In government-wide financial statements, retirement plans (pensions) are required to be recognized and disclosed using the accrual basis of accounting regardless of the amount recognized as pension expenditures on the governmental fund statements, which use the modified accrual basis of accounting.

The Commission participates in the County of Solano Pension Plan. In general, the Commission recognizes a net pension liability, which represents the Commission's proportionate share of the excess of the total pension liability over the fiduciary net position reflected in the actuarial report provided by the California Public Employee Retirement System (CalPERS). The net pension liability is measured as of CalPERS prior fiscal year end June 30, 2018. Changes in the net pension liability are recorded, in the period incurred, as pension expense or as deferred inflows of resources or deferred outflows of resources depending on the nature of the change. The changes in net pension liability that are recorded as deferred inflows of resources or deferred outflows of resources (that arise from changes in actuarial assumptions or other inputs and differences between actuarial or expected experience) are amortized as pension expense beginning with the period in which they occurred.

Other Post Employment Benefits (OPEB)

In government-wide financial statements, other post employment benefits (OPEB) are required to be recognized and disclosed using the accrual basis of accounting regardless of the amount recognized as OPEB expenditures on the governmental fund statements, which use the modified accrual basis of accounting.

The Commission participates in the County of Solano Retiree Healthcare Plan. In general, the Commission recognizes a net OPEB liability, which represents the Commission's proportionate share of the excess of the total OPEB liability over the fiduciary net position reflected in the actuarial report provided by the County's actuary. The net OPEB liability is measured as of the year end June 30, 2018. Changes in the net OPEB liability are recorded, in the period incurred, as OPEB expense or as deferred inflows of resources or deferred outflows of resources depending on the nature of the change. The changes in net OPEB liability that are recorded as deferred inflows of resources or deferred outflows of resources (that arise from changes in actuarial assumptions or other inputs and differences between actuarial or expected experience) are amortized as OPEB expense beginning with the period in which they occurred.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles in the United States requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results could differ from those estimates.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Investments in County Treasury

The Commission's cash and investments is maintained in the County Treasury and is pooled with the County of Solano and various other depositors. The Commission's ability to withdraw large sums of cash from the County Treasury may be subject to certain restrictions set by the County Treasurer. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. The Solano County Treasury Oversight Committee oversees the Treasurer's investments and policies. The balance of the Commission's investment in the Solano County Treasury pool at June 30, 2019 is \$9,137,018. The County investment pool is not registered with the Securities and Exchange Commission as an investment company.

The County's pooled cash and investments are invested pursuant to investment policy guidelines established by the County Treasurer and approved by the County Board of Supervisors. The objectives of the policy (in order of priority) are: legality, preservation of capital, liquidity, and yield. The policy addresses the soundness of financial institutions in which the County will deposit funds, types of investment instruments as permitted by the California Government Code, and the percentage of the portfolio which may be invested in certain instruments with longer terms of maturity.

The restricted cash and investments held in the County Treasury are funds restricted for capital projects related to tenant improvements.

Fair Value Measurements

The Commission categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. As of June 30, 2019, the Commission held no individual investments. All funds are invested in the County Treasurer's Investment Pool.

In instances where inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The Commission's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset or liability.

Deposits and withdrawals in the Pools are made on the basis of \$1 and not fair value. Accordingly, the Commission's share of investments in the County Treasurer's Investment Pool at June 30, 2019 is an uncategorized input not defined as a Level 1, Level 2, or Level 3 input.

Due from County

Due from county represents amounts due to the Commission for early childhood mental health services provided per terms of the County of Solano Memorandum of Understanding 2014-101.

Due from State Commission

Due from other agencies represents amounts due to the Commission from the State (First 5 California Children & Families Commission) as of June 30, 2019 for amounts allocated but not received.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Outstanding Warrants

Outstanding warrants represent the amount of warrants issued but not yet presented to the County for payment. When warrants are mailed, expenditures are recorded in the Commission's fund and an outstanding warrant liability is created, pending payment of the warrant.

Accounts Payable

Accounts payable represents the balance owed for goods received and/or services rendered.

Due to County

Due to County represents amounts owed to the County of Solano for grantee services provided by the Department of Health and Social Services.

Due to Other Agencies

Due to other agencies represents amounts owed to grantees outside the reporting entity.

Capital Assets

Capital assets, which include construction in progress and tenant improvements, are reported in the governmental activities. Capital assets are defined by the Commission as assets with an initial cost of \$5,000 and an estimated useful life in excess of one year. Such capital assets are recorded at historical cost or estimated historical cost if purchased or constructed. Tenant improvements are depreciated using the straight-line method over the shorter of the lease term of the estimated useful life of 10-40 years.

NOTE 2 – COMPENSATED ABSENCES

Changes in compensated absences for the fiscal year ended June 30, 2019, was as follows:

	Balance July 1, 2018	Additions	Retirements	June 30, 2019	Amounts Due Within One Year
Compensated absences	\$ 31,657	\$ 38,469	\$ 30,936	\$ 39,190	\$ 28,552
Total compensated absences	<u>\$ 31,657</u>	<u>\$ 38,469</u>	<u>\$ 30,936</u>	<u>\$ 39,190</u>	<u>\$ 28,552</u>

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 3 – OPERATING LEASES

In March 2019, the Commission entered into a five-year operating lease for the rental of office space in Vallejo. The lease commencement date is based on the later of July 1, 2019 or on the notice of occupancy, which the Commission expects to occur in November 2019. Therefore, no lease payments were made during the fiscal year ended June 30, 2019.

The future minimum lease payments required for this operating lease is as follow:

Fiscal Year Ended June 30	Amount
2020	\$ 82,392
2021	126,060
2022	129,842
2023	133,737
2024	137,749
2025	46,366
	<u>\$ 656,146</u>

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the fiscal year ended June 30, 2019 is as follows:

	Balance July 1, 2019	Additions	Deletions	Balance 30-Jun-19
Capital assets, not being depreciated				
Construction in progress - tenant improvements	\$ -	\$ 176,690	\$ -	\$ 176,690
Total capital assets, not being depreciated	<u>\$ -</u>	<u>\$ 176,690</u>	<u>\$ -</u>	<u>\$ 176,690</u>

NOTE 5 – DEFINED BENEFIT PENSION PLAN

Plan Description - The Commission employees participate in the County of Solano's Miscellaneous defined benefit pension plan administered by the State of California Public Employees' Retirement System (CalPERS), an agent multiple-employer public employee retirement system that acts as a common investment and administrative agent for California cities and governmental jurisdictions, which participate in this retirement plan. For financial reporting purposes, the Commission reports a proportionate share of the County's collective net pension liability, pension expense, and deferred inflows and outflows. Accordingly, the disclosures and required supplementary information have been reported for the Commission as a cost sharing participant.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 5 – DEFINED BENEFIT PENSION PLAN (Continued)

Benefits Provided - CalPERS provides service retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries. Benefits are based on years of credited service, equal to one year of full time employment. All members are eligible for non-duty disability benefits after 10 years of service. The death benefit is one of the following: the Basic Death Benefit, the 1957 Survivor Benefit, or the Optional Settlement 2W Death Benefit. The cost of living adjustments for each plan are applied as specified by the Public Employees' Retirement Law.

Contributions - Rates for the County's contributions are set by CalPERS based upon annual experience of County members and on periodic actuarial valuations. The contribution rate for the Commission is established by the County of Solano (County). The Commission contributes the full amount of the employees' 7.508 percent share of contributions after five years of CalPERS qualifying experience. The employer contribution rate for the fiscal year ended June 30, 2019, is 10.240 percent. For the fiscal year ended June 30, 2019, the Commission was required to contribute \$132,060 to the County.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2019, the Commission reported a liability of \$1,237,289 for its proportionate share of the County's net pension liability. The net pension liability was measured as of June 30, 2019, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2017. The Commission's proportion of the County's net pension liability was based on the Commission's FY 2018 actual contributions to the County's pension plan relative to the total contributions of the County as a whole. At June 30, 2018, the Commission's proportionate share was 0.3225 percent and at June 30, 2019 the Commission's proportionate share was 0.3376 percent, an increase of 0.0151 percent.

For the year ended June 30, 2019, the Commission recognized pension expense of \$213,342. At June 30, 2019, the Commission reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes in assumptions	\$ 97,560	\$ 26,516
Difference between expected and actual experience	18,324	16,859
Net difference between projected and actual earnings on pension plan investments	7,696	-
Employer contributions paid by the Commission subsequent to the measurement date	132,060	-
Total	<u>\$ 255,640</u>	<u>\$ 43,375</u>

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 5 – DEFINED BENEFIT PENSION PLAN (Continued)

\$132,060 reported as deferred outflows of resources related to the Commission's contributions to the County's plan subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to the Commission's proportion of the County's pension plan will be recognized in pension expense as follows:

Year ended June 30,	
2020	\$ 107,599
2021	19,465
2022	(37,439)
2023	(9,420)
Total	<u>\$ 80,205</u>

Actuarial assumptions - The Commission's proportion of the County's total pension liability in the June 30, 2017 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Actuarial valuation date	June 30, 2017
Measurement date	June 30, 2018
Actuarial cost method	Entry-Age Normal Cost Method
Actuarial Assumptions:	
Discount Rate	7.15%
Inflation	2.75%
Projected Salary increases	Varies by Entry Age and Service
Payroll Growth:	3.00%

The mortality table used was developed based on CalPERS's specific data. The table includes 20 years of mortality improvements using Society of Actuaries Scale BB. For more details on this table, please refer to the 2016 experience study report available on CalPERS website at www.calpers.ca.gov.

All other actuarial assumptions used in the June 30, 2017 valuation were based on the results of an actuarial experience study for the period from 1997 to 2015, including updates to salary increase, mortality and retirement rates. The Experience Study report can be obtained at CalPERS' website under Forms and Publications.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS JUNE 30, 2019

NOTE 5 – DEFINED BENEFIT PENSION PLAN (Continued)

The long term expected rate of return on pension plan investments was determined using a building block method in which best estimates ranges of expected future real rates of return (expected returns, net of plan investment expense and inflation) are developed for each major asset class. In determining the long-term expected rate of return, CalPERS staff took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Such cash flows were developed assuming that both members and employers will make their required contributions on time and as scheduled in all future years. Using historical returns of all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11-60 years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equivalent to the single equivalent rate calculated above and rounded down to the nearest one quarter of one percent.

The table below reflects the long-term expected real rate of return by asset class net of administrative expenses:

Asset Class	Target Allocation	Real Return, Years 1 -10	Real Return 11+
Global equity	50.0%	4.80%	5.98%
Fixed income	28.0%	1.00%	2.62%
Inflation assets	0.0%	0.77%	1.81%
Private equity	8.0%	6.30%	7.23%
Real assets	13.0%	3.75%	4.93%
Liquidity	1.0%	0.00%	-0.92%
	<u>100.00%</u>		

Discount rate - The discount rate used to measure the total pension liability was 7.15 percent. To determine whether the municipal bond rate should be used in the calculation of a discount rate for each plan, CalPERS stress tested plans that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing of the plans, the tests revealed the assets would not run out. Therefore, the current 7.15 percent discount rate is appropriate, and the use of the municipal bond rate calculation is not deemed necessary. The long-term expected discount rate of 7.15 percent is applied to all plans in the Public Employees Retirement Fund. The stress test results are presented in a detailed report called "GASB Crossover Testing Report" that can be obtained at CalPERS' website under the GASB 68 section.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 5 – DEFINED BENEFIT PENSION PLAN (Continued)

Sensitivity of the Commission's proportionate share of the County's net pension liability to changes in the discount rate - The following table presents the Commission's proportionate share of the County's net pension liability calculated using the discount rate of 7.15 percent, as well as what the Commission's proportionate share of the County's net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.15%) or 1-percentage-point higher (8.15%) than the current rate:

	1.00% Decrease (6.15%)	Current Discount Rate (7.15%)	1.00% Increase (8.15%)
Commission's proportionate share of the County's net pension liability	\$ 1,971,961	\$ 1,327,469	\$ 792,081

Pension plan fiduciary net position - Detailed information about the County's collective net pension liability is available in the County's separately issued Comprehensive Annual Financial Report (CAFR). The County of Solano's financial statements may be obtained by contacting the County of Solano, Auditor-Controller's Office at 675 Texas Street, Suite 2800, Fairfield, California 94533 or visiting the County's website at https://www.solanocounty.com/depts/auditor/finance_reports.asp.

Detailed information about the CalPERS fiduciary net position is available in a separately issued CalPERS comprehensive annual financial report. Copies of the CalPERS annual report may be obtained from CalPERS Headquarters, Lincoln Plaza North, 400 Q Street, Sacramento, California 95811, or visiting www.calpers.ca.gov.

NOTE 6 – OTHER POST EMPLOYMENT BENEFITS (OPEB)

Plan Description

The Commission participates in County of Solano Multi-Employer Defined Benefit Healthcare Plan administered by the CalPERS. The plan provides postemployment healthcare benefits to eligible retirees by contributing a minimum of \$133 per month towards medical insurance benefits. This benefit is provided based on the Board of Supervisor's election to participate under the Public Employees' Medical and Hospital Care Act (PEMHCA) [Government Code Section 22750]. The County's Board may elect to pay more than the minimum contribution; however, the County's Board has elected to pay the minimum contribution of \$133 per month per eligible retiree. The County has not executed a formal plan document that provides for these benefits and the plan does not have a name.

In addition, the County established an irrevocable trust to pre-fund the other postemployment Annual Required Contribution benefits with the Public Agency Retirement Services (PARS). The PARS financial statements and additional reports can be obtained from the PARS website at <http://www.PARS.org>.

For financial reporting purposes, the Commission reports a proportionate share of the County's collective net OPEB liability, OPEB expense, and deferred inflows and outflows of resources. Accordingly, the disclosures and required supplementary information have been reported for the Commission as a cost sharing participant.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 6 – OTHER POST EMPLOYMENT BENEFITS (OPEB) (Continued)

Contributions

The plan and its contribution requirements are established by memorandums of understanding with the applicable employee bargaining units and may be amended by agreements between the County and the bargaining units. The annual contribution is based on the actuarially determined contribution. Currently, plan members are required to pay the balance of the premiums.

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

At June 30, 2019, the Commission reported a liability of \$46,029 for its proportionate share of the net OPEB liability. The net OPEB liability was measured as of June 30, 2018, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of January 1, 2017. The Commission's proportion of the net OPEB liability was based on a projection of the Commission's contributions to the OPEB plan relative to the projected contributions of all participating member agencies. At June 30, 2018, the Commission's proportionate share was 0.2434 percent and at June 30, 2019 the Commission's proportionate share was 0.2154 percent, a decrease of 0.00028 percent.

For the year ended June 30, 2019, the Commission recognized OPEB expense of \$8,336. At June 30, 2019, the Commission reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
OPEB contributions subsequent to measurement date	\$ 12,302	\$ -
Net difference between projected and actual earnings on plan investments	-	2,160
Total	<u>\$ 12,302</u>	<u>\$ 2,160</u>

\$12,302 reported as deferred outflows of resources related to the Commission's contributions subsequent to the measurement date will be recognized as a reduction of the net OPEB liability in the year ended June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year ended June 30,	Amortization
2020	\$ (687)
2021	(687)
2022	(687)
2023	(99)
Total	<u>\$ (2,160)</u>

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 6 – OTHER POST EMPLOYMENT BENEFITS (OPEB) (Continued)

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB (Continued)

Actuarial Assumptions – The total OPEB liability in the January 1, 2017 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Actuarial Cost Method	Entry-Age Normal Cost Method
Actuarial Assumptions:	
Valuation Date	January 1, 2017
Discount Rate	6.00%
Inflation	2.75%
Investment Rate of Return	6.00%
Medical Trend	Non-Medicare - 7.5% for 2019, decreasing to an ultimate rate of 4.0% in 2076 and later years
	Medicare - 6.5% for 2019, decreasing to an ultimate rate of 4.0% in 2067 and later years
Mortality Improvement	Mortality projected fully generational with Scale MP-2016
Salary Increase	3%
Healthcare Participation	50%

Discount Rate – The discount rate used to measure the total OPEB liability was 6.00 percent for the plan. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that the Commission's contributions will be made at rates equal to the difference between actuarially determined contributions rates and the employee rate. Based on those assumptions, the plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 6 – OTHER POST EMPLOYMENT BENEFITS (OPEB) (Continued)

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB (Continued)

The long-term expected rate of return on plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of OPEB plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target asset allocation and most recent best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Global Equity	58.0%	4.82%
Fixed Income	35.0%	1.47%
Cash	5.0%	0.06%
REITs	2.0%	3.76%
Total	100%	

Sensitivity of the Commission's Proportionate Share of the Net OPEB Liability to Changes in the Discount Rate – The following presents the Commission's proportionate share of the net OPEB liability, as well as what the Commission's proportionate share of the net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.0%) or 1-percentage-point higher (7.0%) than the current discount rate:

	1% Decrease (5.0%)	Discount Rate (6.0%)	1% Increase (7.0%)
Net OPEB Liability	\$ 64,788	\$ 46,029	\$ 31,699

Sensitivity of the Commission's Proportionate Share of the Net OPEB liability to Changes in the Healthcare Cost Trend Rates – The following presents the Commission's proportionate share of the net OPEB liability, as well as what the Commission's proportionate share of the net OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	1% Decrease	Current Trend Rate*	1% Increase
Net OPEB Liability	\$ 28,053	\$ 46,029	\$ 69,808

* Non-Medicare trend rate of 7.5%, decreasing to an ultimate rate of 4.0% in 2076.

Medical trend rate of 6.5%, decreasing to an ultimate rate of 4.0% in 2076.

OPEB Plan Fiduciary Net Position – Detailed information about the OPEB plan's fiduciary net position is available in the separately issued CalPERS financial reports.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 7 – PROGRAM EVALUATION

In accordance with the *Standards and Procedures for Audits of California Counties Participating in the California Children and Families Program*, issued by the California State Controller, the Commission is required to disclose the amounts expended during the fiscal year on program evaluation. Program evaluation costs pertain to those activities undertaken to support the collection, production, analysis and presentation of evaluation information for Commission management, Commissioners and other interested parties.

For the year ended June 30, 2019, the Commission spent \$110,850 on program evaluation.

NOTE 8 – RISK MANAGEMENT

The Commission through Solano County carries coverage administered through the Solano County Risk Management Division, for all risks under a multi-peril policy, including accident and property, workers' compensation, and general liability insurance programs.

Solano County also participates in the California State Association of Counties-Excess Insurance Authority (CSAC-EIA), a joint powers authority created to provide self-insurance programs for California counties.

NOTE 9 – RELATED PARTY TRANSACTIONS

The legally required composition of the Children and Families Commission includes a County Supervisor, two County Health & Social Services staff members and representatives of agencies and constituencies concerned with children. Some the programs funded by the Commission are operated by organizations represented by Commissioners. Commissioners abstain from voting on and participating in discussions directly related to their respective organizations. Below is a list of Commissioner/organization relations and agreements:

Related Party	Fiscal Year 2018/19	
	Expenses	
County of Solano	\$	120,154
Solano County Office of Education		377,632

The Commission incurred expense of \$100,000 for Early Periodic Screening Diagnosis and Treatment and \$20,154 for Dental Services provided by the County of Solano department of Health and Social Services in fiscal year 2018/19.

The Commission incurred expenses of \$243,153 for services provided related to the Improve and Maximize Programs so All Children Thrive (IMPACT) program, \$28,131 for the Solano Kids Thrive program, \$27,475 for the Center for Social and Emotional Foundations for Early Learning training, \$7,000 for Triple P – Positive Parenting Program, and \$71,873 for the Raising a Reader program provided by the Solano County Office of Education in fiscal year 2018/19.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

NOTE 9 – RELATED PARTY TRANSACTIONS (Continued)

Related Party	Fiscal Year 2018/19 Revenues
County of Solano	\$ 410,128

The Commission earned revenues in the amounts of \$346,381 for Mental Health Services, \$15,000 for Non-Profit Capacity Building, \$13,747 for Contracts Training, and \$35,000 for Resilience Strategic Plan services provided to the County of Solano Department of Health and Social Services in fiscal year 2018/19.



REQUIRED SUPPLEMENTARY INFORMATION

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE GENERAL FUND BUDGET AND ACTUAL FOR THE YEAR ENDED JUNE 30, 2019

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Adopted	Final		
Revenues:				
Intergovernmental revenues	\$ 3,508,755	\$ 3,508,755	\$ 3,625,856	\$ 117,101
Charges for services	734,685	769,685	454,418	(315,267)
Investment income	98,113	98,113	174,281	76,168
Donations/grants	5,000	95,000	96,990	1,990
Capital grants and contributions	-	500,000	525,000	(25,000)
Total revenues	4,346,553	4,971,553	4,876,545	(145,008)
Expenditures:				
Current				
Strategic plan implementation				
Employee services	991,524	991,524	945,331	46,193
Program evaluation costs	140,000	140,000	110,850	29,150
Countywide admin overhead	44,600	44,600	44,600	-
Interfund services	22,300	18,300	31,431	(13,131)
Professional & specialized services	99,738	99,738	61,182	38,556
Rents & leases	56,054	56,054	71,463	(15,409)
Memberships	7,500	7,500	7,354	146
Transportation & travel	10,400	10,400	9,063	1,337
Communication	6,035	6,035	5,853	182
Insurance	7,353	7,353	7,353	-
Special departmental expense	4,725	4,725	7,650	(2,925)
Supplies	4,000	4,000	2,999	1,001
Meals/Refreshments	2,000	2,000	3,682	(1,682)
Non capitalized equipment	13,500	13,500	4,363	9,137
Miscellaneous	4,250	4,250	6,531	(2,281)
Total strategic plan implementation expenditures	1,413,979	1,409,979	1,319,705	90,274
Grants				
Family support	625,000	625,000	306,697	318,303
Early mental health	1,225,000	1,225,000	450,554	774,446
Child care and development	378,313	378,313	340,645	37,668
Annual grants	327,000	327,000	161,667	165,333
Pre K academy	200,000	200,000	187,828	12,172
Systems change	287,000	377,000	222,074	154,926
Community engagement	102,000	102,000	83,518	18,482
Co-sponsorship of conferences	25,000	25,000	9,650	15,350
Help me grow	200,000	200,000	200,000	-
Oral health	-	-	20,154	(20,154)
Total grant expenditures	3,369,313	3,459,313	1,982,787	1,476,526
Capital outlay				
Tenant improvements	-	200,000	176,690	23,310
Total capital outlay expenditures	-	200,000	176,690	23,310
Total expenditures	4,783,292	5,069,292	3,479,182	1,590,110
Net change in fund balance	(436,739)	(97,739)	1,397,363	1,445,102
Fund balance - beginning	8,353,676	8,353,676	8,353,676	
Fund balance - ending	\$ 7,916,937	\$ 8,255,937	\$ 9,751,039	

The notes to the required supplementary information are an integral part of this schedule.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

SCHEDULE OF THE COMMISSION'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY FOR THE YEAR ENDED JUNE 30, 2019

LAST TEN YEARS*

	2019	2018	2017	2016	2015
Commission's proportion of the net pension liability	\$ 1,327,469	\$ 1,139,189	\$ 1,347,787	\$ 1,129,735	\$ 1,370,818
Commission's proportionate share of the County's net pension liability	0.3376%	0.3225%	0.3307%	0.4065%	0.4228%
Commission's covered payroll	\$ 570,009	\$ 517,198	\$ 586,638	\$ 568,283	\$ 560,411
Commission's proportionate share of the County's net pension liability as a percentage of covered payroll	232.89%	220.26%	229.75%	198.80%	244.61%
Plan fiduciary net position as a percentage of the total pension liability	73.40%	72.12%	72.73%	77.48%	79.35%
Measurement date:	June 30, 2018	June 30, 2017	June 30, 2016	June 30, 2015	June 30, 2014

Notes to Schedule:

* Fiscal year 2015 was the first year of implementation of GASB 68, therefore, only five years are shown.

Changes of Assumptions: The discount rate was changed from 7.65% (June 30, 2016 measurement date) to 7.15% (June 30, 2017 measurement date). In 2016, there were no changes. In 2015, amounts reflected an adjustment of the discount rate from 7.5% (net of administrative expense) to 7.65% (without a reduction for pension plan administrative expense). In 2014, amounts reported were based on the 7.5% discount rate.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

SCHEDULE OF PENSION CONTRIBUTIONS FOR THE YEAR ENDED JUNE 30, 2019

LAST TEN YEARS*

	2019	2018	2017	2016	2015
Actuarially determined contributions	132,060	172,253	392,311	268,681	104,947
Contributions in relation to the actuarially determined contribution	132,060	172,253	392,311	268,681	104,947
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -
Commission's covered payroll	\$ 549,380	\$ 570,009	\$ 517,198	\$ 586,638	\$ 568,283
Contributions as a percentage of covered payroll	24.04%	30.22%	75.85%	45.80%	18.47%

Notes to Schedule:

* Fiscal year 2015 was the first year of implementation of GASB 68, therefore, only five years are shown.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION**SCHEDULE OF THE COMMISSION'S PROPORTIONATE SHARE OF
THE NET OPEB LIABILITY
FOR THE YEAR ENDED JUNE 30, 2019****LAST TEN YEARS***

	2019	2018
Commission's proportion of the net OPEB liability	\$ 46,029	\$ 56,023
Commission's proportionate share of the net OPEB liability	0.2154%	0.2434%
Commission's covered payroll	570,009	517,198
Commission's proportionate share of the net OPEB liability as a percentage of its covered payroll	8.08%	10.83%
Plan fiduciary net position as a percentage of the total OPEB liability	65.40%	60.10%
Measurement Date	June 30, 2018	June 30, 2017

* Fiscal year 2018 was the first year of implementation of GASB 75, therefore, only two years are shown.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

**SCHEDULE OF OPEB CONTRIBUTIONS
FOR THE YEAR ENDED JUNE 30, 2019**

LAST TEN YEARS*

	2019	2018
Contractually determined contribution	\$ 12,302	\$ 13,638
Contributions in relation to the contractually determined contributions	12,302	13,638
Contribution deficiency (excess)	\$ -	\$ -
Covered payroll	549,380	570,009
Contributions as a percentage of covered payroll	2.24%	2.39%

* Fiscal year 2018 was the first year of implementation of GASB 75, therefore, only two years are shown.

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

NOTES TO REQUIRED SUPPLEMENTARY INFORMATION FOR THE YEAR ENDED JUNE 30, 2019

Budgetary Information

The Commission shall conform to Solano County Code§ 7.3 for the First 5 Solano Children and Families Commission by approving a budget for the fiscal year in accordance with the Solano County annual budget calendar. The budget shall include anticipated revenues to the First 5 Solano Children & Families Trust Fund and shall provide for carrying out the adopted strategic plan. The budget shall be transmitted to the County Administrator for inclusion in the Final Budget of Solano County.

In accordance with provisions of Sections 29000-29144 of the California Government Code and other statutory provisions, commonly known as the County Budget Act, the County prepares and legally adopts a final balanced budget each fiscal year by July 1.

An operating budget prepared on the modified accrual basis is adopted each fiscal year.

Expenditures are controlled at the object level for all departments within the County except for capital outlay expenditures, which are controlled at the sub object level. The legal level of budgetary control is at the department level. This is the level at which expenditures may not legally exceed appropriations.



SUPPLEMENTARY INFORMATION

FIRST 5 SOLANO CHILDREN AND FAMILIES COMMISSION

**SCHEDULE OF EXPENSES BY FUND SOURCE AND
NET POSITION OF SCCFC FUNDS FOR FIRST 5 PROGRAMS AND ACTIVITIES
YEAR ENDED JUNE 30, 2019**

<u>Program</u>	<u>Source</u>	<u>Revenue CCFC Funds</u>	<u>Expenses</u>	<u>Change in Net Position</u>	<u>Net Position Beginning of Year</u>	<u>Net Position End of Year</u>
IMPACT	SCCFC Program Funds	\$ 258,195	\$ 258,195	\$ -	\$ -	\$ -



**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED
ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

To the Board of Commissioners
First 5 Solano Children and Families Commission
Fairfield, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and the general fund of the First 5 Solano Children and Families Commission (Commission), a component unit of the County of Solano, California, as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements, and have issued our report thereon dated October 3, 2019.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Commission's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Commission's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in cursive script that reads "Erik Bailly LLP".

Sacramento, California
October 3, 2019



INDEPENDENT AUDITOR'S REPORT ON STATE COMPLIANCE

To the Board of Commissioners
First 5 Solano Children and Families Commission
Fairfield, California

Compliance

We have audited the First 5 Solano Children and Families Commission's (Commission), a component unit of the County of Solano, California, compliance with the requirements specified in the State of California's *Standards and Procedures for Audits of Local Entities Administering the California Children and Families Act*, issued by the State Controller's Office, applicable to the Commission's statutory requirements identified below for the year ended June 30, 2019.

Management's Responsibility

Management is responsible for compliance with the requirements of the laws and regulations applicable to the California Children and Families Act.

Auditor's Responsibility

Our responsibility is to express an opinion on the Commission's compliance with the requirements referred to above based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, and the State of California's *Standards and Procedures for Audits of Local Entities Administering the California Children and Families Act*, issued by the State Controller's Office. Those standards and the State of California's *Standards and Procedures for Audits of Local Entities Administering the Children and Families Act* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the requirements referred to above that could have a direct and material effect on the statutory requirements listed below. An audit includes examining, on a test basis, evidence about the Commission's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance. However, our audit does not provide a legal determination of the Commission's compliance with those requirements. In connection with the audit referred to above, we selected and tested transactions and records to determine the Commission's compliance with the state laws and regulations applicable to the following items:

<u>Description</u>	<u>Audit Guide Procedures</u>	<u>Procedures Performed</u>
Contracting and Procurement	6	Yes
Administrative Costs	3	Yes
Conflict-of-Interest	3	Yes
County Ordinance	4	Yes
Long-range Financial Plans	2	Yes
Financial Condition of the Commission	1	Yes
Program Evaluation	3	Yes
Long-range Financial Plans	2	Yes

Opinion

In our opinion, the Commission complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on the California Children and Families Program for the year ended June 30, 2019.

Purpose of Report

The purpose of this report on compliance is solely to describe the scope of our testing over compliance and the results of that testing based on the State of California's *Standards and Procedures for Audits of Local Entities Administering the California Children and Families Act*, issued by the Controller's Office. Accordingly, this report is not suitable for any other purpose.

Eide Bailly LLP

Sacramento, California
October 3, 2019



Solano County

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

Agenda Submittal

Agenda #:	16	Status:	Consent Calendar
Type:	Contract	Department:	Health and Social Services
File #:	19-797	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Approve a contract with Community Medical Centers for \$101,600 to provide health care services to the indigent population in the community health centers for the period of November 1, 2019 through April 30, 2020; and Authorize the County Administrator to execute the contract		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Contract		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Health and Social Services (H&SS) recommends that the Board approve a contract with Community Medical Centers for \$101,600 to provide health care services to the indigent population in the community health centers for the period of November 1, 2019 through April 30, 2020; and Authorize the County Administrator to execute the contract.

SUMMARY/DISCUSSION

On August 6, 2019, the Board of Supervisors approved a re-budget of \$197,500 for FY2019/20 a non-county contribution to fund the community health clinics' primary care services to uninsured clients, funded by excess fund balance, as part of the year end closeout process for FY2018/19. The recommended contract with Community Medical Centers for \$101,600 is one of three contracts for uninsured. There are two additional contracts: one with La Clinica de la Raza for \$55,900 has been processed through the County Administrator and the other, with Planned Parenthood for \$39,900, is in process and pending signature from the vendor.

With approval of the proposed contracts for FY2019/20 it is anticipated that the community health centers will serve nearly 2,000 uninsured, indigent clients in Solano County. The contract with Community Medical Centers for 9 months terms from October 1, 2019 through June 30, 2020.

FINANCIAL IMPACT:

The contract with Community Health Centers is funded with County General Funds, approved by the Board on August 6, 2019. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board may choose not to approve the contracts with Community Health Centers for indigent health care services. This is not recommended because these funds provide health care services to the uninsured population.

OTHER AGENCY INVOLVEMENT:

H&SS worked with the County Administrator's Office and County Counsel to develop the contracts.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION



**County of Solano
Standard Contract**

For County Use Only
CONTRACT NUMBER:
03899-20
Dept., Division, FY, #)
H&SS, PH
BUDGET ACCOUNT:
7503
SUBJECT ACCOUNT:
3701

1. This Contract is entered into between the County of Solano and the Contractor named below:

Community Medical Centers, Inc.

CONTRACTOR'S NAME

2. The Term of this Contract is:

10/1/2019 to 06/30/2020

3. The maximum amount of this Contract is:

\$ 101,600

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of this Contract:




Exhibit A – Scope of Work

Exhibit B – Budget Detail and Payment Provision

Exhibit C – General Terms and Conditions

Exhibit D – Special Terms and Conditions

This Contract is made on September 10, 2019.

CONTRACTOR	COUNTY OF SOLANO
Community Medical Centers, Inc. CONTRACTOR'S NAME	
<u>Christine Noguera</u>  09/17/2019 09:26 AM EDT SIGNATURE	<u>Birgitta E. Corsello</u> DATED <u>County Administrator</u> TITLE
Christine Noguera, CEO PRINTED NAME AND TITLE	<u>275 Beck Avenue</u> ADDRESS
7210 Murray Drive ADDRESS	<u>Fairfield</u> <u>CA</u> <u>94533</u> CITY STATE ZIP CODE
Stockton, CA 95210 CITY STATE ZIP CODE	Approved as to Content: <u>Bela Matyas</u>  DEPARTMENT HEAD OR DESIGNEE
	Approved as to Form: <u>Bernadette Curry</u>  COUNTY COUNSEL

Rev. 1/09/08

CONTRACT MUST BE EXECUTED BEFORE WORK CAN COMMENCE

EXHIBIT A
SCOPE OF WORK

1. WORK ACTIVITIES

Contractor will:

- A. Provide primary medical care by a licensed medical practitioner, under the direction of the Contractor's Medical Director, for any indigent child or adult who is a Solano County resident and who has no third-party payor for physical examination or laboratory testing.
- B. Enter all of the health service's claims data into the Virtual Clinical Network (VCN) through Partnership HealthPlan of California (PHC).
- C. Verify that each client has no other type of healthcare coverage and assist the client in applying for Covered California, Medi-Cal, or County Medical Services Program (CMSP), if eligible.
- D. Render services provided under this Contract during the Contractor's regular business hours.

2. REPORTING REQUIREMENTS

Contractor will:

- A. Submit to the County Contract Manager and HSS an invoice for three quarters for services provided under this Contract for the previous quarter. The invoice must indicate the number of indigent Solano County resident clients served who had no third-party payor for their physical examination or laboratory testing and were not eligible to receive Medi-Cal, CMSP or other healthcare coverage. For each invoice, the County will compensate the Contractor for services provided to these clients under this rate set forth in Exhibit B per medical visit, for a maximum of one-third of the annual visits and to a maximum amount of compensation of one-third of the annual limit for compensation indicated in Exhibit B.
 - i. For the period October, November and December, the invoice will be submitted by January 15, 2020.
 - ii. For the period January, February and March, the invoice will be submitted by April 15, 2020.
 - iii. For the period April, May and June, the invoice will be submitted by July 15, 2020.
- B. Submit to the County Contract Manager, through the Community Clinic Consortium, three reports that includes the number of clients seen by the Contractor during the previous fiscal year who are residents of Solano County, broken down by healthcare payor source, including at least the following: uninsured, Medi-Cal, CMSP, self-pay, and private healthcare insurance. Also, include in this report the number of clients assisted with applying for Covered California, Medi-Cal, or CMSP.
- C. Submit to the County Contract Manager, through the Community Clinic Consortium, a report identifying the average wait-time for an appointment during the previous six months for clients seen by the Contractor, for both pediatric and adult clients.
 - i. For the time period October, November and December activities, the report is due on January 15, 2020.
 - ii. For the time period January, February and March activities, the report is due on April 15, 2020.
 - iii. For the time period April, May and June activities, the report is due on July 15, 2020.

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. BUDGET DETAILS

County will compensate Contractor for services provided under this Contract at a rate of \$100 per medical visit, for a maximum of 1016 visits, to a maximum amount of compensation of \$101,600. Medical visits will include both the physical examination and lab work.

2. METHOD OF PAYMENT

Upon submission of a Solano County vendor claim and an invoice by Contractor, and upon review and approval of County's representative, County will pay Contractor in arrears for fees and expenses incurred the prior quarter, or upon demonstrated completion of deliverables, as applicable, up to the maximum amount provided for on the Standard Contract. Each invoice must specify services rendered to a client, date of service and the accrued charges. Contractor must document all expenses submitted to County for payment under this Contract by maintaining complete and accurate records of all financial transactions related to the services performed under this Contract including, but not limited to, invoices, receipts, time sheets, itemized cost lists, and other official documentation that sufficiently support all charges under this Contract. Contractor shall submit timely reports per Exhibit A. The final invoice is due by July 15, 2020.

EXHIBIT C
GENERAL TERMS AND CONDITIONS

1. CLOSING OUT

A. County will pay Contractor's final request for payment providing Contractor has paid all financial obligations undertaken pursuant to this Contract or any other contract and/or obligation that Contractor may have with the County. If Contractor has failed to pay any obligations outstanding, County will withhold from Contractor's final request for payment the amount of such outstanding financial obligations owed by Contractor. Contractor is responsible for County's receipt of a final request for payment 30 days after termination of this Contract.

B. A final undisputed invoice shall be submitted for payment no later than ninety (90) calendar days following the expiration or termination of this Contract, unless a later or alternate deadline is agreed to in writing by the County. The final invoice must be clearly marked "FINAL INVOICE", thus indicating that all payment obligations of the County under this Contract have ceased and that no further payments are due or outstanding.

C. The County may, at its discretion, choose not to honor any delinquent final invoice if the Contractor fails to obtain prior written approval of an alternate final invoice submission deadline. Written County approval for an alternate final invoice submission deadline shall be sought from the County prior to the expiration or termination of this Contract.

2. TIME

Time is of the essence in all terms and conditions of this Contract.

3. TIME OF PERFORMANCE

Work will not begin, nor claims paid for services under this Contract until all Certificates of Insurance, business and professional licenses/certificates, IRS ID number, signed W-9 form, or other applicable licenses or certificates are on file with the County's Contract Manager.

4. TERMINATION

A. This Contract may be terminated by County or Contractor, at any time, with or without cause, upon 30 days' written notice from one to the other.

B. County may terminate this Contract immediately upon notice of Contractor's malfeasance.

C. Following termination, County will reimburse Contractor for all expenditures made in good faith that are unpaid at the time of termination not to exceed the maximum amount payable under this Contract unless Contractor is in default of this Contract.

5. SIGNATURE AUTHORITY

The parties executing this Contract certify that they have the proper authority to bind their respective entities to all terms and conditions set forth in this Contract.

6. REPRESENTATIONS

A. County relies upon Contractor's professional ability and training as a material inducement to enter into this Contract. Contractor represents that Contractor will perform the work according to generally accepted professional practices and standards and the requirements of applicable federal, state and local laws. County's acceptance of Contractor's work shall not constitute a waiver or release of Contractor from professional responsibility.

B. Contractor further represents that Contractor possesses current valid appropriate licensure, including, but not limited to, driver's license, professional license, certificate of tax-exempt status, or permits, required to perform the work under this Contract.

7. INSURANCE

A. Without limiting Contractor's obligation to indemnify County, Contractor must procure and maintain for the duration of the Contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work under this Contract and the results of that work by Contractor, Contractor's agents, representatives, employees or subcontractors.

B. Minimum Scope of Insurance

Coverage must be at least as broad as:

- (1) Insurance Services Office Commercial General Liability coverage (occurrence Form CG 00 01).
- (2) Insurance Services Office Form Number CA 00 01 covering Automobile Liability, Code 1 (any auto).
- (3) Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

C. Minimum Limits of Insurance

Contractor must maintain limits no less than:

- | | | |
|--|---|---|
| (1) General Liability: | \$2,000,000 | per occurrence for bodily injury, personal injury and property damage, or the full per occurrence limits of the policy, whichever is greater. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. |
| (Including operations, products and completed operations.) | | |
| (2) Automobile Liability: | \$1,000,000 | per accident for bodily injury and property damage. |
| (3) Workers' Compensation: | As required by the State of California. | |
| (4) Employer's Liability: | \$1,000,000 | per accident for bodily injury or disease. |

D. Additional Insurance Coverage

To the extent coverage is applicable to Contractor's services under this Contract, Contractor must maintain the following insurance coverage:

- | | | |
|-----------------------------|--------------------|--|
| (1) Cyber Liability: | \$1,000,000 | per incident with the aggregate limit twice the required limit to cover the full replacement value of damage to, alteration of, loss of, or destruction of electronic data and/or information property of the County that will be in the care, custody or control of Contractor under this Contract. |
| (2) Professional Liability: | \$2,000,000 | combined single limit per claim and in the aggregate. The policy shall remain in full force and effect for no less than 5 years following the completion of work under this Contract. |

E. If Contractor maintains higher limits than the minimums shown above, County is entitled to coverage for the higher limits maintained by Contractor. Any insurance proceeds in excess of the specified limits and coverage required, which are applicable to a given loss, shall be available to the County. No representation is made that the minimums shown above are sufficient to cover the indemnity or other obligations of the Contractor under this Contract.

F. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by County. At the option of County, either:

(1) The insurer will reduce or eliminate such deductibles or self-insured retentions with respect to County, its officers, officials, agents, employees and volunteers; or

(2) Contractor must provide a financial guarantee satisfactory to County guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

G. Other Insurance Provisions

(1) The general liability and automobile liability policies must contain, or be endorsed to contain, the following provisions:

(a) The County of Solano, its officers, officials, agents, employees, and volunteers must be included as additional insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of Contractor; and with respect to liability arising out of work or operations performed by or on behalf of Contractor including materials, parts or equipment furnished in connection with such work or operations. General Liability coverage shall be provided in the form of an Additional Insured endorsement (CG 20 10 11 85 or both CG 20 10 and CG 20 37 if later ISO revisions are used or the equivalent) to Contractor's insurance policy, or as a separate owner's policy. The insurance afforded to the additional insureds shall be at least as broad as that afforded to the first named insured.

(b) For any claims related to work performed under this Contract, Contractor's insurance coverage must be primary insurance with respect to the County of Solano, its officers, officials, agents, employees, and volunteers. Any insurance maintained by County, its officers, officials, agents, employees, or volunteers in excess of Contractor's insurance and shall not contribute to it.

(2) If Contractor's services are technologically related, Professional Liability coverage shall include, but not be limited to claims involving infringement of intellectual property, copyright, trademark, invasion of privacy violations, information theft, release of private information, extortion and network security. The policy shall provide coverage for breach response costs as well as regulatory fines and penalties as well as credit monitoring expenses with limits sufficient to respond to such obligations. The policy shall also include, or be endorsed to include, property damage liability coverage for damage to, alteration of, loss of, or destruction of electronic data and/or information "property" of the County in the care, custody, or control of the Contractor. If not covered under the Contractor's Professional Liability policy, such "property" coverage of the County may be endorsed onto the Contractor's Cyber Liability Policy.

(3) Should any of the above described policies be cancelled prior to the policies' expiration date, Contractor agrees that notice of cancellation will be delivered in accordance with the policy provisions.

H. Waiver of Subrogation

(1) Contractor agrees to waive subrogation which any insurer of Contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation.

(2) The Workers' Compensation policy must be endorsed with a waiver of subrogation in favor of County for all work performed by Contractor, its employees, agents and subcontractors.

I. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII unless otherwise acceptable to County.

J. Verification of Coverage

(1) Contractor must furnish County with original certificates and endorsements effecting coverage required by this Contract.

(2) The endorsements should be on forms provided by County or, if on other than County's forms, must conform to County's requirements and be acceptable to County.

(3) County must receive and approve all certificates and endorsements before work commences.

(4) However, failure to provide the required certificates and endorsements shall not operate as a waiver of these insurance requirements.

(5) County reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage described above at any time.

8. BEST EFFORTS

Contractor represents that Contractor will at all times faithfully, industriously and to the best of its ability, experience and talent, perform to County's reasonable satisfaction.

9. DEFAULT

A. If Contractor defaults in Contractor's performance, County shall promptly notify Contractor in writing. If Contractor fails to cure a default within 30 days after notification, or if the default requires more than 30 days to cure and Contractor fails to commence to cure the default within 30 days after notification, then Contractor's failure shall constitute cause for termination of this Contract.

B. If Contractor fails to cure default within the specified period of time, County may elect to cure the default and any expense incurred shall be payable by Contractor to County. The contract may be terminated at County's sole discretion.

C. If County serves Contractor with a notice of default and Contractor fails to cure the default, Contractor waives any further notice of termination of this Contract.

D. If this Contract is terminated because of Contractor's default, County shall be entitled to recover from Contractor all damages allowed by law.

10. INDEMNIFICATION

A. Contractor will indemnify, hold harmless and assume the defense of the County of Solano, its officers, employees, agents and elective and appointive boards from all claims, losses, damages, including property damages, personal injury, death and liability of every kind, directly or indirectly arising from Contractor's operations or from any persons directly or indirectly employed by, or acting as agent for, Contractor, excepting the sole negligence or willful misconduct of the County of Solano. This indemnification shall extend to claims, losses, damages, injury and liability for injuries occurring after completion of Contractor's services, as well as during the progress of rendering such services.

B. Acceptance of insurance required by this Contract does not relieve Contractor from liability under this indemnification clause. This indemnification clause shall apply to all damages or claims for damages suffered by Contractor's operations regardless if any insurance is applicable or not.

11. INDEPENDENT CONTRACTOR

A. Contractor is an independent contractor and not an agent, officer or employee of County. The parties mutually understand that this Contract is between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture or association.

B. Contractor shall have no claim against County for employee rights or benefits including, but not limited to, seniority, vacation time, vacation pay, sick leave, personal time off, overtime, medical, dental or hospital benefits, retirement benefits, Social Security, disability, Workers' Compensation, unemployment insurance benefits, civil service protection, disability retirement benefits, paid holidays or other paid leaves of absence.

C. Contractor is solely obligated to pay all applicable taxes, deductions and other obligations including, but not limited to, federal and state income taxes, withholding, Social Security, unemployment, disability insurance, Workers' Compensation and Medicare payments.

D. Contractor shall indemnify and hold County harmless from any liability which County may incur because of Contractor's failure to pay such obligations nor shall County be responsible for any employer-related costs not otherwise agreed to in advance between the County and Contractor.

E. As an independent contractor, Contractor is not subject to the direction and control of County except as to the final result contracted for under this Contract. County may not require Contractor to change Contractor's manner of doing business but may require redirection of efforts to fulfill this Contract.

F. Contractor may provide services to others during the same period Contractor provides service to County under this Contract.

G. Any third persons employed by Contractor shall be under Contractor's exclusive direction, supervision and control. Contractor shall determine all conditions of employment including hours, wages, working conditions, discipline, hiring and discharging or any other condition of employment.

H. As an independent contractor, Contractor shall indemnify and hold County harmless from any claims that may be made against County based on any contention by a third party that an employer-employee relationship exists under this Contract.

I. Contractor, with full knowledge and understanding of the foregoing, freely, knowingly, willingly and voluntarily waives the right to assert any claim to any right or benefit or term or condition of employment insofar as they may be related to or arise from compensation paid hereunder.

12. RESPONSIBILITIES OF CONTRACTOR

A. The parties understand and agree that Contractor possesses the requisite skills necessary to perform the work under this Contract and County relies upon such skills. Contractor pledges to perform the work skillfully and professionally. County's acceptance of Contractor's work does not constitute a release of Contractor from professional responsibility.

B. Contractor verifies that Contractor has reviewed the scope of work to be performed under this Contract and agrees that in Contractor's professional judgment, the work can and shall be completed for costs within the maximum amount set forth in this Contract.

C. To fully comply with the terms and conditions of this Contract, Contractor shall:

(1) Establish and maintain a system of accounts for budgeted funds that complies with generally accepted accounting principles for government agencies;

(2) Document all costs by maintaining complete and accurate records of all financial transactions associated with this Contract, including, but not limited to, invoices and other official documentation that sufficiently support all charges under this Contract;

(3) Submit monthly reimbursement claims for expenditures that directly benefit Solano County;

(4) Be liable for repayment of any disallowed costs identified through quarterly reports, audits, monitoring or other sources; and

(5) Retain financial, programmatic, client data and other service records for 3 years from the date of the end of the contract award or for 3 years from the date of termination, whichever is later.

13. COMPLIANCE WITH LAW

A. Contractor shall comply with all federal, state and local laws and regulations applicable to Contractor's performance, including, but not limited to, licensing, employment and purchasing practices, wages, hours and conditions of employment.

B. To the extent federal funds are used in whole or in part to fund this Contract, Contractor specifically agrees to comply with Executive Order 11246 entitled "Equal Employment Opportunity", as amended and supplemented in Department of Labor regulations; the Copeland "Ant-Kickback" Act (18 U.S.C. §874) and its implementing regulations (29 C.F.R. part 3); the Clean Air Act (42 U.S.C. §7401 et seq.); the Clean Water Act (33 U.S.C. §1251); and the Energy Policy and Conservation Act (Pub. L. 94-165).

C. Contractor represents that it will comply with the applicable cost principles and administrative requirements including claims for payment or reimbursement by County as set forth in 2 C.F.R. part 200, as currently enacted or as may be amended throughout the term of this Contract.

14. CONFIDENTIALITY

A. Contractor shall prevent unauthorized disclosure of names and other client-identifying information, except for statistical information not identifying a particular client receiving services under this Contract.

B. Contractor shall not use client specific information for any purpose other than carrying out Contractor's obligations under this Contract.

C. Contractor shall promptly transmit to County all requests for disclosure of confidential information.

D. Except as otherwise permitted by this Contract or authorized by law, Contractor shall not disclose any confidential information to anyone other than the State of California without prior written authorization from County.

E. For purposes of this section, identity shall include, but not be limited to, name, identifying number, symbol or other client identifying particulars, such as fingerprints, voice print or photograph. Client shall include individuals receiving services pursuant to this Contract.

15. CONFLICT OF INTEREST

A. Contractor represents that Contractor and/or Contractor's employees and/or their immediate families and/or Board of Directors and/or officers have no interest, including, but not limited to, other projects or independent contracts, and shall not acquire any interest, direct or indirect, including separate contracts for the work to be performed hereunder, which conflicts with the rendering of services under this Contract. Contractor shall employ or retain no such person while rendering services under this Contract. Services rendered by Contractor's associates or employees shall not relieve Contractor from personal responsibility under this clause.

B. Contractor has an affirmative duty to disclose to County in writing the name(s) of any person(s) who have an actual, potential or apparent conflict of interest.

16. DRUG FREE WORKPLACE

Contractor represents that Contractor is knowledgeable of Government Code section 8350 et seq., regarding a drug free workplace and shall abide by and implement its statutory requirements.

17. HEALTH AND SAFETY STANDARDS

Contractor shall abide by all health and safety standards set forth by the State of California and/or the County of Solano pursuant to the Injury and Illness Prevention Program. If applicable, Contractor must receive all health and safety information and training from County.

18. CHILD/ADULT ABUSE

If services pursuant to this Contract will be provided to children and/or elder adults, Contractor represents that Contractor is knowledgeable of the Child Abuse and Neglect Reporting Act (Penal Code section 11164 et seq.) and the Elder Abuse and Dependent Adult Civil Protection Act (Welfare and Institutions Code section 15600 et seq.) requiring reporting of suspected abuse.

19. INSPECTION

Authorized representatives of County, the State of California and/or the federal government may inspect and/or audit Contractor's performance, place of business and/or records pertaining to this Contract.

20. NONDISCRIMINATION

A. In rendering services under this Contract, Contractor shall comply with all applicable federal, state and local laws, rules and regulations and shall not discriminate based on age, ancestry, color, gender, marital status, medical condition, national origin, physical or mental disability, race, religion, sexual orientation, or other protected status.

B. Further, Contractor shall not discriminate against its employees, which includes, but is not limited to, employment upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

21. SUBCONTRACTOR AND ASSIGNMENT

A. Services under this Contract are deemed to be personal services.

B. Subject to any required state or federal approval, Contractor shall not subcontract any work under this Contract without the prior written consent of the County's Contract Manager nor assign this Contract or monies due without the prior written approval of the County's applicable Department Head or his or her designee and the County Administrator.

C. If County consents to the use of subcontractors, Contractor shall require and verify that its subcontractors maintain insurance meeting all the requirements stated in Section 7 above.

D. Assignment by Contractor of any monies due shall not constitute an assignment of the Contract.

22. UNFORESEEN CIRCUMSTANCES

Contractor is not responsible for any delay caused by natural disaster, war, civil disturbance, labor dispute or other cause beyond Contractor's reasonable control, provided Contractor gives written notice to County of the cause of the delay within 10 days of the start of the delay.

23. OWNERSHIP OF DOCUMENTS

A. County shall be the owner of and shall be entitled to possession of any computations, plans, correspondence or other pertinent data and information gathered by or computed by Contractor prior to termination of this Contract by County or upon completion of the work pursuant to this Contract.

B. No material prepared in connection with the project shall be subject to copyright in the United States or in any other country.

24. NOTICE

A. Any notice necessary to the performance of this Contract shall be given in writing by personal delivery or by prepaid first-class mail addressed as stated on the first page of this Contract.

B. If notice is given by personal delivery, notice is effective as of the date of personal delivery. If notice is given by mail, notice is effective as of the day following the date of mailing or the date of delivery reflected upon a return receipt, whichever occurs first.

25. NONRENEWAL

Contractor acknowledges that there is no guarantee that County will renew Contractor's services under a new contract following expiration or termination of this Contract. Contractor waives all rights to notice of non-renewal of Contractor's services.

26. COUNTY'S OBLIGATION SUBJECT TO AVAILABILITY OF FUNDS

A. The County's obligation under this Contract is subject to the availability of authorized funds. The County may terminate the Contract, or any part of the Contract work, without prejudice to any right or remedy of the County, for lack of appropriation of funds. If expected or actual funding is withdrawn, reduced or limited in any way prior to the expiration date set forth in this Contract, or any subsequent amendment, the County may, upon written Notice to the Contractor, terminate this Contract in whole or in part.

B. Payment shall not exceed the amount allowable for appropriation by the Board of Supervisors. If the Contract is terminated for non-appropriation of funds:

(1) The County will be liable only for payment in accordance with the terms of this Contract for services rendered prior to the effective date of termination; and

(2) The Contractor shall be released from any obligation to provide further services pursuant to this Contract that are affected by the termination.

C. Funding for this Contract beyond the current appropriation year is conditional upon appropriation by the Board of Supervisors of sufficient funds to support the activities described in this Contract. Should such an appropriation not be approved, this Contract will terminate at the close of the current appropriation year.

D. This Contract is void and unenforceable if all or parts of federal or state funds applicable to this Contract are not available to County. If applicable funding is reduced, County may either:

(1) Cancel this Contract; or,

(2) Offer a contract amendment reflecting the reduced funding.

27. CHANGES AND AMENDMENTS

A. County may request changes in Contractor's scope of services. Any mutually agreed upon changes, including any increase or decrease in the amount of Contractor's compensation, shall be effective when incorporated in written amendments to this Contract.

B. The party desiring the revision shall request amendments to the terms and conditions of this Contract in writing. Any adjustment to this Contract shall be effective only upon the parties' mutual execution of an amendment in writing.

C. No verbal agreements or conversations prior to execution of this Contract or requested amendment shall affect or modify any of the terms or conditions of this Contract unless reduced to writing according to the applicable provisions of this Contract.

28. CHOICE OF LAW

The parties have executed and delivered this Contract in the County of Solano, State of California. The laws of the State of California shall govern the validity, enforceability or interpretation of this Contract. Solano County shall be the venue for any action or proceeding, in law or equity that may be brought in connection with this Contract.

29. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

Contractor represents that it is knowledgeable of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and its implementing regulations issued by the U.S. Department of Health and Human Services (45 C.F.R. parts 160-64) regarding the protection of health information obtained, created, or exchanged as a result of this Contract and shall abide by and implement its statutory requirements.

30. WAIVER

Any failure of a party to assert any right under this Contract shall not constitute a waiver or a termination of that right, under this Contract or any of its provisions.

31. CONFLICTS IN THE CONTRACT DOCUMENTS

The Contract documents are intended to be complementary and interpreted in harmony so as to avoid conflict. In the event of conflict in the Contract documents, the parties agree that the document providing the highest quality and level of service to the County shall supersede any inconsistent term in these documents.

32. FAITH BASED ORGANIZATIONS

A. Contractor agrees and acknowledges that County may make funds available for programs or services affiliated with religious organizations under the following conditions: (a) the funds are made available on an equal basis as for programs or services affiliated with non-religious organizations; (b) the program funded does not have the substantial effect of supporting religious activities; (c) the funding is indirect, remote, or incidental to the religious purpose of the organization; and (d) the organization complies with the terms and conditions of this Contract.

B. Contractor agrees and acknowledges that County may not make funds available for programs or services affiliated with a religious organization (a) that has denied or continues to deny access to services on the basis of any protected class; (b) will use the funds for a religious purpose; (c) will use the funds for a program or service that subjects its participants to religious education.

C. Contractor agrees and acknowledges that all recipients of funding from County must: (a) comply with all legal requirements and restrictions imposed upon government-funded activities set forth in Article IX, section 8 and Article XVI, section 5 of the California Constitution and in the First Amendment to the United States Constitution; and (b) segregate such funding from all funding used for religious purposes.

33. PRICING

Should Contractor, at any time during the term of this Contract, provide the same goods or services under similar quantity, terms and conditions to one or more counties in the State of California at prices below those set forth in this Contract, then the parties agree to amend this Contract so that such lower prices shall be extended immediately to County for all future services.

34. USE OF PROVISIONS, TERMS, CONDITIONS AND PRICING BY OTHER PUBLIC AGENCIES

Contractor and County agree that the terms of this Contract may be extended to any other public agency located in the State of California, as provided for in this section. Another public agency wishing to use the provisions, terms, and pricing of this Contract to contract for equipment and services comparable to that described in this Contract shall be responsible for entering into its own contract with Contractor, as well as providing for its own payment provisions, making all payments, and obtaining any certificates of insurance and bonds that may be required. County is not responsible for providing to any other public agency any documentation relating this Contract or its implementation. Any public agency that uses provisions, terms, or pricing of this Contract shall by virtue of doing so be deemed to indemnify and hold harmless County from all claims, demands, or causes of actions of every kind arising directly or indirectly with the use of this Contract. County makes no guarantee of usage by other users of this Contract nor shall the County incur any financial responsibility in connection with any contracts entered into by another public agency. Such other public agency shall accept sole responsibility for placing orders and making payments to Contractor.

35. DISBARMENT OR SUSPENSION OF CONTRACTOR

A. Contractor represents that its officers, directors and employees (i) are not currently excluded, debarred, or otherwise ineligible to participate in a federally funded program; (ii) have not been convicted of a criminal offense related to the provision of federally funded items or services nor has been previously excluded, debarred, or otherwise declared ineligible to participate in any federally funded programs, and (iii) are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Contractor being excluded from participation in federally funded programs.

B. For purposes of this Contract, federally funded programs include any federal health program as defined in 42 USC § 1320a-7b(f) (the "Federal Healthcare Programs") or any state healthcare programs.

C. This representation and warranty shall be an ongoing representation and warranty during the term of this Contract and Contractor must immediately notify the County of any change in the status of the representation and warranty set forth in this section.

D. If services pursuant to this Contract involve federally-funded programs, Contractor agrees to provide certification of non-suspension with submission of each invoice. Failure to submit certification with invoices will result in a delay in County processing Contractor's payment.

36. EXECUTION IN COUNTERPARTS

This Contract may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. In the event that any signature is delivered by facsimile or electronic transmission (e.g., by e-mail delivery of a ".pdf" format data file), such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or electronic signature page were an original signature.

37. LOCAL EMPLOYMENT POLICY

Solano County desires, whenever possible, to hire qualified local residents to work on County projects. A local resident is defined as a person who resides in, or a business that is located in, Solano County. The County encourages an active outreach program on the part of its contractors, consultants and agents. When local projects require subcontractors, Contractor shall solicit proposals for qualified local residents where possible.

38. ENTIRE CONTRACT

This Contract, including any exhibits referenced, constitutes the entire agreement between the parties and there are no inducements, promises, terms, conditions or obligations made or entered into by County or Contractor other than those contained in it.

EXHIBIT D
SPECIAL TERMS AND CONDITIONS

1. SPECIAL RESPONSIBILITIES OF CONTRACTOR

Provide an audit report, including a management letter, to County annually.

2. DRUG FREE WORKPLACE

Contractor shall execute the form attached as Exhibit D-1.

3. CHILD ABUSE

Contractor shall execute the form attached as Exhibit D-2

4. ADULT ABUSE

Contractor shall execute the form attached as Exhibit D-3.

5. HIPAA COMPLIANCE-COVERED ENTITY TO COVERED ENTITY

COUNTY and CONTRACTOR each consider and represent themselves as covered entities as defined by the U.S. Health Insurance Portability and Accountability Act and agree to use and disclose protected health information as required by law. COUNTY and CONTRACTOR acknowledge that the exchange of protected health information between them is only for treatment, payment, and health care operations.

EXHIBIT D-1

SOLANO COUNTY

DRUG-FREE WORKPLACE CERTIFICATION

(rev-09/01/94)

Community Medical Centers, Inc.

Contractor certifies compliance with Government Code section 8355 in matters relating to providing a drug-free workplace. Contractor will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code section 8355(a).
2. Establish a Drug-Free Awareness Program as required by Government Code section 8355(b), to inform employees about all of the following:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The person's or organization's policy of maintaining a drug-free workplace;
 - (c) Any available counseling, rehabilitation and employee assistance programs; and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
3. Provide, as required by Government Code section 8355(c), that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free policy statement; and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

CERTIFICATION

I certify that I am duly authorized legally to bind the Contractor to the above-described certification. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

Christine Noguera



09/17/2019
09:26 AM EDT

Signature

EXHIBIT D-2

CHILD ABUSE REPORTING REQUIREMENTS

Section 11166 of the Penal Code requires any child care custodian, medical practitioner, nonmedical practitioner, or employee of a child protective agency who has knowledge of, or observes a child in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects, has been the victim of a child abuse to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone, and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

I, the undersigned, have read and understand the requirements of Penal Code section 11166 and will comply with its provisions.

I agree to report to my immediate supervisor any suspected child abuse situations of which I am aware and will report directly to the Child Protective Services as necessary.

Signature: Christine Noguera  09/17/2019
09:26 AM EDT

EXHIBIT D-3

ADULT ABUSE REPORTING REQUIREMENTS

Welfare and Institutions Code section 15630 and following:

The undersigned, having read the statement below, signifies knowledge and understanding of its provisions: Section 15630 of the Welfare and Institutions Code requires any care custodian, health practitioner, or employee of an adult protective services agency or a local law enforcement agency who has knowledge of, or observes a dependent adult, in his or her professional capacity or within the scope of his or her employment who he or she knows has been the victim of physical abuse, or who has injuries under circumstances which are consistent with abuse where the dependent adult's statements indicate, or in the case of a person with developmental disabilities, where his or her statements or other corroborating evidence indicates that abuse has occurred, to report the known or suspected instance of physical abuse to an adult protective services or a local law enforcement agency immediately or as soon as practically possible by telephone and to prepare and send a written report, thereof, within 36 hours of receiving the information concerning the incident.

"Care Custodian" means an administrator or an employee of any of the following public or private facilities:

- | | |
|---|---|
| 1. Health facility | 12. Licensing worker or evaluator |
| 2. Clinic | 13. Public assistance worker |
| 3. Home health agency | 14. Adult protective services agency |
| 4. Educational institution | 15. Patient's rights advocate |
| 5. Sheltered workshop | 16. Nursing home ombudsman |
| 6. Camp | 17. Legal guardian or conservator |
| 7. Respite care facility | 18. Skilled nursing facility |
| 8. Residential care institution
including foster homes and
group homes | 19. Intermediate care facility |
| 9. Community care facility | 20. Local Law enforcement agency |
| 10. Adult day care facility,
including adult day health
care facilities | 21. Any other person who provides
goods or services necessary to
avoid physical harm or mental
suffering and who performs duties |
| 11. Regional center for persons
with developmental disabilities | |

"Health Practitioner" means a physician, surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, marriage, family and child counselor or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, a person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, or psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family and child counselor trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, a state or county public health employee who treats a dependent adult for any condition, a coroner, or a religious practitioner who diagnoses, examines, or treats dependent adults.

I certify that a full copy of Welfare and Institutions Code section 15630 and following has been provided to me, and I have read and understand the above statement and will comply with its provisions.

Signature: Christine Noguera  09/17/2019
09:26 AM EDT



Solano County

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

Agenda Submittal

Agenda #:	17	Status:	Consent Calendar
Type:	Contract plus Resolution	Department:	Health and Social Services
File #:	19-795	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution approving a first amendment to the revenue contract with the California Department of Aging for \$93,571, for a total revenue contract amount of \$2,833,629, to provide ombudsman services for the period of November 1, 2019 through June 30, 2020; Authorize the County Administrator to execute the first contract amendment; and Approve an Appropriation Transfer Request (ATR) for the unanticipated revenues (4/5 vote required)		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution, B - Amendment, C - Link to Original Contract		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Health & Social Services recommends the Board of Supervisors adopt a resolution approving a first amendment to the revenue contract with the California Department of Aging for \$93,571, for a total revenue contract amount of \$2,833,629, to provide ombudsman services for the period of November 1, 2019 through June 30, 2020; Authorize the County Administrator to execute the first contract amendment; and Approve an Appropriation Transfer Request (ATR) for the unanticipated revenues (4/5 vote required).

SUMMARY/DISCUSSION

The Napa/Solano Area Agency on Aging (N/S AAA) is responsible for distribution of funds received from the California Department of Aging (CDA) for Planning Service Area 28 (PSA 28) Older Americans Act services. The CDA has allocated an additional \$93,571 in unanticipated revenues to N/S AAA for ombudsman services in the categories of Federal Title IIIB Ombudsman, Federal Title VIIA Ombudsman, General Fund IIIB Ombudsman, Public Health L&C Program Fund Ombudsman, State Health Facilities Citation Penalties Account Ombudsman, and SNF Quality & Accountability Ombudsman.

The Ombudsman investigates complaints made by, or on behalf of, nursing home residents. The investigations of resident complaints may include allegations of abuse, inadequate care and/or dangerous care. The Ombudsman provides information about advanced healthcare directives and helps to execute these official documents. The Ombudsman promotes awareness about aging and long-term care issues through education workshops.

FINANCIAL IMPACT:

The costs associated with preparing this agenda item are nominal and are included in the Department's FY2019/20 Approved Budget.

ALTERNATIVES:

The Board can choose not to accept the CDA funds; however, additional funds are available to PSA28 and these funds provide vital services for the community.

OTHER AGENCY INVOLVEMENT:

Napa County was involved in the development of this Agenda Item.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2019-__

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
DIRECTING COUNTY STAFF TO EXECUTE THE FIRST AMENDMENT TO CONTRACT
AWARD NUMBER AP-1920-28 WITH THE CALIFORNIA DEPARTMENT OF AGING
FOR PLANNING AND SERVICES AREA (PSA) 28 FUNDS**

Whereas, on September 28, 2018 Solano County was designated as the lead agency for the Napa/Solano Area Agency on Aging Planning and Services Area (PSA) 28; and

Whereas, the California Department of Aging has identified an additional \$93,571 in PSA 28 funds for ombudsman services for FY2019/20; and

Whereas, the Napa/Solano AAA ensures quality services to the senior populations of Napa and Solano Counties.

Resolved, that the Solano County Board of Supervisors hereby directs the County Administrator to execute the first amendment to revenue contract AP-1920-28 with the CDA for an additional \$93,571 for FY2019/20 and authorizes the County Administrator to sign contract amendment.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 22, 2019 by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

STANDARD AGREEMENT AMENDMENT

STD. 213 A (Rev 6/03)

☒ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 2 Pages

AGREEMENT NUMBER

AP-1920-28

REGISTRATION NUMBER

AMENDMENT NUMBER

1

1. This Agreement is entered into between the State Agency and Contractor named below:

STATE AGENCY'S NAME

California Department of Aging

CONTRACTOR'S NAME

County of Solano

2. The term of this

Agreement is July 1, 2019 through June 30, 2020

3. The maximum amount of this **\$ 2,833,629**

Agreement after this amendment is: Two million eight hundred thirty-three thousand six hundred twenty-nine and 00/100 dollars



4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

This amendment increases funds provided to the Contractor by \$93,571.

The attached Budget Display pages 13 & 14 of Exhibit B, dated 7/1/19, and labeled Amendment #1, hereby replaces the Original Exhibit B - Budget Display, pages 13 & 14, with the same date. The Budget, Amendment 1 is hereby incorporated by reference and replaces the original Budget.

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR		CALIFORNIA Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.)		
County of Solano		
BY (Authorized Signature)	DATE SIGNED (Do not type)	
		
PRINTED NAME AND TITLE OF PERSON SIGNING		
Birgitta E. Corsello, County Administrator		
ADDRESS		
675 Texas Street, Suite 6100 Fairfield, CA 94533		
STATE OF CALIFORNIA		
AGENCY NAME		
California Department of Aging		
BY (Authorized Signature)	DATE SIGNED (Do not type)	
		
PRINTED NAME AND TITLE OF PERSON SIGNING		
Nate Gillen, Chief, Business Management Branch		
ADDRESS		
1300 National Drive, Ste. 200, Sacramento, CA 95834		

☒ Exempt per: AG OP 80-111

AREA PLAN
Budget Display
Fiscal Year 2019-20 (Federal Fiscal Years 2019 & 2020)
County of Solano

12 months (July 1, 2019 - June 30, 2020)

Project Number	Baseline	Baseline Adjustments	Cumulative Transfers	Updated Baseline	Cumulative OTO	Updated Total	Net Change
Supportive Services							
Federal Title IIIB 3BSL19-19	106,710	(b) -	-	106,710	-	106,710	-
Federal Title IIIB 3BSL20-19	396,188	(c) -	-	396,188	-	396,188	-
Total Supportive Services	502,898	-	-	502,898	-	502,898	-
Ombudsman							
Federal Title IIIB 3BOL19-19	10,265	(b) -	-	10,265	-	10,265	-
Federal Title IIIB 3BOL20-19	38,111	(c) -	-	38,111	-	38,111	-
Federal Title VIIa 7OFL19-19	16,074	(b) -	-	16,074	-	16,074	-
Federal Title VIIa 7OFL20-19	49,007	(c) -	-	49,007	-	49,007	-
General Fund IIIB B1GL	135,013	(a) 79,116	-	214,129		214,129	79,116
Public Health L & C Program Fund LCPF	7,535	(a) -		7,535		7,535	-
State Health Facilities Citation Penalties Account SDFL	15,814	(a) -		15,814	14,455	30,269	14,455
SNF Quality & Accountability SNFL	35,791	(a) -		35,791		35,791	-
Total Ombudsman	307,610	79,116	-	386,726	14,455	401,181	93,571
Congregate Nutrition							
Federal Title IIIC1 3C1L19-19	176,640	(b) -	-	176,640	-	176,640	-
Federal Title IIIC1 3C1L20-19	474,881	(c) -	-	474,881	-	474,881	-
General Fund C1 C1GL	55,008	(a) -	-	55,008		55,008	-
NSIP C1 NC1L19-19	9,269	(b) -	-	9,269	-	9,269	-
NSIP C1 NC1L20-19	27,705	(c) -	-	27,705	-	27,705	-
Total Congregate Nutrition	743,503	-	-	743,503	-	743,503	-
Home-Delivered Meals							
Federal Title IIIC2 3C2L19-19	101,954	(b) -	-	101,954	-	101,954	-
Federal Title IIIC2 3C2L20-19	305,860	(c) -	-	305,860	-	305,860	-
General Fund C2 C2GL	59,950	(a) -	-	59,950		59,950	-
NSIP C2 NC2L19-19	46,610	(b) -	-	46,610	-	46,610	-
NSIP C2 NC2L20-19	139,309	(c) -	-	139,309	-	139,309	-
Total Home Delivered Meals	653,683	-	-	653,683	-	653,683	-
Disease Prevention							
Federal Title IIID 3DFL19-19	9,534	(b) -		9,534	-	9,534	-
Federal Title IIID 3DFL20-19	29,060	(c) -		29,060	-	29,060	-
Total Disease Prevention	38,594	-	-	38,594	-	38,594	-
Family Caregiver							
Federal Title IIIE 3EFL19-19	59,973	(b) -	-	59,973	-	59,973	-
Federal Title IIIE 3EFL20-19	184,759	(c) -	-	184,759	-	184,759	-
Total Title IIIE	244,732	-	-	244,732	-	244,732	-
Elder Abuse Prevention							
Federal Title VII 7EFL19-19	1,805	(b) -		1,805	-	1,805	-
Federal Title VII 7EFL20-19	5,496	(c) -		5,496	-	5,496	-
Total Elder Abuse Prevention	7,301	-	-	7,301	-	7,301	-

**AREA PLAN
Budget Display
Fiscal Year 2019-20 (Federal Fiscal Years 2019 & 2020)
County of Solano**

12 months (July 1, 2019 - June 30, 2020)

Project Number	Baseline	Baseline Adjustments	Cumulative Transfers	Updated Baseline	Cumulative OTO	Updated Total	Net Change
Administration							
Federal Title IIIB	3BAL19-19	15,408 (b)	-	15,408	-	15,408	-
Federal Title IIIB	3BAL20-19	57,207 (c)	-	57,207	-	57,207	-
Federal Title IIIC1	C1AL19-19	22,854 (b)	-	22,854	-	22,854	-
Federal Title IIIC1	C1AL20-19	61,442 (c)	-	61,442	-	61,442	-
Federal Title IIIC2	C2AL19-19	13,191 (b)	-	13,191	-	13,191	-
Federal Title IIIC2	C2AL20-19	39,574 (c)	-	39,574	-	39,574	-
Federal Title IIIE	3EAL19-19	7,744 (b)	-	7,744	-	7,744	-
Federal Title IIIE	3EAL20-19	23,858 (c)	-	23,858	-	23,858	-
General Fund C1	1GAL	363 (a)	-	363	-	363	-
General Fund C2	2GAL	96 (a)	-	96	-	96	-
Total Administration		241,737	-	241,737	-	241,737	-
Funding Summary							
Federal Funds		2,430,488	-	2,430,488	-	2,430,488	-
General Fund		250,430	79,116	329,546	-	329,546	79,116
Public Health L & C Program Fund		7,535	-	7,535	-	7,535	-
SNF Quality & Accountability		35,791	-	35,791	-	35,791	-
State Health Facilities Citation Penalties Account		15,814	-	15,814	14,455	30,269	14,455
Grand Total - All Funds		2,740,058	79,116	2,819,174	14,455	2,833,629	93,571

Comments:

The maximum amount of Title IIIE expenditures allowable for supplemental services is: 73,689

The maximum amount of Title IIIE expenditures allowable for Grandparents is: 36,845

The minimum General Fund to be expended for State Match in Title III is: 94,166

CFDA NUMBER	Year	Award #	Award Name
93.041	2019	1901CAOAEA-01	Older American Act Title VII- Elder Abuse Prevention
93.041	2020		Older American Act Title VII- Elder Abuse Prevention
93.042	2019	1901CAOAOA-01	Older American Act Title VII- Ombudsman
93.042	2020		Older American Act Title VII- Ombudsman
93.043	2019	1901CAOAPH-01	Older American Act Title III- Preventive Health
93.043	2020		Older American Act Title III- Preventive Health
93.044	2019	1901CAOASS-01	Older American Act Title III- Supportive Services
93.044	2020		Older American Act Title III- Supportive Services
93.045	2019	1901CAOACM-01	Older American Act Title III- Congregate Meals
93.045	2020		Older American Act Title III- Congregate Meals
93.045	2019	1901CAOAH-01	Older American Act Title III- Home-Delivered Meals
93.045	2020		Older American Act Title III- Home-Delivered Meals
93.052	2019	1901CAOAF-01	Older American Act Title III- Family Caregivers
93.052	2020		Older American Act Title III- Family Caregivers
93.053	2019	1901CAOANS-00	Older American Act Nutrition Services Incentive Program
93.053	2020		Older American Act Nutrition Services Incentive Program

(a) Funds must be expended by 6/30/20 and final expenditures reported in closeout by 7/31/20.

(b) Funds must be obligated by 9/30/19 and final expenditures reported in closeout by 7/31/20. The baseline request to be transferred for the project (7/1/19-9/30/19) is due 5/1/19. These funds may not be carried over into a following year contract.

(c) Funds must be reported in closeout by 7/31/20 and may be carried over into the following year contract. The baseline request to be transferred for the project (10/1/19-6/30/20) is due 1/15/20.

The original contract can be accessed at the web page that is linked below, in addition to being on file with the Clerk of the Board.

[A - Link to California Department of Aging Contract #AP-1920-28](#)



Solano County

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

Agenda Submittal

Agenda #:	18	Status:	Consent Calendar
Type:	ATR	Department:	Health and Social Services
File #:	19-802	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Approve a \$300,000 grant agreement with The Kresge Foundation, for the period of October 1, 2019 through September 30, 2022, to advance the Health and Social Services Department's reorganization efforts; Approve an Appropriation Transfer Request (ATR) for \$100,000 for FY2019/20 in unanticipated revenue for year one grant activities (4/5 vote required); and Delegate authority to the Director of Health and Social Services to execute the grant agreement		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Grant Agreement		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Health & Social Services (H&SS) recommends the Board of Supervisors approve a \$300,000 grant agreement with The Kresge Foundation, for the period of October 1, 2019 through September 30, 2022, to advance the Health and Social Services Department's reorganization efforts; Approve an Appropriation Transfer Request (ATR) for \$100,000 for FY2019/20 in unanticipated revenue for year one grant activities (4/5 vote required); and Delegate authority to the Director of Health and Social Services to execute the grant agreement.

SUMMARY:

A primary driver for H&SS' reorganization, approved by the Board of Supervisors on June 4, 2019, is to improve the experiences for both clients and employees around the theme of "People First." In November 2018 the Board adopted Assembly Bill 2821 which allows H&SS to operate an integrated and comprehensive County health and human services system and act as an integrated agency, including the ability to begin to braid various funding sources to meet the needs of those we serve.

On May 23, 2019, The Kresge Foundation posted a funding opportunity for a grant related to integration of health and human services. Given the recent Board of Supervisors approval of H&SS' reorganization and integration plans, H&SS applied for and received a notification of the grant award.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and absorbed by the Department's FY2019/20 Adopted Budget.

DISCUSSION:

The Kresge Foundation is a private philanthropic foundation that works to expand opportunities for health and human services through grantmaking and investments. In collaboration with nonprofit, public, private and philanthropic partners, The Kresge Foundation helps create pathways for people with low income to improve their life circumstances and join the economic mainstream.

In May 2019, The Kresge Foundation invited Solano County to apply for an invite-only grant opportunity, "Integrating Health and Human Services: Systems for Equitable & Thriving Communities" after becoming aware of the work the County has done in recent years. This grant awards six to eight grantees with technical assistance, participation in a learning community, and grants of up to \$300,000 over three years.

- 1) H&SS' grant proposal is to identify the clinical and programmatic definitions of behavioral health (assessments, levels of treatment) and social well-being (social determinants of health, safety, stability) based on the service areas within H&SS. H&SS will contract with a consultant to facilitate discussions, conduct a literature and programmatic review, and write the data dictionary
- 2) The grant proposal includes work with community liaisons who will be people with lived experiences navigating systems and who represent our underserved populations that are underrepresented in our executive staff and elected officials. First 5 will recruit, train and support the community liaisons who will collect data and feedback on the definitions of behavioral health and social well-being.

ALTERNATIVES:

The Board may choose not to approve this grant agreement; however, this opportunity will bring revenue into Solano County for planning services which will benefit H&SS' reorganization.

OTHER AGENCY INVOLVEMENT:

First 5 was involved in the development of this Agenda Item.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

THE
KRESGE
FOUNDATION

August 22, 2019

Gerald Huber
Director of Health and Social Services
Solano County Health and Social Services
275 Beck Avenue
Fairfield, California 94533

Re: Grant Agreement ("Grant Agreement") by and between The Kresge Foundation ("Kresge") and Solano County Health and Social Services ("Organization")

Dear Gerald:

Congratulations! We are delighted to confirm that The Kresge Foundation has approved a grant to your Organization ("Grant"), and we are thrilled to partner with you on the People First Integration of Solano's Health and Social Services project (the "Project").

Joelle-Jude Fontaine, Senior Program Officer, is your primary Kresge contact. You can reach Joelle-Jude at jjfontaine@kresge.org.

For questions about the management of your Grant—including our payment and reporting processes—you may also contact our Program Operations and Information Management Department at programoperations@kresge.org.

This Grant has been assigned Grant Number R-1906-284162. Please use this number when corresponding with us about the Grant.

This Grant Agreement sets forth what we expect from your Organization, what you can expect from Kresge, and other terms which apply to your Organization's use of Kresge's Grant funds as follows:

- Connection to Kresge's Mission;
- Grant Term/Return of Funds;
- Termination/Withholding Payment;
- Guidelines for Reporting/Grant Monitoring;
- Schedule for Payment;
- Grant Conditions;
- Communications and Intellectual Property;
- Lobbying and Electioneering Prohibition/Anti-Terrorism;
- Non-Discrimination; and
- Grant Acceptance.

Connection to Kresge's Mission

Kresge works to expand opportunities in America's cities through grantmaking and social investing in arts and culture, education, environment, health, human services, and community development in Detroit.

This grant has been awarded in furtherance of Kresge's Health program. To learn more about Kresge's work in this area, please visit: <http://kresge.org>.

Grant Term/Return of Funds

This Grant, in the amount of \$300,000, is in the support of the Project.

The Grant period begins October 01, 2019 and ends September 30, 2022 ("Grant Term" and "Reporting Period") unless terminated earlier as provided for in the Grant Agreement. Any Grant funds that have not been used for, or committed to, the Project upon expiration or termination of this Agreement must be returned to Kresge within 45 days after the final report is due, unless the Parties otherwise agree in writing. Kresge encourages the Grantee to contact its primary contact at least one month before the final report is due if the Grantee needs an extension of time or alteration of its activities.

Termination/Withholding Payment

Kresge may modify, suspend, or discontinue any payment of Grant funds or terminate this Agreement if (a) Kresge is not reasonably satisfied with the Organization's progress on the Project; (b) there are significant changes to the Organization's leadership or other factors Kresge reasonably believes may threaten the Project's success; (c) there is a change in the Organization's control; (d) there is a change in the Organization's tax status; or (e) the Organization fails to comply with this Agreement.

Kresge reserves the right to cancel, modify, or withhold any payments that might otherwise be due under the Grant, to require a refund of any unexpended funds, or both, if in Kresge's sole judgment any of the following occurs: (1) Grant funds have been used for purposes other than those specified by this Grant Agreement (such action is necessary to comply with the requirements of any law or regulation affecting your Organization's or Kresge's responsibilities under this Grant or to avoid the imposition of penalties or excise taxes), and (2) your Organization's performance under this Grant has been unsatisfactory.

Guidelines for Reporting/Monitoring

Kresge is committed to strategic learning and knowledge-sharing that builds on the insights, experiences and reflections of our partners and advances our mission. As part of that commitment, we look forward to hearing about the progress of your work under this Grant and learning with you as it unfolds. We are eager to hear how you are progressing with the work, where you are succeeding, where you are running into challenges, what you are learning, and how we can be thoughtful and responsive partners. We can accomplish this through your reporting as follows:

Report Type	Due Date
Interim Report	08/31/2020
Interim Report	08/31/2021
Final Report	11/30/2022

We require the Grant report(s) to be submitted through Kresge's Grantee Portal (<https://kresge.fluxx.io/>)

Each Grant report must include a narrative update and a copy of your Organization's financial statements that include the Reporting Period and show how the Grant funds were spent. With respect to the Interim Report, we are seeking information during the period from the start date to the last month-end prior to the due date of the Interim Report. The Final Report should include information from the entire Grant Term. We welcome any supplemental information you'd like to share and can accommodate information in various file formats (e.g., .pdf, .xlsx, .docx).

- Your narrative update should summarize your organization's major activities, successes, and challenges during the reporting period.
- Please provide a narrative report summarizing your progress toward achieving the goals of the Project, including progress against the following objectives:
 1. A summary of what your organization accomplished by the expenditure of Grant funds; and
 2. A description of progress made toward the expected outcomes of the Grant's purpose.

In addition to reporting progress on key objectives, please also respond to the following questions:

- Tell us about the progress you have made on your grant. What barriers, opportunities, and/or unanticipated outcomes did you encounter?
- What are the barriers, challenges, wins, and lessons learned thus far to maintaining a focus on the North Star: Health Equity and Social and Economic Mobility?
- Please share anything about your experience over the past year that you think would be important to us, fellow cohort members, and the field to better understand?

Reporting questions for subsequent years will be co-created with cohort members, learning partners, and foundation staff.

In addition, you are required to notify your primary Kresge contact within 30 days, of any significant changes in your organization's structure, purpose, leadership, financial situation, or other circumstance that could affect the terms of the Grant or jeopardize your ability to successfully meet the Grant objectives and requirements.

Your Organization is required to maintain financial records and supporting documentation for expenditures and receipts related to this Grant for seven (7) years after the Grant end date or termination of the Grant Agreement. You are required to permit Kresge with reasonable access to your Organization's files, records, and personnel during the term of this Grant and for seven (7) years thereafter.

Kresge may monitor and conduct a review of operations under this Grant, which may include a visit from Kresge personnel to observe your Project, discuss the Project and finances with your personnel and review financial and other records and materials connected with the activities financed by this Grant.

Kresge will make payments on this Grant, assuming all terms of the Grant Agreement are met and upon Kresge's receipt of any required reports, provided your Organization has maintained its U.S. Internal Revenue Service (IRS) tax status as a public charity or governmental agency, or for foreign grantees, maintaining an equivalent charitable status as originally obtained.

Schedule for Payment

Assuming your Organization complies with all terms of the Grant Agreement, Kresge will make Grant payment(s) as follows:

Scheduled Date	Amount
09/30/2019	\$100,000
09/30/2020	\$100,000
09/30/2021	\$100,000

Grant Conditions (Financial Use Only)

While this Grant is to be restricted/intended for use for the purposes described in this Grant Agreement/proposal, for financial accounting treatment, the Grant payment(s) shall not be deemed to be conditioned upon the accomplishment of any specific barrier, unless that condition is specifically identified in the space below:

Scheduled Date	Amount	Condition
09/30/2019	\$100,000	N/A
09/30/2020	\$100,000	N/A
09/30/2021	\$100,000	N/A

Communications and Intellectual Property

Kresge is a proud partner with your Organization and we encourage you to promote this Grant and the work it will advance.

We have a variety of resources that may be useful as you promote your Grant. Our Communication's Resources page on our website (<http://kresge.org/communication-resources>) includes links to the Kresge boilerplate, overview materials, logos for download, and other information.

Please also let us know when we may help you spread your news through our newsletter and/or through our social media channels. We are particularly interested in photos and stories about the ways in which your work is making a difference. If you plan communication activities about your Grant that will mention Kresge, please let us know in advance by contacting your Program Officer. Our Communications Team may be able to provide a quote from a Kresge staff member, help anticipate related inquiries, supplement your announcement, etc. You can reach the Kresge Communications team by emailing media@kresge.org.

The Kresge Foundation is committed to providing public access to any materials generated with Kresge support. Unless otherwise noted in the proposal for this Grant, we expect that your Organization will own the resulting intellectual property and will not take any actions that limit free public access to those materials. If applicable, your Organization hereby grants Kresge a license to exercise all copyrights with respect to all work products created and data generated under this Grant in all media now known and later developed. This license is non-exclusive, royalty-free, paid up, worldwide, perpetual, irrevocable, sublicensable, and transferable.

Lobbying and Electioneering Prohibition/Anti-Terrorism

Under U.S. law, Kresge grant funds may be expended only for charitable, scientific, literary, religious, or educational purposes within the meaning of the Internal Revenue Code of 1986, as amended ("IRS Code"). This Grant is to be expended solely in support of the objectives detailed in your proposal for this Grant, as amended or amplified during the review process. Kresge grant funds may not be used to influence the outcome of any election for public office or to carry on any voter registration drive. You acknowledge that Kresge has not earmarked Grant Funds to support lobbying activities or to otherwise support attempts to influence legislation. Activities will be conducted consistent with the private foundation lobbying rules and exceptions under Internal Revenue Code Section 4945 and related regulations. You agree to comply with any national, state, local, or other lobbying, gift, and ethics rules applicable to the Project and acknowledge that Kresge is not retaining or employing your Organization to engage in lobbying activities.

By accepting this Grant, you certify that, to the best of your knowledge, your Organization, members of your governing body, your staff, and any consultants or contractors for your Organization do not advocate, plan, sponsor, commit, threaten to commit, or support terrorism. By your acceptance of this Grant, you agree to provide us with information required for us to comply with Executive Order 13224, the USA Patriot Act, and other applicable laws, administrative rules, and executive orders. By accepting this Grant, you further

agree that all funds, including sub-awards to sub-recipients, will be used in compliance with all applicable antiterrorist financing and asset control laws, regulations, rules, and executive orders. You also agree to take reasonable steps to ensure that no person or entity expected to receive funds in connection with this Grant is designated on (a) the Annex to Executive Order No. 13224, as amended or supplemented from time to time, or (b) the Lists of Specially Designated Nationals or Blocked Persons maintained by the Office of Foreign Assets Controls of the U.S. Department of the Treasury. Finally, you certify that you will not provide material support or resources to an individual or entity that you know, or have reason to know, is acting as an agent for any individual or entity that advocates, plans, sponsors, engages in, or has engaged in terrorist activity, or that has been so designated, and will immediately cease such support if an entity is so designated after the date of this Grant Agreement.

Non-Discrimination:

In carrying out the Project, the Grantee will comply with all applicable Federal and State Statutes and local laws relating to nondiscrimination. Notwithstanding the foregoing, the Grantee shall take affirmative action to ensure that employees are treated during employment and applicants are considered for employment, without regard to their race, color, religion, sex, national origin, sexual orientation, ancestry, age, physical or mental handicap unrelated to ability, marital status, or unfavorable discharge from military service.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK, SIGNATURE PAGE FOLLOWS]

Grant Acceptance

By signing and returning a copy of this Grant Agreement, you are agreeing to the Grant conditions and requirements as stated in this Grant Agreement and confirming that the Grant Term is correct. You also confirm that the work funded by this Grant is under your complete control. You also confirm that your organization has and will exercise control over the process of selecting any secondary grantee or consultant, that the decision made or that will be made on any such selection is completely independent of Kresge, and, further, that there does not exist an agreement, written or oral, under which we have caused or may cause the selection of a secondary grantee or consultant. This letter contains the entire agreement between your Organization and Kresge, and there are no terms or conditions, oral or written, governing the use of the Grant funds other than those contained in this Grant Agreement. We may withdraw this Grant if we do not receive your acceptance within 30 days of the date first noted above.

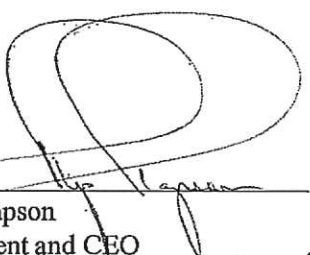
Please review this Grant Agreement and let us know if you have any questions or concerns. To ensure prompt payment, we ask that you sign this Grant Agreement online through DocuSign within 30 days of receipt. In signing this Grant Agreement, you represent to Kresge that you have the authority to sign this Grant Agreement on behalf of your Organization.

We look forward to working in partnership with you during the Grant Term and wish you much success in your work.


AGREED AND ACCEPTED:

For The Kresge Foundation

For Solano County Health and Social Services



Rip Rapson
President and CEO



Gerald Huber
Director of Health and Social Services



Solano County

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

Agenda Submittal

Agenda #:	19	Status:	Consent Calendar
Type:	Resolution	Department:	Sheriff's Office
File #:	19-792	Contact:	Don Ryan, 784-1616
Agenda date:	10/22/2019	Final Action:	

Title: Adopt a resolution approving participation in the 2019 Homeland Security Grant Program for the period September 1, 2019 through May 31, 2022 and authorizing the Sheriff or his designees to take actions necessary for the purpose of obtaining grant funding; Approve an Appropriation Transfer Request (ATR) of \$527,487 for FY2019/20 to recognize the unanticipated grant revenue and related appropriations to enhance catastrophic incident planning, response and recovery in the Solano Operational Area (4/5 vote required); Approve \$143,209 for Solano Operational Area joint-agency response teams and non-county agencies for training and to purchase a heavy-lift air bag system; Approve fixed assets purchases totaling \$357,904 to purchase additional interoperable radio communications equipment; and Authorize the Sheriff or his designees to execute any service contracts and subsequent amendments necessary to fulfill the County's responsibility under the 2019 HSGP Expenditure Plan and which remain within budgeted appropriations

Governing body: Board of Supervisors

District: All

Attachments: A - Resolution, B - Expenditure Plan

Date:	Ver.	Action By:	Action:	Result:
Published Notice Required?	Yes	No	<u>X</u>	
Public Hearing Required?	Yes	No	<u>X</u>	

DEPARTMENTAL RECOMMENDATION:

The Sheriff recommends that the Board of Supervisors:

1. Adopt a resolution approving participation in the 2019 Homeland Security Grant Program for the period September 1, 2019 through May 31, 2022 and authorizing the Sheriff or his designees to take actions necessary for the purpose of obtaining grant funding;
2. Approve an Appropriation Transfer Request (ATR) of \$527,487 for FY2019/20 to recognize the unanticipated grant revenue and related appropriations to enhance catastrophic incident planning, response and recovery in the Solano Operational Area (4/5 vote required);
3. Approve \$143,209 for Solano Operational Area joint-agency response teams and non-county agencies for training and to purchase a heavy-lift air bag system;
4. Approve fixed assets purchases totaling \$357,904 to purchase additional interoperable radio communications equipment; and

5. Authorize the Sheriff or his designees to execute any service contracts and subsequent amendments necessary to fulfill the County's responsibility under the 2019 HSGP Expenditure Plan and which remain within budgeted appropriations.

SUMMARY

On April 15, 2019, the State of California's Office of Emergency Services (Cal-OES) released notification of funding availability under its 2019 Homeland Security Grant Program (HSGP). These are federal funds allocated to the states to improve prevention and protection capabilities at the state and local levels to prevent terrorism and other catastrophic events, and to prepare for threats and hazards that pose the greatest risk to the security of the United States. The states in turn may award funds to counties or their equivalents to provide a range of preparedness activities, including planning, organization, equipment purchase, training, exercises, and management and administration.

Cal-OES awards its funding through a non-competitive grant process, which is administered through the State's HSGP. The allocation that each county is eligible for was included in the notice of funding availability, which for Solano County is \$527,487. Solano will have 33 months to spend the funds. The application deadline is scheduled for December 6, 2019 but is subject to change based on Federal approval. Cal-OES requires a Board resolution (Attachment A) to be submitted as part of Solano County's application to finalize the acceptance process.

The Sheriff's 2019 HSGP Expenditure Plan (Plan) is summarized in Attachment B and a more detailed description of the Plan is enumerated in the Discussion section of this report.

FINANCIAL IMPACT:

As indicated in the Cal-OES notice of funding availability, Solano County's allocation is \$527,487 with 25% of the total award to be allocated to Law Enforcement Terrorism Prevention-oriented activities and equipment. The HSGP does not include a match requirement. The Appropriation Transfer Request would increase appropriations by \$527,487 and would serve to make enhancements to catastrophic incident planning, response and recovery through the purchase of necessary equipment and training. These expenditures would be entirely offset with unanticipated grant revenue; therefore, Board approval will not impact the County General Fund at this time. Grant expenditures will be reimbursed by Cal-OES as expenses are incurred, or on a quarterly basis, and would not significantly impact the County's cash flow. HSGP funds must be fully expended by May 31, 2022 and are subject to those expenditures outlined below.

Training: Twenty-five percent (25%) or \$133,209 of the grant funds will be used to conduct regional Hazardous Materials training and a Multi-Casualty Incident exercise for first responders.

Equipment: Two percent (2%) or \$10,000 will be used to purchase a heavy-lift air bag system for the Solano County Urban Search and Rescue team. The agency the grant equipment is distributed to will be financially responsible for the repair or replacement costs necessary to maintain the equipment.

Fixed Assets Equipment: Sixty-eight percent (68%) or \$357,904 of the grant funds will be used to purchase fixed assets interoperable radio communications system to outfit a new communications tower and replace some outdated radio repeaters and microwave antennas on three existing towers. The County is financially responsible for the repair or replacement costs necessary to maintain the grant equipment.

Administration: Five percent (5%) or \$26,374 will be used to offset salary and benefits costs for the Sheriff's Office Accountant performing grant administrative activities. HSGP guidelines allow grantees to claim up to 5% of the total award for administrative activities.

The cost associated with preparing the agenda item is nominal and absorbed by the department's FY2019/20 Working Budget.

DISCUSSION:

The National Preparedness Goal is for communities to be prepared for all types of disasters and emergencies, specifically to have community-wide capabilities to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greater risk. The National Preparedness System outlines an organized process for everyone in a community to move forward with preparedness activities to achieve this Goal. The 2019 HSGP is part of the National Preparedness System, and supports it by funding activities that build, sustain, and deliver the core capabilities of Prevention, Protection, Mitigation, Response, and Recovery. California's HSGP administers funds to focus on improving prevention and protection capabilities at the state and local levels.

Solano County's proposed 2019 HSGP Expenditure Plan was developed in consultation with the Solano HSGP Approval Authority Body, which is composed of the Solano County Sheriff, the County Public Health Officer, Fairfield City Fire Chief, Vacaville Fire Protection District Chief, and the Vallejo City Police Chief. Members of the Approval Authority Body are selected by the Police and Fire Chief's Association. A detailed description of the Plan is enumerated below:

Interoperable Radio Communications Project: \$357,904 to purchase additional interoperable radio communications equipment such as radio repeaters and antennas to outfit the proposed tower at the Vallejo Fairgrounds and replace equipment at three existing communication towers. The on-going interoperable radio communications project is necessary to provide trunked radio signal coverage throughout Solano County and to transmit the newer digital trunked radio signal. Regional interoperability will benefit the entire County including the Sheriff's Office, allied law enforcement and fire agencies, and its residents.

HAZMAT Project: \$67,824 to provide hazard materials training for the joint-agency HAZMAT Team personnel to ensure the HAZMAT Team is response ready for potential rail car, pipeline, or terrorist exposures.

Multi-Casualty Incident Exercise: \$65,385 to fund a county-wide agency multi-casualty incident exercise to include triage, patient care, and transportation to hospitals during a multi-casualty event or disaster. Participation will include all law enforcement and fire agencies, hospitals, and ambulance service.

Urban Search and Rescue Equipment: \$10,000 to purchase a heavy-lift airbag system used to search for and/or free victims trapped by large pieces of debris following a disaster or terrorist incident.

Management and Administration: \$26,374 to offset salary and benefits costs for the Sheriff's Office Accountant performing grant administrative activities.

The Solano County OES will manage and coordinate the program projects. The OES may initiate a reallocation of certain expenses to meet the needs of specific projects.

ALTERNATIVES:

The Board of Supervisors could choose not to authorize participation in the program; however, this alternative is not recommended as non-participation may negatively impact the County's preparedness to secure the Solano Operational Area. Additionally, this alternative is not fiscally prudent as funds would be redistributed to other counties and without the funds, the Sheriff's Office would not have sufficient appropriations to carry out the activities.

OTHER AGENCY INVOLVEMENT:

The Approval Authority Body within the Solano Operational Area approved the proposed application and expenditure plan. The Solano Operational Area, which includes the entire County, is represented by the Solano County Sheriff, the County Public Health Officer, city police departments, city fire departments, and local fire protection districts.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2019 - _____

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
APPROVING PARTICIPATION IN THE 2019 HOMELAND SECURITY GRANT PROGRAM
AND AUTHORIZING THE SHERIFF, UNDERSHERIFF, DIRECTOR OF ADMINISTRATIVE
SERVICES OR EMERGENCY SERVICES MANAGER TO EXECUTE ANY ACTIONS
NECESSARY FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE
THROUGH THE 2019 HOMELAND SECURITY GRANT**

Whereas, the State of California's Office of Emergency Services annually allocates federal funds administered through the State's Homeland Security Grant Program for the purpose of improving prevention and protection capabilities at the state, local, tribal and territorial levels to prevent terrorism and other catastrophic events and to prepare for threats and hazards that pose the greatest risk to the security of the United States; and

Whereas, the Sheriff's Office has prepared the 2019 Homeland Security Grant Expenditure Plan and intends to submit an application for funding to the State of California's Office of Emergency Services.

Resolved, the Solano County Board of Supervisors approves Solano County's participation in the 2019 Homeland Security Grant Program for the period September 1, 2019 through May 31, 2022, and authorizes the Solano County Sheriff, Undersheriff, Director of Administrative Services and/or Emergency Services Manager to apply for, accept, administer, and sign operational contracts, modifications, and reimbursements for the purpose of obtaining federal financial assistance through the 2019 Homeland Security Grant provided by the Federal Department of Homeland Security and sub-awarded through the State of California.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 22, 2019 by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____
EXCUSED:	SUPERVISORS	_____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

2019 HSGP Expenditure Plan

HAZMAT	Training	\$ 67,824
USAR	Equipment	\$ 10,000
Multi-Casualty Incident Exercise	Training	\$ 65,385
Subtotal for joint agency and non-county agencies		\$ 143,209
Sheriff's Office	Interoperability Project	\$ 357,904
Sheriff's Office	Management and Administrative Fees	\$ 26,374
Subtotal for County		\$ 384,278
GRANT TOTAL		\$ 527,487



Solano County

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

Agenda Submittal

Agenda #:	20	Status:	Consent Calendar
Type:	Resolution	Department:	Sheriff's Office
File #:	19-800	Contact:	Don Ryan, 784-1616
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt a resolution approving participation in the 2019 Emergency Management Performance Grant for the period of July 1, 2019 through June 30, 2021 and authorizing the Sheriff or his designees to execute any actions necessary for the purpose of obtaining grant funding; Approve an Appropriation Transfer Request (ATR) of \$213,748 to recognize the unanticipated grant revenue and related appropriations to improve emergency management capabilities (4/5 vote required); and Authorize the Sheriff or his designees to execute any service contracts and subsequent amendments necessary to fulfill the County's responsibility under the 2019 Emergency Management Performance Grant Expenditure Plan and which remain within budgeted appropriations		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution, B - Expenditure Plan		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X

Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

The Sheriff recommends that the Board of Supervisors:

1. Adopt a resolution approving participation in the 2019 Emergency Management Performance Grant for the period of July 1, 2019 through June 30, 2021 and authorizing the Sheriff or his designees to execute any actions necessary for the purpose of obtaining grant funding;
2. Approve an Appropriation Transfer Request (ATR) of \$213,748 to recognize the unanticipated grant revenue and related appropriations to improve emergency management capabilities (4/5 vote required); and
3. Authorize the Sheriff or his designees to execute any service contracts and subsequent amendments necessary to fulfill the County's responsibility under the 2019 Emergency Management Performance Grant Expenditure Plan and which remain within budgeted appropriations.

SUMMARY:

On April 12, 2019, the Federal Emergency Management Agency (FEMA) released notification of funding availability under its 2019 Emergency Management Performance Grant (EMPG) Program. These are federal funds allocated to the states to prepare for all hazards at the state and local levels to strengthen national preparedness and resilience. The states in turn may award funds to counties or their equivalents to plan for,

prevent, protect from, mitigate against, respond to, and recover from emergencies, disasters, crimes and terrorist events.

Cal-OES awards its funding through a non-competitive grant process, which is administered through the State's EMPG Program. The allocation that each county is eligible for was included in State's EMPG funding table, which for Solano County is \$213,748. Solano will have two years to spend the funds. Once Cal-OES opens the application portal, the Sheriff's Office of Emergency Services (OES) will submit its funding application. Cal-OES requires a Board resolution (Attachment A) to be submitted as part of Solano County's application to finalize the acceptance process.

The Sheriff's 2019 EMPG Expenditure Plan (Plan) is summarized in Attachment B and a more detailed description of the Plan follows in the Discussion section.

FINANCIAL IMPACT:

FEMA requires that federal grant funds equal the lesser of fifty percent of the program cost or \$213,748. Cal-OES has passed this requirement on to its subrecipients. As indicated in the Cal-OES funding table, Solano County's allocation is \$213,748 with a \$213,748 match requirement for a total of \$427,496 in program funds. The Sheriff intends to fulfill the match obligation via in-kind services with the FY2019/20 salary and benefit costs of the Emergency Services Manager, the Emergency Services Program Coordinator, the Emergency Services Technician, and OES volunteer eligible hours. The Appropriation Transfer Request would increase appropriations by \$213,748 to improve emergency response capabilities through staffing a part-time position, the purchase of necessary equipment, public outreach activities, and the continuation of Alert Solano. These expenditures would be entirely offset with unanticipated grant revenue; therefore, Board approval will not impact the County General Fund at this time. Grant expenditures will be reimbursed by Cal-OES on a quarterly basis and would not significantly impact the County's cash flow. EMPG funds must be fully expended by June 30, 2021 and are subject to those expenditures outlined below.

Personnel: Nineteen percent (19%) or \$40,687 of the grant funds will offset the salary and benefits costs of a part-time Emergency Services Technician and the Sheriff's Office Accountant performing grant administrative activities. EMPG guidelines allow grantees to claim up to 5% of the total award for administrative activities.

Equipment: Thirty-six percent (36%) or \$75,337 will be used to replace up to 41 desktop and laptop computers and eight chairs in the County Emergency Operations Center (EOC). The County is financially responsible for non-warranty repair and replacement costs necessary to maintain the grant equipment.

Software: Thirty-four percent (34%) or \$73,033 of the grant funds will be used to continue subscription licensing for the County's mass notification system and grant inventory tracking system.

Advertising: Ten percent (10%) or \$21,000 will be used for Public Service Announcements (PSAs) and public outreach activities to increase the number of Alert Solano subscribers.

Supplies: One percent (1%) or \$3,691 will be used to purchase supplies for the EOC.

The cost associated with preparing the agenda item is nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

Under section 662 of the *Post Katrina Emergency Management Reform Act* (6 U.S.C. § 762) and the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (42 U.S.C. §§ 5121 et seq.), federal funds are

provided to assist state and local governments in preparing for all hazards. Title VI of the *Stafford Act* authorizes FEMA to award grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the federal government and the states and their political subdivisions. California's EMPG administers funds to focus on improving emergency management capabilities at the state and local levels.

Solano County's proposed 2019 EMPG Expenditure Plan was developed by OES based on OES' assessment and prioritization of the operational needs, including those of members of the EOC and volunteer response teams. A detailed description of the Plan is enumerated below:

Extra-help Emergency Services Technician: \$30,000 to continue to fund an extra-help Emergency Services Technician to assist the full-time OES Emergency Services Technician with the maintenance, movement and inventory of grant-funded equipment and support staff who plan and coordinate training programs. OES has utilized a part-time, extra-help Emergency Services Technician continuously since November 2010 and EMPG has been used to fund this position. As the operational needs of OES continue to increase, OES will explore opportunities for an additional full-time position.

Emergency Operations Center: \$79,028 to replace aging laptop and desktop computers in the EOC and to purchase necessary supplies. The EOC equipment is used by County employees for incident command training and for EOC activations. The equipment has reached end of life and must be replaced to remain compatible with and connected to the County network.

Alert Solano: \$70,238 to purchase another year of subscription licensing to use the emergency communications suite Everbridge which is the foundation for Solano County's Unified Mass Notification System (Alert Solano). Everbridge includes the following modules: Mass Notification; Community Engagement; Alerting for Public Safety Employees; and Incident Management. Alert Solano is primarily used to alert residents to life-threatening conditions such as severe weather warnings; fires, floods, and natural disasters; hazardous materials, terrorism warnings; and kidnapped or missing persons. The system may also be used for non-emergency alerts such as community and neighborhood watch warnings. Alert Solano can send alerts and notifications to specific jurisdictions or globally to the entire County.

Public Awareness: \$21,000 to fund PSAs emphasizing PG&E's public safety power shutoff plan and emergency preparedness for county residents, and for public outreach activities sponsored to promote Alert Solano and increase its number of subscribers.

Grant Equipment Management System: \$2,795 to purchase another year of subscription licensing to use the grant equipment tracking system IntelliTrak to maintain a grant equipment listing. FEMA requires that all grant purchased equipment be inventoried every two years.

Grant Management and Administration: \$10,687 to offset the salary and benefits costs of the Sheriff's Office Accountant performing grant administrative activities.

The Solano County OES will manage and coordinate the program projects. The OES may initiate a reallocation of certain expenses to meet the needs of specific projects.

ALTERNATIVES:

The Board of Supervisors could choose not to authorize participation in the program; however, this alternative is not recommended as non-participation may negatively impact the County's response to emergencies and disasters. Additionally, this alternative is not fiscally prudent as funds would be redistributed to other counties

and without these funds, the Sheriff's Office does not have sufficient appropriations to carry out the activities.

OTHER AGENCY INVOLVEMENT:

Human Resources has been consulted regarding the use of an extra-help Emergency Services Technician.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2019 - _____

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
APPROVING PARTICIPATION IN THE 2019 EMERGENCY MANAGEMENT
PERFORMANCE GRANT PROGRAMS AND AUTHORIZING THE SHERIFF, THE
UNDERSHERIFF, DIRECTOR OF ADMINISTRATIVE SERVICES OR THE
EMERGENCY SERVICES MANAGER TO EXECUTE ANY ACTIONS NECESSARY
FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE
THROUGH THE 2019 EMERGENCY MANAGEMENT PERFORMANCE GRANT**

Whereas, the State of California's Office of Emergency Services annually allocates federal funds administered through the State's Emergency Management Performance Grant Program for the purpose of improving emergency management capabilities at the state, local, and tribal levels to improve preparedness, mitigation, response, and recovery efforts for all hazards; and

Whereas, the Sheriff's Office has prepared the 2019 Emergency Management Performance Grant expenditure plan and submitted an application for funding to the State of California's Office of Emergency Services; and

Whereas, the Sheriff's Office has been notified it is eligible to receive \$213,748 in Emergency Management Performance Grant revenue.

Resolved, the Solano County Board of Supervisors approves the participation of Solano County in the 2019 Emergency Management Performance Grant program for the period of July 1, 2019 through June 30, 2021, and authorizes the Solano County Sheriff, Undersheriff, Director of Administrative Services, and/or Emergency Services Manager to apply for, accept, administer and sign operational contracts, modifications and reimbursements for the 2019 Emergency Management Performance Grant provided by the Federal Department of Homeland Security and sub-awarded through the State of California.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 22, 2019, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

EXCUSED: Supervisors _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

2019 EMERGENCY MANAGEMENT PERFORMANCE GRANT EXPENDITURE PLAN

Extra Help Emergency Services Technician	\$	30,000
Emergency Operations Center – Equipment Replacement	\$	75,337
Emergency Operations Center – Supplies	\$	3,691
Alert Solano – Everbridge subscription licensing	\$	70,238
Public Awareness – PSAs and outreach activities	\$	21,000
Grant Equipment Management System - IntelliTrak subscription licensing	\$	2,795
Grant Management and Administration	\$	10,687
GRANT TOTAL	\$	213,748



Solano County

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

Agenda Submittal

Agenda #:	21	Status:	Consent Calendar
Type:	Appointment	Department:	County Counsel
File #:	19-818	Contact:	Dan Wolk, 784-6150
Agenda date:	10/22/2019	Final Action:	
Title:	Approve the appointments of Dale Crossley, Martin Emigh, and Luke Detar as Trustees of Reclamation District No. 2068 for terms to expire at noon on December 1, 2023		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Reclamation District No. 2068 Correspondence		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X
Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board approve the appointments of Dale Crossley, Martin Emigh, and Luke Detar as Trustees of Reclamation District No. 2068 for terms to expire at noon on December 1, 2023.

SUMMARY/DISCUSSION:

Reclamation districts are governed by boards of trustees, which are composed of landowners or their legal representatives in the district. As a general rule, a district must hold an election in each odd-numbered year. Once an election is called, the district solicits nominations. If, on the 54th day prior to the election, the number of nominees does not exceed the number of trustees to be elected (and if a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the district board), an election shall not be held and the board of supervisors shall appoint those nominated for the positions of trustee. If no person has been nominated, the board of supervisors shall appoint any qualified person or persons.

Reclamation District No. 2068 (District) has a five-member Board of Trustees, and the terms of three of the Trustees will expire in December. Pursuant to Water Code section 50731.5, the District published a notice calling for nominations for the positions. The District received no nominations for the positions, other than from the three incumbents. In addition, the District received no petition requesting that an election be held.

Because the number of nominations is equal to the number of seats available, the District requests that the Board of Supervisors appoint the nominated individuals in lieu of holding an election, pursuant to Water Code section 50742.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board could choose not to make these appointments. This option is not recommended as the proposed Trustees were validly nominated, and the law requires their appointment.

OTHER AGENCY INVOLVEMENT:

Reclamation District No. 2068 requested this action.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

IRRIGATION



DRAINAGE

RECLAMATION DISTRICT NO. 2068

Received

OCT 04 2019

Solano County
Board of Supervisors

September 27, 2019

Solano County Board of Supervisors
675 Texas Street, Suite 6500
Fairfield, CA 94533

RE: ELECTION OF TRUSTEES, RECLAMATION DISTRICT NO. 2068

Notice is hereby provided that nominations for the four year office of Trustee, Reclamation District No. 2068, are equal to the number of vacancies to be filled and that no petition has been received signed by five percent or more voters requesting that an election be held for those positions.

In accordance with provisions of the election code, the Board of Supervisors of Solano County is requested to appoint to the four-year office of Trustee the following persons nominated:

Dale Crossley
Martin Emigh
Luke Detar

Your attention to this matter is appreciated.

Sincerely,

RECLAMATION DISTRICT NO. 2068

Bryan Busch
Secretary to the Board of Trustees

BB/smg



Solano County

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

Agenda Submittal

Agenda #:	22	Status:	Consent Calendar
Type:	Appointment	Department:	County Counsel
File #:	19-819	Contact:	Dan Wolk, 784-6150
Agenda date:	10/22/2019	Final Action:	
Title:	Approve the appointments of John Durand as Trustee of Reclamation District No. 2098 for a term to expire at noon on December 3, 2021, and Katie Riley and John Cain as Trustees of Reclamation District No. 2098 for terms to expire at noon on December 1, 2023		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Reclamation District No. 2098 Correspondence		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board approve the appointments of John Durand as Trustee of Reclamation District No. 2098 for a term to expire at noon on December 3, 2021, and Katie Riley and John Cain as Trustees of Reclamation District No. 2098 for terms to expire at noon on December 1, 2023.

SUMMARY/DISCUSSION:

Reclamation districts are governed by boards of trustees, which are composed of landowners or their legal representatives in the district. As a general rule, a district must hold an election in each odd-numbered year. Once an election is called, the district solicits nominations. If, on the 54th day prior to the election, the number of nominees does not exceed the number of trustees to be elected (and if a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the district board), an election shall not be held and the board of supervisors shall appoint those nominated for the positions of trustee. If no person has been nominated, the board of supervisors shall appoint any qualified person or persons.

Reclamation District No. 2098 (District) has a three-member Board of Trustees, and the terms of all three of the Trustees will expire in December. Pursuant to Water Code section 50731.5, the District published a notice calling for nominations for the positions. The District received no nominations for the positions, other than from the three incumbents. In addition, the District received no petition requesting that an election be held.

Because the number of nominations is equal to the number of seats available, the District requests that the Board of Supervisors appoint the nominated individuals in lieu of holding an election, pursuant to Water Code section 50742.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board could choose not to make these appointments. This option is not recommended as the proposed Trustees were validly nominated, and the law requires their appointment.

OTHER AGENCY INVOLVEMENT:

Reclamation District No. 2098 requested this action.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

IRRIGATION



DRAINAGE

RECLAMATION DISTRICT NO. 2018

October 1, 2019

Solano County Board of Supervisors
675 Texas Street, Suite 6500
Fairfield, CA 94533

RE: ELECTION OF TRUSTEES, RECLAMATION DISTRICT NO. 2098

Notice is hereby provided that nominations for the four year office of Trustee, Reclamation District No. 2098, are equal to the number of vacancies to be filled and that no petition has been received signed by five percent or more voters requesting that an election be held for those positions.

In accordance with provisions of the election code, the Board of Supervisors of Solano County is requested to appoint to the two-year office of Trustee the following persons nominated:

John Durand


In accordance with provisions of the election code, the Board of Supervisors of Solano County is requested to appoint to the four-year office of Trustee the following persons nominated:

Katie Riley
John Cain

Your attention to this matter is appreciated.

Sincerely,

RECLAMATION DISTRICT NO. 2098


Bryan Busch
Secretary to the Board of Trustees

BB/smg



Solano County

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

Agenda Submittal

Agenda #:	23	Status:	Consent Calendar
Type:	Appointment	Department:	Health and Social Services
File #:	19-817	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Approve the appointment of Menlo Avestro to the Mental Health Advisory Board for a term to expire on October 22, 2022		
Governing body:	Board of Supervisors		
District:	All		
Attachments:			

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes _____ No X
Public Hearing Required? Yes _____ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Health and Social Services (H&SS) requests that the Board of Supervisors approve the appointment of Menlo Avestro to serve on the Mental Health Advisory Board (MHAB) for a term to expire on October 22, 2022.

SUMMARY/DISCUSSION:

Welfare and Institutions code 5604-5604.5 specifies that the Board of Supervisors of each county shall appoint a Mental Health Advisory Board (MHAB) to provide input and feedback to the County Mental Health Director. The board must include individuals who have experience with and knowledge of the mental health system. The board membership should have ethnic diversity of the client population in the county. At least 50% of the membership must have personal experience either directly or as a family member of someone who lives with mental illness. More specifically at least 20% of the membership must be a person with lived experience as a recipient of mental health services, and at least 20% must be a family member of an individual who is receiving or has received mental health services, to assure that different viewpoints are present.

The Solano County MHAB has been in existence since August 11, 1977 and currently maintains an active and diverse six-member roster, including one position filled by a member of the Board of Supervisors, currently Supervisor Brown. The board is striving to achieve a membership of at least ten interested participants. The recommended appointment helps to maintain an active membership for the MHAB in its role to provide input to issues facing the local mental health system. Mr. Avestro attended two board meetings as a member of the public as required in the bylaws to affirm his commitment. He has been interviewed and accepted by the membership committee.

Menlo Avestro has been a Fairfield resident for over 27 years. He has a Bachelor of Science in Business Marketing which he completed through the University of Phoenix, Fairfield Campus in 2014. While he has worked in jobs related to his course of study, he found it to be unfulfilling. He successfully completed the 80 Hour Peer Support Training Class with Resilience Inc. held in Solano County in May 2019, and through this he

believes he has found his calling. He is now serving as a peer volunteer within Behavioral Health and facilitates the peer support group in Fairfield on Wednesday evenings. He has also used his newly acquired skills to volunteer as a facilitator at Fairfield's Circle of Friends and Solano County National Alliance on Mental Illness (NAMI), and Solano County's Fairfield Peer Support Group on Wednesday evenings. In his most recent work, Menlo has also volunteered with the Solano County Homeless Outreach Team to serve people in the community of Vallejo. He enjoys offering support on issues regarding mental health, life skills, self-advocacy and empowerment.

Mr. Avestro has been in his own personal mental health recovery since 2011. As a person recovering from a mental health condition, he wants to be an asset to consumers and community outreach programs in Solano County.

FINANCIAL impact:

There is no financial impact to the County General Fund. Staff time preparing this Board Item is included in the current budget.

ALTERNATIVES:

The Board may choose not to approve this appointment. This is not recommended as H&SS and the MHAB has interviewed him and is recommending his appointment. He brings an important and required consumer perspective to the board.

OTHER AGENCY INVOLVEMENT:

There are no other involved agencies.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION



Solano County

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

Agenda Submittal

Agenda #:	24	Status:	Consent Calendar
Type:	Appointment	Department:	Workforce Development Board
File #:	19-804	Contact:	Heather Henry, 863-3501
Agenda date:	10/22/2019	Final Action:	
Title:	Approve the appointment of Tiffany Donahue as the Adult Education Representative to the Workforce Development Board (WDB) of Solano County, for a term to expire on October 21, 2023, as required under the Workforce Innovation and Opportunity Act (WIOA)		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Application and Letter of Recommendation		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board of Supervisors appoint Tiffany Donahue as the Workforce Innovation and Opportunity Act (WIOA) Title II (Adult Education) Representative to the Workforce Development Board (WDB) of Solano County, for a term to expire on October 21, 2023, as required under the Workforce Innovation and Opportunity Act (WIOA).

SUMMARY:

The Board of Supervisors, as the local elected official authorized under §107(b)(1) of the 2014 Workforce Innovation and Opportunity Act (WIOA) and as described on page 2 of the Bylaws of the WDB of Solano County, Article VI-Section C. Selection of Directors, appoint representatives to the Board of Directors of the WDB. The WDB Board of Directors approved the above named nominee at their October 4, 2019 Board meeting.

Based on the technical certification, membership nomination, application and supplemental application (Attachment A), as well as WDB Board action, Ms. Donahue can now be considered for formal ratification by the Board of Supervisors as the newest representative on the Board of Directors of the WDB.

FINANCIAL IMPACT:

This action has no financial impact. The WDB is fully grant funded and receives no County General Funds.

DISCUSSION:

Ms. Donahue will be filling the recent vacancy of Ms. Christine Hess who served as a member of the Workforce Development Board. Ms. Hess resigned from her position on the Board of Directors in August

2019. Staff would like to take this opportunity to thank Ms. Hess for her dedication and service to the Workforce Development Board.

Ms. Donahue has been an educator for twenty years which has given her a strong understanding of special education and adult education and the skills needed to progress into educational leadership. She strongly believes in a school environment where every student should feel valued and empowered to achieve their academic best and to ensure that students have a transition into the workforce that helps provide a sustainable wage. Ms. Donahue loves inspiring others to make a profound impact in their lives and enjoys seeing how carefully planned educational programs, mentorship programs, and effective training of staff can greatly benefit students and the school community. It is her mission to not simply be a leader, but an exceptional leader, to ensure that staff are successful and that students can thrive in today's world.

After a technical review of Ms. Donahue's application documents, she has been found to be in compliance with the regulatory requirements governing the Education Representative, WIOA Title II category for the Workforce Development Board membership appointment. Ms. Donahue will serve a term of office from October 22, 2019 through October 21, 2023.

Attached is a copy of her Membership Application and Supplemental Application. Also attached is a nomination letter from the Vacaville Unified School District recommending her nomination. With this appointment, as recommended in this report, the WDB will have 22 of its 25 membership seats filled.

ALTERNATIVES:

The Board of Supervisors could choose to not ratify Ms. Donahue's appointment, and a new search for a WIOA Title II, Adult Education Representative could ensue. However, Ms. Donahue is considered to be an excellent candidate to serve in this representative category on the WDB, suggested by former WDB Board member, Ms. Hess, and backed by the Vacaville Unified School District.

OTHER AGENCY INVOLVEMENT:

Jane Shamieh, Superintendent of Vacaville Unified School District provided a nomination on behalf of Ms. Donahue.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

APPLICATION FOR APPOINTMENT TO THE BOARD OF DIRECTORS

Thank you for your interest in serving as a member of the Workforce Development Board (WDB) of Solano County. Please complete this application as well as the supplemental application and return them to the WDB's Corporate Affairs Unit located at 500 Chandbourne Road, Suite A, Fairfield, CA 94534.

Name: Tiffany Donahue

Company/Agency: Vacaville Unified School District/Vacaville Adult School

Title: Adult Education Coordinator

Business Address: 100 McClellan Street
Vacaville, CA 95687

Business Phone #: 707/453-6018

Business Fax #: 707/453-6959

Home or Cell Phone #: 707/416-5075

Email Address: tiffanyd@vacavilleusd.org

County Supervisory District: Solano

**Length of Residence/
Business in Solano County :** **Years:** 4 **Months:**

Previous Commission or Committee Membership

Commission/Committee	Office Held (if applicable)	Length of Participation
Solano Adult Education Consortium	Vacaville Voting Member	3

Educational Background

Institution	Major	Degree Yes No		Year
Western Illinois University	B.S. Elementary Education	x		1999
Walden University	M.S. Psychology	x		2011
Sonoma State University	Educational Specialist Credential			2006
Sonoma State University	Administrative Services Credential			2008

Work/Volunteer Experience

Organization	City/State	Position	Year
Fairfield-Suisun Unified School District	Fairfield CA	Special Education Teacher	2000-2002
Vacaville Unified School District	Vacaville Ca	Special Education Teacher	2002-2016
Vacaville Unified School District	Vacaville CA	Adult Education Coordinator	2016+

Certification

I certify that the information on this application and the attached application supplement is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for membership appointment. I understand that the information may be made public in accordance with Federal, State and local laws. I further understand and agree, if appointed, to complete any and all required Conflict of Interest and/or Disclosure Statements required by law.

Tiffany Donahue Digitally signed by Tiffany Donahue
Date: 2019.08.06 12:48:05 -07'00'

Applicant Signature

8/6/2019

Date



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

SUPPLEMENTAL APPLICATION

Name: Tiffany Donahue

Date: 8/7/2019

I. Please provide the information requested below relating to the representative category of membership nomination you are seeking on the Workforce Development Board of Solano County.

1. ☐ Business (Private Sector/Non-Governmental)
2. ☐ Community Based Organization
3. ☐ Economic/Business Development Agency
4. ☒ Education (Please check the appropriate box)
☒ Adult School ☐ Community College
5. ☐ Governmental Entity
6. ☐ Labor Organization
7. ☐ State Certified Apprenticeship Program
8. ☐ Wagner Peyser Program
9. ☐ Title I Rehabilitation Act Program
10. ☐ Youth Employment/Education Provider

II. If you checked **box 1**, please answer each of the following questions:

- A. Name of Business: _____
- B. Are you the Chief Executive or Owner? ☐ Yes ☐ No
- C. Are you the Chief Operating Office? ☐ Yes ☐ No
- D. Do you have substantial policy making or hiring authority? ☐ Yes ☐ No
- E. Number of employees at the Solano Business? _____
- F. Is the business minority-owned or operated? ☐ Yes ☐ No
- G. Please check the box indicating which *Chamber of Commerce* is nominating you. (**Attach the nomination letter**)
- | | | |
|---|------------------------------------|---|
| <input type="checkbox"/> Benicia | <input type="checkbox"/> Dixon | <input type="checkbox"/> Vallejo |
| <input type="checkbox"/> Fairfield/Suisun | <input type="checkbox"/> Rio Vista | <input checked="" type="checkbox"/> Vacaville |

III. If you checked **box 2 through box 10**, please complete the following:

- A. Name of the organization which nominated you. This organization may also be your employer. (**Attach the nomination letter**)

Organization Name: Vacaville Unified School District

- B. Do you have optimum policy making authority with your organization, agency or entity? ☒ Yes ☐ No

Tiffany Donahue
Applicant Signature

Digitally signed by Tiffany Donahue
Date: 2019.08.07 15:59:13 -07'00'

8/7/2019
Date

July 17, 2019

Heather Henry, President/Executive Director
Workforce Development Board of Solano County
500 Chadbourne Road
Fairfield, CA 94534

Dear Ms. Henry:

It is with pleasure I write this letter of recommendation for Tiffany Donahue. Tiffany has been the Coordinator for Vacaville Adult School for the past several years. I recommend her highly for a position on the Board of the Solano Adult Education Consortium.

Tiffany has done an excellent job as the leader of the Vacaville Adult School. She has grown the school in both number of students and programs/classes offered. In the time she's been the coordinator, the school has increased the number of students participating by 15% and decreased the students dropping out by 14%. More students are successful than ever before. She has also added vocational education courses in addition to the mainstays of high school diploma courses and English as a second language course.

In addition to creating and marketing the courses to our community, Tiffany has developed budgets related to state and federal programs, and developed and submitted the forms, grants and reports related to Adult Education. She has managed the day-to-day activities such as registration, marketing, discipline, hiring and staff support.

Tiffany has been integral to the success of the Vacaville Adult School and I highly recommend her for a position on the Solano Adult Education Consortium. Please contact me if you need additional information about Tiffany's abilities.

Sincerely,



Jane Shamieh
Superintendent
Vacaville Unified School District



Solano County

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

Agenda Submittal

Agenda #:	25	Status:	Presentation
Type:	Resolution-Presentation	Department:	Board of Supervisors
File #:	19-781	Contact:	Matthew A. Davis, 784-6111
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt and present a resolution challenging Contra Costa County to participate in the 16th annual Counties Care Holiday Food Fight friendly challenge to benefit the Food Bank of Contra Costa and Solano		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The County Administrator's Office recommends that the Board of Supervisors adopt and present a resolution challenging Contra Costa County to participate in the 16th annual Counties Care Holiday Food Fight friendly challenge to benefit the Food Bank of Contra Costa and Solano.

SUMMARY:

Solano and Contra Costa Counties, working with the Food Bank of Contra Costa and Solano (Food Bank), have been participating in an annual counties care holiday food fight friendly challenge since 2004 when the Contra Costa County Board of Supervisors extended the first challenge to Solano County. This will be the sixteenth year of this annual event to raise funds for the Food Bank of Contra Costa and Solano.

The event allows employees at both counties the opportunity to help those in need in their respective counties through financial donations as food insecurity and hunger are a continuing and growing concern in both counties and throughout California. Last year's combined county employees contributed a fifteen-year cumulative total of more than \$1.45 million. With the friends of the food fight included, more than \$1.88 million has been donated to the Food Bank.

In 2018, Solano County won the annual event with \$16.39 contributed per employee and maintained control of the "Big Apple" trophy - a three-year winning streak. As the holder of the "Big Apple," Solano County challenges Contra Costa County to participate in the employee-to-employee 2019 Counties Care Holiday Food Fight friendly challenge to compete for possession of the "Big Apple" trophy.

If adopted by the Solano County Board of Supervisors, the resolution will be presented to the Contra Costa County Board of Supervisors at their November 5, 2019 meeting. If accepted by Contra Costa County, the 2019 Counties Care Holiday Food Fight will commence on November 18 and run through December 31, 2019.

FINANCIAL IMPACT:

There is no cost associated with adopting the resolution challenging Contra Costa County to participate in the 2019 Counties Care Holiday Food Fight friendly challenge. If accepted by Contra Costa County Board of Supervisors, staff time of departmental food fund drive coordinators will be borne by the individual County departments involved in the drive. Solano County employees have contributed more than \$408,000 over the last fifteen years, and together, both counties have contributed more than \$1.45 million to the Food Bank. In addition, non-employee "Friends of the Food Bank" in Solano County has resulted in a cumulative total of more than \$438,000 in online donations during the annual county-to-county drive.

DISCUSSION:

The Food Bank of Contra Costa and Solano distributes approximately 7 million pounds of food annually throughout Solano County. Approximately 63,000 hungry people, including children and seniors, in Solano County are served by the Food Bank each month. Both perishable and non-perishable food is also provided to countless nonprofit agencies throughout the County such as food pantries, shelters, soup kitchens, senior and child care centers, and group homes.

The Food Bank's mission is "leading the fight to end hunger, in partnership with our community and in service of our neighbors in need" and through continued community support, the Food Bank can accomplish this.

This would be the sixteenth consecutive year for the Counties Care Holiday Food Fight friendly challenge if the Board authorizes Solano County to extend this friendly challenge to Contra Costa County Board of Supervisors and employees. To date, Solano County has held the coveted "Big Apple" trophy 8 times, whereas Contra Costa County has held on to it 7 times in the fifteen-year history of the food fight challenge.

Solano County and Contra Costa County employees will strive, through their donations, to make their County the champion and holder of the "Big Apple." Last year Solano County won the challenge with a record-shattering \$16.93 contributed per employee, \$3.76 more than the previous record, and maintained possession of the "Big Apple" trophy. Contra Costa County collected \$10.89 per employee. This event raises funds for the Food Bank and allows employees in both counties an opportunity to help those in need in their respective county through financial donations. All funds raised in each county will be used to purchase food for the needy and hungry in each respective county.

On November 5, 2019, Larry Sly, Executive Director for Food Bank of Contra Costa and Solano, will present the Contra Costa County Board of Supervisors with the Solano County resolution challenging them to the sixteenth-annual Counties Care Holiday Food Fight. If accepted, this year's employee-to-employee food drive fund challenge will run from November 18 through December 31, 2019.

ALTERNATIVES:

The Board could choose not to challenge Contra Costa County Board of Supervisors and employees this year, but this is not recommended as Solano County won the food drive challenge last year and this would allow Contra Costa County an opportunity to regain the title. But more importantly, while providing for some fun and friendly competitions, the counties care holiday food fight provides financial donations for the Food Bank to purchase food for the needy and hungry in the counties of Contra Costa and Solano.

OTHER AGENCY INVOLVEMENT:

Food Bank of Contra Costa and Solano will be coordinating the competition efforts with the counties of Contra Costa and Solano to conduct this food drive.

Resolution No. 2019 -

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS CHALLENGING CONTRA COSTA COUNTY TO CONTINUE THE FIGHT AGAINST FOOD INSECURITY IN SOLANO AND CONTRA COSTA COUNTIES BY PARTICIPATING IN THE ANNUAL COUNTIES CARE HOLIDAY FOOD FIGHT

WHEREAS, it all began in 2004 when Contra Costa County challenged Solano County to participate in a friendly "Food Fight" challenge to raise funds to support food collection and distribution efforts in Contra Costa and Solano Counties; and

WHEREAS, hunger exists in every corner of our communities and affects people of all ages, ethnicities, education levels and employment status, with one in eight people relying on the Food Bank of Contra Costa and Solano for food assistance; and

WHEREAS, the Food Bank is there for those in need of a helping hand, working heroically on the front line of the daily effort to address food insecurity, providing monthly to 125,000 residents in Contra Costa County and 63,000 residents in Solano County; and

WHEREAS, Contra Costa County and Solano County employees have accepted the challenge to continue to fight against food insecurity by participating in the annual "Food Fight" challenge and annual holiday fund drive for the past fifteen years to support residents in the counties of Solano and Contra Costa in need of Food Bank services; and

WHEREAS, in 2018, the combined fifteen-year effort of both Contra Costa County and Solano County employees exceeded a cumulative donation total of over \$1.45 million, and with the friends of the food fight included, over \$1.88 million has been donated to the Food Bank; and

WHEREAS, the 2019 Counties Care Holiday Food Fight will take place between November 18 and December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Solano County Board of Supervisors hereby commends the Contra Costa Board of Supervisors for its past "Food Fight" successes and challenges employees and residents of Solano and Contra Costa Counties to open their hearts and wallets once again to assist the Food Bank of Contra Costa and Solano and its client organizations during the coming holiday season; and

BE IT FURTHER RESOLVED that the Solano County Board of Supervisors hereby officially continues the annual competition with Contra Costa County and kicks off the 2019 Counties Care Holiday Food Fight friendly challenge to continue the fight against food insecurity; and

Dated this 22nd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:

BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	26	Status:	Regular Calendar
Type:	Presentation	Department:	Health and Social Services
File #:	19-696	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Receive a presentation on the Alcohol, Tobacco, and Other Drugs Prevention Program's achievements in FY2018/19		
Governing body:	Board of Supervisors		
District:	All		
Attachments:			

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ___ No x
Public Hearing Required? Yes ___ No x

DEPARTMENTAL RECOMMENDATION:

The Department of Health & Social Services recommends the Board of Supervisors receive a presentation on the Alcohol, Tobacco and Other Drugs Prevention Program's (ATOD) achievements in FY2018/19.

SUMMARY:

On September 25, 2018 the Board of Supervisors approved four contracts totaling \$991,989, including 3-year contracts with City of Benicia, Fighting Back Partnership, Miracle Christian Worship Center and the City of Rio Vista, to provide services for the Alcohol, Tobacco and Other Drugs (ATOD) Prevention Program. At that meeting, the Board directed staff to provide an update on the program's progress after the first year of the contract term and requested that the contractors participate in the update.

In Fiscal Year 2018/19, the ATOD Prevention Program contractors achieved several key components of laying the ground work for policy change. They provided education about the risks of cannabis use by youth through meetings with 15 city council members and other key leaders; increased the awareness of how a Social Host Ordinance can reduce youth access to cannabis through 23 community presentations; created and ran a countywide media campaign about Social Hosting with alcohol that had over 3 million impressions (reaches) during graduation season; and strengthened their local coalitions that consistently engaged 10-15 youth and adult residents at each meeting. Three contractors are long-standing partners in this effort, and one has reinvigorated its local community to renew work in this area. Staff and contractors collaborate with the Alcohol and Drug Advisory Board and Drug Safe Solano (local opioid coalition) to ensure coordination across substance use prevention and treatment.

In the past year, new data have been released from the California Healthy Kids Survey showing that the long-term commitment of the Board to prevention efforts in Solano County is reducing rates of substance use among young people. These prevention efforts must continue in order to sustain their effects.

FINANCIAL IMPACT:

The costs associated with preparing this presentation are nominal and are included in the Department's FY2019/20 Adopted budget.

DISCUSSION:

There are four current ATOD prevention contracts, awarded through a Request for Proposal, which are funded by County General Funds (CGF) for reducing rates of alcohol and drug use, and by the Substance Abuse Block Grant (SABG) Prevention funds from the Department of Health Care Services. All contractors met or exceeded the majority of their deliverables in FY2018/19. Those deliverables that were extended into FY2019/20 are in progress and were extended with staff approval and input, due primarily to the reality of their environments being different than anticipated when the contracts were originally executed.

Each contractor has unique successes to highlight in their presentation. In addition, staff monitoring of specific contract deliverables and budgets in FY2018/19 shows:

- **The City of Benicia** had 29 deliverables in FY2018/19. This contractor completed 19 (66%) of those, extended 9 (31%) into FY2019/20, with staff approval, and did not meet 1 (3%). An additional 9 deliverables in their original scope of work were determined to not be possible during the time period (having no cannabis retailers meant they could not start work on cannabis retailer training or compliance checks). Out of their \$63,523 budget, the City of Benicia spent \$42,236 (66%), of which \$19,696 was from CGF.
- **Fighting Back Partnership** in Vallejo had 31 deliverables in FY2018/19. This contractor completed 19 (61%), extended 7 (23%) into FY2019/20, with staff approval, and did not complete 5 (16%). Out of their \$89,539 budget, Fighting Back Partnership spent \$56,065 (63%), of which \$30,319 was from CGF.
- **Miracle Christian Worship Center** in Dixon had 35 deliverables in FY2018/19. This contractor met 22 (63%), extended 9 (26%) into FY2019/20, with staff approval, and did not meet 4 (11%). Out of their \$74,126 budget, Miracle Christian Worship Center spent \$73,297 (99%), of which \$37,340 was from CGF.
- **The City of Rio Vista** had 36 deliverables in FY2018/19. This contractor completed 28 (78%), extended 4 (11%) into FY2019/20, with staff approval, and did not complete 4 (11%). An additional 10 deliverables in their original scope of work were determined to not be possible at this time (the police department did not have the capacity to do compliance checks, and a Parent Project class was organized but no participants attended). Out of their \$49,977 budget, the City of Rio Vista spent \$30,312 (61%), of which \$12,859 was from CGF.

For the past twenty years, as a result of commitments made during Tobacco Master Settlement Agreement Board actions, the Board of Supervisors, through Solano County Public Health has supported the Alcohol, Tobacco and Other Drugs Prevention Program to meet their stated goal, "to have the lowest rates of ATOD use among youth in California." Due in part to the Board's consistent commitment to funding prevention, Solano County has seen significant improvements. For example, recently released data from the 2017/18 California Healthy Kids Survey (CHKS) show that Solano's prevention efforts have significantly reduced rates of substance use among students countywide. According to these new data, tobacco use, alcohol use, and binge drinking are at their lowest levels since tracking began in 2003. In 2018, 16% of Solano 11th graders report using alcohol "in the past 30 days" compared to 35% in 2003. This is also lower than the current State

rate of 23%. Cannabis use continues to decrease for 7th and 11th graders, down to 4% and 16%, respectively, and is well below the increases seen from 2005 to 2014 for all age groups, which peaked at 24% for 11th graders in 2014.

However, there are still areas of concern that need attention in order to maintain success and continue reducing rates among youth. For example, since 2003, students are less likely to perceive harm in using tobacco, alcohol, cannabis, and prescription drugs. And while the number of students who think it would be “fairly easy” or “very easy” to obtain these substances is decreasing, between 40-60% of 9th and 11th graders still say it is easy to get alcohol and cannabis at parties and from older friends/siblings. Additionally, nearly half of 9th graders (41%) and 11th graders (49%) say it is *easy to get cannabis at school*. These data were collected before adult recreational use cannabis legalization was fully implemented, which one would conjecture could increase youth access if grown in the home, so they have the potential to negatively change.

Prevention efforts such as these affect residents beyond the young people who are the primary focus. To date, public health and partner initiatives have led to multiple Solano County jurisdictions passing ordinances that limit the number of cannabis dispensaries, require and/or enable alcohol retailers to attend training to reduce youth access, and provide their residents with smoke-free locations such as parks, transit stops, downtown areas, and County properties/campuses. Current efforts seek to ensure that all Solano jurisdictions have a Social Host Ordinance in place to help law enforcement hold adults accountable who enable underage youth access to alcohol and cannabis.

Substance use among youth also affects the future health and stability of the adult population. Its prevention serves to help address County priorities to reduce homelessness and mental illness.

ALTERNATIVES:

The Board of Supervisors could consider not allowing the presentation on the agenda. This is not recommended since the Board requested the presentation to learn more about local progress, and there is positive new data to share about the successes realized by the Board's support.

OTHER AGENCY INVOLVEMENT:

The other agencies involved with this effort and today's presentation are the contractors: City of Benicia, Fighting Back Partnership, Miracle Christian Worship Center, and City of Rio Vista.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION



Solano County

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

Agenda Submittal

Agenda #:	27	Status:	Regular Calendar
Type:	Miscellaneous	Department:	General Services
File #:	19-816	Contact:	Mark Hummel, 784-7908
Agenda date:	10/22/2019	Final Action:	
Title:	Approve the Department of Child Support Services Relocation Project on the 5th floor of the County Administration Center at 675 Texas Street, Fairfield; and Authorize the County Administrator or designee to execute necessary agreements and any amendments within the approved project budget		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Project Funding & Budget Summary, B - Conceptual Floor Plan		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Department of General Services recommends that the Board of Supervisors:

1. Approve the Department of Child Support Services Relocation Project to be located on the 5th floor of the County Administration Center at 675 Texas Street, Fairfield; and
2. Authorize the County Administrator or designee to execute necessary agreements and any amendments within the approved project budget.

SUMMARY:

Approval of the Department of Child Support Services (DCSS) Relocation Project (Project) on the 5th floor of the County Administration Center (CAC) at 675 Texas Street, in Fairfield, will benefit both DCSS and the County. DCSS will benefit from savings in building occupancy (lease) costs, an enhanced customer service location and an improved workplace environment and the County will receive occupancy cost recovery revenue associated with the relocation of DCSS. A conceptual test-fit floor plan for the project has been completed, along with a concept-level cost estimate for the Project. California DCSS (state) will provide one-time project funding augmentation using state and federal funds for allowable project expenditures, separate from, and in addition to, operational funding received annually by DCSS. DCSS plans to request Board approval for the unanticipated revenue from the State in November 2019.

FINANCIAL IMPACT:

The total estimated conceptual cost for the Project is \$4,392,646 (Attachment A). The construction cost is estimated to be \$2,846,722; project management is estimated to be \$125,000; engineering and design fees

are estimated to be \$253,000; permits/inspections are estimated to be \$20,000; miscellaneous expenses are estimated to be \$2,000; furniture, fixtures, and equipment (FF&E) and moving costs are estimated to be \$824,500; increased rent cost at 435 Executive Court (July - December 2020) estimated to be \$55,000; and contingencies estimated to be \$266,424.

The Accumulated Capital Outlay (ACO) Fund in Budget Unit 1665 will fund 45% of the Project or \$2,000,000. The State's contribution will fund 43% of project costs with state and federal funds. The State has reviewed the conceptual estimate and provided a list of allowable expenditures, currently estimated at a total of \$1,889,379. DCSS anticipates submitting an agenda item in November 2019 requesting that the Board recognize and appropriate the unanticipated revenue from the State to the project.

General Services plans to request Board approval for remaining funding need of \$503,267 in the future, if needed. The county's share of costs for these improvements will be recovered in the building use charges (A-87) over a 20-year period. The current cost estimate is based on a concept-level test-fit floor plan and generic construction unit prices. Cost estimates will be refined as the project design develops.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

DISCUSSION:

DCSS receives state and federal government funding to support operational expenses, 34% and 66% respectively. With the exception of a modest increase in funding in FY2019/20, the Department's funding has remained relatively flat since FY2002/03. As such, the Department continues to experience cost pressures related to rising building lease expenses and increases in salaries, retirement and health benefit costs. Consequently, staffing levels have been reduced from 181 employees to 93 employees, a 48.6% reduction over 17 years, achieved through attrition.

DCSS currently occupies 19,680 s.f. at 435 Executive Court North, in Fairfield. General Services Department (GSD) was requested to perform an initial test-fit analysis in FY2017/18 to determine if DCSS' space requirements could be accommodated within existing unimproved space on the fifth floor of the CAC, located at 675 Texas Street in Fairfield. The analysis confirmed that space needs can be accommodated. Subsequently, \$2 million was appropriated in FY2018/19 for further project work efforts.

A project kick-off meeting was held in June 2019 with DCSS, GSD, and architectural consultant Dreyfuss + Blackford of Sacramento to establish project goals, re-validate program space needs, establish the project's timeline, and confirm initial project scope. A conceptual floor plan (Attachment B), which encompasses approximately 12,000 gross s.f. on the 5th floor of the CAC, was developed to re-validate DCSS' space program needs. The plan illustrates an open-plan concept, improving the DCSS work environment with more efficient operational flow while supporting the organizational culture of DCSS. The plan also allows for future growth within the allocated space by converting flex spaces into eight (8) additional workstations.

Relocating DCSS to the CAC will produce a savings in lease, utilities, and maintenance costs. DCSS will continue receiving State support for its operations, at previously funded levels, and separate from the State's funding for improvements. Other Departments in the CAC will realize a savings for share of the common space building occupancy costs, in the cost plan, as DCSS embeds its footprint in the CAC. In addition, the General Fund will benefit from additional lease revenue associated with DCSS occupying the 5th floor.

If the Board approves the requested actions, the project is scheduled for bidding in late Winter 2020, with construction starting in Spring 2020 and project completion by Fall 2020.

ALTERNATIVES:

The Board could choose not to approve the Project. This action is not recommended as DCSS continues to experience financial pressures from increased operating expenses and the relocation will provide some relief and the County will not receive one-time State revenue to offset project costs. The unimproved space on the fifth floor of CAC will remain underutilized, with no savings to other departments and lease revenue from State.

OTHER AGENCY INVOLVEMENT:

The Department of Child Support Services was consulted during preparation of the test-fit analysis, conceptual floor plan, and conceptual estimate. The California Department of Child Support Services, County Department of Resource Management, and County Department of Information Technology were consulted during preparation of the project scope and conceptual estimate. The Debt Advisory Committee has reviewed this proposal.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Department of Child Support Services (DCSS) Relocation Project
675 Texas Street, 5th floor, Fairfield, CA

Project Funding Source

Accumulated Capital Outlay (ACO) FY 18/19	\$ 2,000,000
⁽¹⁾ Estimated Additional Financing (CA DCSS)	\$ 1,889,379
⁽²⁾ Estimated Additional Funding Need in FY2019/20	\$ 503,267
Total Project Funding	\$ 4,392,646

Project Budget (Estimate)

Construction Cost	\$ 2,846,722
Project Management	\$ 125,000
Engineering and Design Fees	\$ 253,000
Permits / Inspections	\$ 20,000
Miscellaneous Expense (Advertising, Prints, Mailing, etc)	\$ 2,000
Furniture, Fixtures, and Equipment & Moving Expenses	\$ 824,500
Increased Rent Cost at 435 Executive Ct. (July - December 2020)	\$ 55,000
Contingencies	\$ 266,424
Project Budget	\$ 4,392,646

⁽¹⁾ CA DCSS Funding Augmentation from state and federal funds.

⁽²⁾ Additional funding to be requested in future board item, if needed.

LEGEND

- NEW HARD WALLS
- GLAZING SYSTEM
- DEMOUNTABLE PARTITION SYSTEM



① OVERALL FURNITURE FLOOR PLAN - 5TH FLOOR - OPTION 1
1/8" = 1'-0"





Solano County

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

Agenda Submittal

Agenda #:	28	Status:	Regular Calendar
Type:	Miscellaneous	Department:	Resource Management
File #:	19-807	Contact:	Jag Sahota, 784-3308
Agenda date:	10/22/2019	Final Action:	
Title:	Receive a presentation on Microenterprise Home Kitchen operations and provide direction to staff as deemed appropriate		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - AB 626, B - AB 377		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes ____ No X
Public Hearing Required? Yes ____ No X

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board of Supervisors receive a presentation on Microenterprise Home Kitchen operations and provide direction to staff as deemed appropriate.

SUMMARY:

Beginning January 1, 2019, and pursuant to AB 626 the California Health and Safety Code (CalCode) was amended to include provisions for the authorization, regulation and operation of a Microenterprise Home Kitchen (MHK), which is a new type of retail food facility where a resident operates a restaurant from their home kitchen for on or off-site food sales directly to the consumer. MHKs are limited in the number of meals served and annual income received from sales. AB 626 places limitations on regulation of MHKs by environmental health, planning and building agencies. For example, this amendment restricts routine sanitation inspections to only once per year, regardless if the food being prepared and served is perishable but allows inspections in response to a complaint or if there is a specific public health concern. It also removes occupancy requirements for public access to the property for direct sales and for on-site food consumption. CalCode requires the governing body of a jurisdiction to adopt a resolution or an ordinance to "opt-in" for these provisions to become effective and for MHKs to be allowed to operate in a County or City.

During the state's legislative process prior to enactment of AB 626, the Solano County's Legislative Committee, with input from the Public Health Officer and the Environmental Health Division, recommended an oppose position to AB 626 due to various public health and other concerns. These concerns included those related to foodborne illness, sanitation, parking, water/waste water, fire hazards, ADA accessibility, housing conditions, the potential difficulty and cost to regulate private homes. The Solano County Board of Supervisors approved the oppose recommendation and provided an oppose letter to the Assembly Appropriations Committee on January 17, 2018 and a request for veto letter to the Governor on August 29, 2018. AB 626 was enacted by the Governor on September 18, 2018 with the new law becoming effective on January 1, 2019. On August 13, 2019 Supervisor Monica Brown requested that the Board discuss MHKs now that the bill has

become law and directed staff to facilitate such a discussion by the Board in October 2019. The purpose of this report is to provide a general background on MHK requirements, their status in California, and options available to the Board.

A recent development is the signing of AB 377 into law by the Governor which now provides the sole authority to permit MHKs within a jurisdiction to the enforcement agency responsible for the implementation of CalCode. Within Solano County and many other County jurisdictions this authority lies with the Environmental Health Department acting as the Local Enforcement Agency, thereby preempting the cities within the County to “opt-in or out” of these provisions.

FINANCIAL IMPACT:

The cost to prepare this report is minimal and absorbed by the Departments’ adopted budget. After discussion, should the Board decide to direct staff to prepare a resolution or an ordinance and allow operation of MHKs in Solano County, then additional costs associated with regulating MHKs will be incurred. It is difficult to estimate the fiscal impacts at this point since the demand for permits and the subsequent popularity of MHKs is unknown.

DISCUSSION

CalCode pursuant to AB 626 and AB 377 contains specific operational and regulatory requirements for MHKs that need to be addressed should the County give serious consideration to “opt-in” to the new program. The County is limited to accept the requirements in CalCode and cannot place additional restrictions on their operation or regulation. Below are some of the main operational and regulatory parameters:

Operational Requirements for MHKs:

- A city or county designated as the enforcement agency for retail food safety by CalCode has full discretion to authorize operation of MHKs in their jurisdiction through a resolution or ordinance but cannot adopt requirements more restrictive than CalCode. Until a county or a city authorizes these types of operations, MHKs cannot operate.
 - For Solano County this means that only the County Board may authorize the operation and permitting of MHKs and may do so on a countywide basis.
- A resident can prepare and sell up to 30 meals per day but no more than 60 meals per week from their home kitchen up to a maximum of \$50,000 gross annual sales.
- MHKs can be operated from single or multi-family homes, owned or rented.
- Home prepared meals may contain perishable food items, except for oysters and raw milk, must be made and sold the same day, and must be sold directly to the consumer either sit down on site or take out, which includes internet sales.
 - Department note: Perishable food items increase the potential for food borne illness and Solano County has had documented illnesses and a death from home prepared perishable foods.

- May have one employee in addition to family members
- Appropriate food training certification and food handling cards are required for the operator and those involved in food preparation.

Regulation requirements for MHKs:

- MHKs may have no more than one routine inspection per year, with additional inspections being allowed only to investigate a complaint or if health hazard is suspected (for example: knowledge that operator has a communicable, food-borne, illness).
 - In Solano County, typically, Environmental Health will perform two to three unannounced inspections of a commercial retail restaurant if perishable foods are prepared and served.
- To accommodate the differences between a home kitchen and a commercial kitchen, MHKs are exempted from many commercial kitchen requirements, including those related to sinks for handwashing, dishwashing, and requirements for commercial food grade construction for the facility and equipment. The presence or handling of animals in the kitchen is only restricted during the food preparation time.
- The law also exempts MHKs from any additional planning and permitting provisions of other laws as specified such as zoning requirements, noise restrictions, traffic, ADA requirements and occupancy, etc.

Status of MHKs in California:

While AB 626 originally provided authority to city and county jurisdictions to allow permitting of MHKs within their respective jurisdictions, it created confusion because the authority to enforce the provisions of CalCode and issue food facility permits only lies within the Environmental Health agencies. With the exception of a few cities that have their own Environmental Health Departments, the county Environmental Health departments act as the local enforcement agency with jurisdiction for retail food facilities. AB 377, the cleanup bill to clarify the authority to permit MHKs was signed into law by the Governor on October 7, 2019. This law provides authority to cities or counties that are authorized as enforcement agencies for CalCode to permit MHKs within the entirety of a jurisdiction. Within Solano County, this means that whatever action the County takes regarding the MHKs will also apply to all Solano Cities. As of October 7, 2019, many jurisdictions were monitoring AB 377 and awaiting the outcome of this cleanup bill.

A recent survey of all California Environmental Health agencies throughout the state provided to the Department shows that for those responding, most have not taken action to “opt-in” due to a lack of direction/interest, general concern with issues surrounding MHKs from their elected officials, or to wait for the enactment of AB 377. To date none of the seven cities in Solano County have adopted their own local resolutions or ordinances to allow MHKs. Department staff reached out to various city staff personnel to find out the interest in each city to allow MHKs. At the time of writing this report we heard from two cities, who indicated limited intent thus far to opt in. We are awaiting responses from the remaining cities.

In terms of other California Counties, the Board of Supervisors for Siskiyou County adopted Resolution 19-09 to formally prohibit MHKs and the boards for Yolo County and Butte County decided to provide no direction to staff during informational updates on MHKs at their respective board meetings, which has the same effect as not authorizing the operation of MHKs. Staff with the City of Berkeley intend to bring the matter to their council and receive direction on MHKs on October 15, 2019 with this outcome unknown at the time of writing this staff report. The County of Riverside has adopted an ordinance to authorize the permitting and operation of MHKs within its jurisdiction. County of Riverside Ordinance #949 includes provisions as required by CalCode, permit fee requirements (set at \$651.00), and enforcement provisions, including administrative and civil penalties.

Between June 6, 2019, the effective date of their ordinance allowing MHKs, and October 7, 2019 the County of Riverside has permitted twenty MHKs, with the majority being issued in September 2019.

Options:

CalCode provides complete discretion to the Board on whether to allow MHKs. The Board has following options in this regard:

Option 1: Take no action at this time. This will have the effect of not allowing MHKs to operate currently in Solano County. Under this option the Board could either provide no direction to staff or ask staff to return with additional information after further evaluation the actions of other jurisdictions throughout the state regarding MHKs now that AB 377 has been signed. This would also allow further outreach with the Cities within the County to determine their level of interest.

Option 2: Direct staff to return with a resolution to outright prohibit MHKs in Solano County.

Option 3: Direct staff to return with a resolution or an ordinance to allow MHKs in Solano County.

ALTERNATIVES:

The Board may choose not to discuss MHKs or to defer such discussion to a later date. With recent legislation becoming law, this is not advised as it is timely to address this issue for the sake of clarity to the public that may have an interest in this issue.

OTHER AGENCY INVOLVEMENT:

In obtaining information for this report, the department consulted with County Counsel, Solano County Public Health, and other environmental health agencies throughout California.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Assembly Bill No. 626

CHAPTER 470

An act to amend Sections 110460, 111955, 113789, and 114390 of, to add Section 113825 to, and to add Chapter 11.6 (commencing with Section 114367) to Part 7 of Division 104 of, the Health and Safety Code, relating to the California Retail Food Code.

[Approved by Governor September 18, 2018. Filed with
Secretary of State September 18, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 626, Eduardo Garcia. California Retail Food Code: microenterprise home kitchen operations.

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities for regulation by the State Department of Public Health, and requires local enforcement agencies to enforce these provisions. Existing law defines "food facility" as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, as specified. Existing law exempts, among others, a private home, including a registered or permitted cottage food operation, from the definition of food facility. A violation of the California Retail Food Code is generally a misdemeanor.

This bill would, among other things, include a microenterprise home kitchen operation within the definition of a food facility, and would define a microenterprise home kitchen operation to mean a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets specified requirements, including, among others, that the operation has no more than one full-time equivalent food employee and has no more than \$50,000 in verifiable gross annual sales. The bill would specify that the governing body of a city or county, or city and county, shall have full discretion to authorize, by ordinance or resolution, the permitting of microenterprise home kitchen operations in accordance with the provisions of this bill, except as provided. The bill would require a microenterprise home kitchen operation to be considered a restricted food service facility for purposes of certain provisions of the code, except as otherwise provided, and would exempt a microenterprise home kitchen operation from various provisions applicable to food facilities, including, among others, provisions relating to handwashing, sinks, ventilation, and animals. The bill would require the applicant for a permit to operate a microenterprise home kitchen operation to submit to the local enforcement agency written standard operating procedures that include specified information, including all food types or

products that will be handled and the days and times that the home kitchen will potentially be utilized as a microenterprise home kitchen operation.

The bill would require an Internet food service intermediary, as defined, that lists or promotes a microenterprise home kitchen operation on its Internet Web site or mobile application to, among other things, be registered with the department, to clearly and conspicuously post on its Internet Web site or mobile application the requirements for the permitting of a microenterprise home kitchen operation, as specified, prior to the publication of the microenterprise home kitchen operation's offer of food for sale, and to submit the name and permit number of a microenterprise home kitchen operation to the local enforcement agency if it receives, through its Internet Web site or mobile application, 3 or more unrelated individual food safety or hygiene complaints in a calendar year from consumers who have made a purchase through its Internet Web site or mobile application. The bill would also make related findings and declarations.

By expanding the scope of a crime, this bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 113789 of the Health and Safety Code proposed by AB 2178 and AB 2524 to be operative only if this bill and AB 2178, this bill and AB 2524, or all 3 bills are enacted and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) California is the largest agricultural producer and exporter in the United States.

(2) California is home to the "farm-to-table" movement, which embraces the idea that restaurants and other food sellers should prioritize locally and sustainably produced foods.

(3) Many cities have embraced the idea of locally grown, produced, and prepared foods. Sacramento, for example, proclaimed itself the farm-to-fork capital of America.

(4) Accordingly, Californians have shown a preference for supporting local agriculture and local business and for finding sustainable solutions to food insecurity.

(5) The retail and commercial food market is an integral part of California's economy.

(6) Small-scale, home-cooking operations can create significant economic opportunities for Californians that need them most — often women, immigrants, and people of color.

(7) Under existing law, individuals can sell food through retail food facilities or cottage food operations, the latter of which being limited to a restricted list that primarily consists of nonperishable food items that can be prepared in the home. Both of these options make it difficult for the vast majority of home cooks to independently benefit from their labor, skills, and limited resources.

(8) Because the bar for entry to restaurant ownership is high, and the cost of renting a retail kitchen is so great, an informal economy of locally produced and prepared hot foods exists in the form of meal preparation services, food carts, and communally shared meals.

(9) However, due to a lack of appropriate regulations, many experienced cooks in California are unable to legally participate in the locally prepared food economy and to earn an income legally therein.

(10) As a result, and because they feel they have no other option, thousands of private chefs, home caterers, and many other food microentrepreneurs cook out of private homes or unlicensed food facilities, with little access to education for best practices or safety guidelines.

(11) Many of these cooks are unable to enter the traditional food economy based on disability, family responsibilities, or lack of opportunity.

(12) Under existing law, preparing and selling food from a home kitchen normally can be treated as a criminal act and may be punishable as a misdemeanor.

(13) Providing guidelines, training, and safety resources to home cooks would also increase public health safeguards in existing informal food economies.

(14) The exchange of home-cooked food can also improve access to healthy foods for communities, particularly in food deserts with severely limited options.

(15) The California Retail Food Code establishes health and sanitation standards for retail food facilities. That law exempts private homes from the definition of a food facility and includes cottage food operations in that exemption.

(16) Therefore, the Legislature should create a framework that authorizes the safe preparation and sale of meals prepared in home kitchens, providing adequate regulations and requirements for food handling and safety.

(b) It is the intent of the Legislature that this act authorize the use of home kitchens for small-scale, direct food sales by home cooks to consumers, providing appropriate flexibility in food types and appropriate health and sanitation standards.

SEC. 2. Section 110460 of the Health and Safety Code is amended to read:

110460. No person shall engage in the manufacture, packing, or holding of any processed food in this state unless the person has a valid registration from the department, except those engaged exclusively in the storing, handling, or processing of dried beans. The registration shall be valid for one calendar year from the date of issue, unless it is revoked. The registration shall not be transferable. This section shall not apply to a cottage food

operation that is registered or has a permit pursuant to Section 114365 or a microenterprise home kitchen, as defined in Section 113825.

SEC. 3. Section 111955 of the Health and Safety Code is amended to read:

111955. “Food processing establishment,” as used in this chapter, shall mean any room, building, or place or portion thereof, maintained, used, or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, canning, packing, slaughtering, or otherwise preparing or handling food except restaurants. “Food processing establishment” shall not include a cottage food operation that is registered or has a permit pursuant to Section 114365 or a microenterprise home kitchen, as defined in Section 113825.

SEC. 4. Section 113789 of the Health and Safety Code is amended to read:

113789. (a) “Food facility” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

(1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.

(2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) “Food facility” includes permanent and nonpermanent food facilities, including, but not limited to, the following:

(1) Public and private school cafeterias.

(2) Restricted food service facilities.

(3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).

(4) Commissaries.

(5) Mobile food facilities.

(6) Mobile support units.

(7) Temporary food facilities.

(8) Vending machines.

(9) Certified farmers’ markets, for purposes of permitting and enforcement pursuant to Section 114370.

(10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.

(11) Fishermen’s markets.

(12) Microenterprise home kitchen operations.

(c) “Food facility” does not include any of the following:

(1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.

(2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.

(3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.

(4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.

(5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.

(6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.

(7) A commercial food processing establishment, as defined in Section 111955.

(8) A child day care facility, as defined in Section 1596.750.

(9) A community care facility, as defined in Section 1502.

(10) A residential care facility for the elderly, as defined in Section 1569.2.

(11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.

(12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.

(B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.

(13) A community food producer, as defined in Section 113752.

SEC. 4.1. Section 113789 of the Health and Safety Code is amended to read:

113789. (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

(1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.

(2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) “Food facility” includes permanent and nonpermanent food facilities, including, but not limited to, the following:

- (1) Public and private school cafeterias.
- (2) Restricted food service facilities.
- (3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).
- (4) Commissaries.
- (5) Mobile food facilities.
- (6) Mobile support units.
- (7) Temporary food facilities.
- (8) Vending machines.
- (9) Certified farmers’ markets, for purposes of permitting and enforcement pursuant to Section 114370.
- (10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.
- (11) Fishermen’s markets.
- (12) Microenterprise home kitchen operations.

(c) “Food facility” does not include any of the following:

- (1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.
- (2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.
- (3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.
- (4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.
- (5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.
- (6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.
- (7) A commercial food processing establishment, as defined in Section 111955.
- (8) A child day care facility, as defined in Section 1596.750.

(9) A community care facility, as defined in Section 1502.

(10) A residential care facility for the elderly, as defined in Section 1569.2.

(11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.

(12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.

(B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.

(13) A community food producer, as defined in Section 113752.

(14) A limited service charitable feeding operation, as defined in Section 113819.

SEC. 4.2. Section 113789 of the Health and Safety Code is amended to read:

113789. (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

(1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.

(2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:

(1) Public and private school cafeterias.

(2) Restricted food service facilities.

(3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).

(4) Commissaries.

(5) Mobile food facilities.

(6) Mobile support units.

(7) Temporary food facilities.

(8) Vending machines.

(9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.

(10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.

(11) Fishermen's markets.

(12) Microenterprise home kitchen operations.

(13) Catering operation.

(14) Host facility.

(c) "Food facility" does not include any of the following:

(1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.

(2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.

(3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.

(4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.

(5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.

(6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.

(7) A commercial food processing establishment, as defined in Section 111955.

(8) A child day care facility, as defined in Section 1596.750.

(9) A community care facility, as defined in Section 1502.

(10) A residential care facility for the elderly, as defined in Section 1569.2.

(11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.

(12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.

(B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.

(13) A community food producer, as defined in Section 113752.

SEC. 4.3. Section 113789 of the Health and Safety Code is amended to read:

113789. (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

(1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.

(2) A place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:

(1) Public and private school cafeterias.

(2) Restricted food service facilities.

(3) Licensed health care facilities, except as provided in paragraph (12) of subdivision (c).

(4) Commissaries.

(5) Mobile food facilities.

(6) Mobile support units.

(7) Temporary food facilities.

(8) Vending machines.

(9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.

(10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.

(11) Fishermen's markets.

(12) Microenterprise home kitchen operations.

(13) Catering operation.

(14) Host facility.

(c) "Food facility" does not include any of the following:

(1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.

(2) A private home when used for private, noncommercial purposes or when used as a cottage food operation that is registered or has a permit pursuant to Section 114365.

(3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.

(4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.

(5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code, or premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, and in the regulations adopted pursuant to those sections, that comply with Section 118375, regardless of whether there is a charge for the wine or beer tasting, if no other beverage, except for bottles of wine or beer and prepackaged nonpotentially hazardous beverages, is offered for sale or for onsite consumption and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for sale or for onsite consumption.

(6) An outlet or location, including, but not limited to, premises, operated by a producer, selling or offering for sale only whole produce grown by the

producer or shell eggs, or both, provided the sales are conducted at an outlet or location controlled by the producer.

(7) A commercial food processing establishment, as defined in Section 111955.

(8) A child day care facility, as defined in Section 1596.750.

(9) A community care facility, as defined in Section 1502.

(10) A residential care facility for the elderly, as defined in Section 1569.2.

(11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.

(12) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.

(B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.

(13) A community food producer, as defined in Section 113752.

(14) A limited service charitable feeding operation, as defined in Section 113819.

SEC. 5. Section 113825 is added to the Health and Safety Code, to read:

113825. (a) "Microenterprise home kitchen operation" means a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets all of the following requirements:

(1) The operation has no more than one full-time equivalent food employee, not including a family member or household member.

(2) Food is prepared, cooked, and served on the same day.

(3) Food is consumed onsite at the microenterprise home kitchen operation or offsite if the food is picked up by the consumer or delivered within a safe time period based on holding equipment capacity.

(4) Food preparation does not involve processes that require a HACCP plan, as specified in Section 114419, or the production, service, or sale of raw milk or raw milk products, as defined in Section 11380 of Title 17 of the California Code of Regulations.

(5) The service and sale of raw oysters is prohibited.

(6) Food preparation is limited to no more than 30 individual meals per day, or the approximate equivalent of meal components when sold separately, and no more than 60 individual meals, or the approximate equivalent of meal components when sold separately, per week. The local enforcement agency may decrease the limit of the number of individual meals prepared based on food preparation capacity of the operation, but shall not, in any case, increase the limit of the number of individual meals prepared.

(7) The operation has no more than fifty thousand dollars (\$50,000) in verifiable gross annual sales, as adjusted annually for inflation based on the California Consumer Price Index.

(8) The operation only sells food directly to consumers and not to any wholesaler or retailer. For purposes of this paragraph, the sale of food

prepared in a microenterprise home kitchen operation through the Internet Web site or mobile application of an Internet food service intermediary, as defined in Section 114367.6, is a direct sale to consumers. An operation that sells food through the Internet Web site or mobile application of an Internet food service intermediary shall consent to the disclosures specified in paragraphs (6) and (7) of subdivision (a) of Section 114367.6.

(b) "Microenterprise home kitchen operation" does not include either of the following:

(1) A catering operation.

(2) A cottage food operation, as defined in Section 113758.

(c) For purposes of this section, "resident of a private home" means an individual who resides in the private home when not elsewhere for labor or other special or temporary purpose.

SEC. 6. Chapter 11.6 (commencing with Section 114367) is added to Part 7 of Division 104 of the Health and Safety Code, to read:

CHAPTER 11.6. MICROENTERPRISE HOME KITCHEN OPERATION

114367. (a) Except as provided in subdivision (b), the governing body of a city or county, or city and county, shall have full discretion to authorize, by ordinance or resolution, the permitting of microenterprise home kitchen operations in accordance with this chapter.

(b) A permit issued by a county that has authorized the permitting of microenterprise home kitchen operations in accordance with this chapter shall be valid in any city within the county regardless of whether the city has separately enacted an ordinance or resolution to authorize or prohibit the permitting of microenterprise home kitchen operations within that city.

114367.1. (a) A microenterprise home kitchen operation, as defined in Section 113825, shall be considered a restricted food service facility for purposes of, and subject to all applicable requirements of, Chapter 1 (commencing with Section 113700) to Chapter 9 (commencing with Section 114265), inclusive, Chapter 12.6 (commencing with Section 114377), and Chapter 13 (commencing with Section 114380), except as otherwise provided in this chapter.

(b) A microenterprise home kitchen operation shall be exempt from all of the following provisions:

(1) Handwashing facilities requirements, as required in Section 113953, provided that a handwashing sink is supplied with warm water and located in the toilet room and supplied, as specified in Section 113953.2.

(2) Any provision in this part relating to sinks, warewashing machines, and manual or machine sanitation, including but not limited to, Sections 114099, 114099.2, 114099.4, 114099.6, 114099.7, 114101.1, 114101.2, 114103, 114107, 114123, 114125, 114163, and 114279, provided that the sink in a microenterprise home kitchen operation has hot and cold water and is fully operable.

(3) Prohibition on the presence of persons unnecessary to the food facility operation in the food preparation, food storage, or warewashing areas, as specified in Section 113945.1.

(4) No smoking sign posting requirements, as specified in Section 113978.

(5) Limitations on employee consumption of food, drink, or tobacco outside of designated areas, as specified in Sections 113977 and 114256.

(6) Limitations on consumer access to the food facility through food preparation areas, as specified in Section 113984.1.

(7) Display guard, cover, and container requirements, as specified in Section 114060, provided that any food on display that is not protected from the direct line of a consumer's mouth by an effective means is not served or sold to any subsequent consumer.

(8) Limitations on outdoor display and sale of foods, as specified in Section 114069.

(9) Requirements to provide clean drinking cups and tableware for second portions and beverage refills, as specified in Section 114075.

(10) Requirements pertaining to the characteristics and certification of utensils and equipment, as specified in Sections 114130, 114130.1, and 114139, provided that utensils and equipment are designed to retain their characteristic qualities under normal use conditions.

(11) Requirements pertaining to the characteristics, construction, and multiuse of food-contact and nonfood-contact surfaces, as specified in Sections 114130.1, 114130.3, and 114130.4, provided that food contact surfaces are smooth, easily cleanable, and in good repair.

(12) Requirements pertaining to the characteristics, construction, and disassembly of clean in place (CIP) equipment, as specified in Section 114130.5.

(13) Limitations on the use of wood as a food contact surface and in connection with other equipment, as specified in Section 114132.

(14) Any provision in this part relating to ventilation, including, but not limited to, Article 2 (commencing with Section 114149) of Chapter 6, provided that gases, odors, steam, heat, grease, vapors, and smoke are able to escape from the kitchen.

(15) Requirements that cold or hot holding equipment used for potentially hazardous food be equipped with integral or permanently affixed temperature measuring device or product mimicking sensors, as specified in subdivision (c) of Section 114157.

(16) Requirements pertaining to the installation of fixed, floor-mounted, and table-mounted equipment, as specified in Section 114169.

(17) Dedicated laundry facility requirements, as specified in Section 114185.5, provided that linens used in connection with the microenterprise home kitchen operation shall be laundered separately from the household and other laundry.

(18) Requirements pertaining to water, plumbing, drainage, and waste, as specified in Sections 114193, 114193.1, and 114245.7.

(19) Any requirement that a microenterprise home kitchen operation have more than one toilet facility or that access to the toilet facility not

require passage through the food preparation, food storage, or utensil washing areas, including, but not limited to, the requirements specified in Sections 114250 and 114276.

(20) Light intensity, light source, and lightbulb requirements, as specified in Sections 114252 and 114252.1, provided that food preparation areas are well lighted by natural or artificial light whenever food is being prepared.

(21) Requirements to provide and use lockers, storage facilities, and designated dressing areas, and that food facility premises be free of litter and items that are unnecessary to the operation, as specified in Sections 114256.1 and 114257.1, provided that personal effects and clothing not ordinarily found in a home kitchen are placed or stored away from food preparation areas and dressing takes place outside of the kitchen.

(22) Limitations on the presence and handling of animals, such as domestic, service, or patrol animals, as specified in Sections 114259.4 and 114259.5, provided that all animals, other than service animals, are kept outside of the kitchen and dining areas during food service and preparation.

(23) Requirements pertaining to floor, wall, and ceiling surfaces, as specified in Sections 114268, 114269, and 114271, provided that the floor, wall, and ceiling surfaces of the kitchen, storage, and toilet areas are smooth, of durable construction, and easily cleanable with no limitations on the use of wood, tile, and other nonfiber floor surfaces ordinarily used in residential settings.

(24) Any local evaluation or grading system for food facilities, as authorized by Section 113709.

(25) All prohibitions and limitations on the use of a kitchen in a private home as a food facility, including, but not limited to, prohibitions and limitations specified in Section 114285, provided that food is not prepared in designated sleeping quarters. Open kitchens adjacent to living and sleeping areas, kitchens in efficiency, studio, and loft-style residences, and kitchens without doors at all points of ingress and egress may be used in microenterprise home kitchen operations.

(26) Planning and permitting provisions of Sections 114380, 114381, and 114381.2.

(c) A microenterprise home kitchen operation may operate an open-air barbecue or outdoor wood-burning oven, pursuant to the requirements of Section 114143.

(d) The operator of a microenterprise home kitchen operation shall successfully pass an approved and accredited food safety certification examination, as specified in Section 113947.1.

(e) Any individual, other than the operator, who is involved in the preparation, storage, or service of food in a microenterprise home kitchen operation shall be subject to the food handler card requirements specified in Section 113948.

114367.2. (a) A microenterprise home kitchen operation shall not be open for business unless it has obtained a permit issued from the local enforcement agency.

(b) The department shall post on its Internet Web site the requirements for the permitting of a microenterprise home kitchen operation, pursuant to this chapter and any ordinance, resolution, or rules adopted by any city or county, or city and county, that has authorized the permitting of microenterprise home kitchen operations, which shall be written at a high school level.

(c) The applicant shall submit to the local enforcement agency written standard operating procedures that include all of the following information:

(1) All food types or products that will be handled.

(2) The proposed procedures and methods of food preparation and handling.

(3) Procedures, methods, and schedules for cleaning utensils, equipment, and for the disposal of refuse.

(4) How food will be maintained at the required holding temperatures, as specified in Section 113996, pending pickup by consumer or during delivery.

(5) Days and times that the home kitchen will potentially be utilized as a microenterprise home kitchen operation.

(d) (1) The local enforcement agency shall issue a permit after an initial inspection has determined that the proposed microenterprise home kitchen operation and its method of operation comply with the requirements of this chapter.

(2) A local enforcement agency shall not require a microenterprise home kitchen operation to comply with food safety requirements that are different from, or in addition to, the requirements of this chapter.

(e) For purposes of permitting, the permitted area includes the home kitchen, onsite consumer eating area, food storage, utensils and equipment, toilet room, janitorial or cleaning facilities, and refuse storage area. Food operations shall not be conducted outside of the permitted areas.

(f) A local enforcement agency may require a microenterprise home kitchen operation to renew its permit annually.

(g) A permit, once issued, is nontransferable. A permit shall be valid only for the person and location specified by that permit, and, unless suspended or revoked for cause, for the time period indicated.

(h) The permit, or an accurate copy thereof, shall be retained by the operator onsite and displayed at all times the microenterprise home kitchen operation is in operation.

(i) A local enforcement agency may collect a fee for the issuance of a permit pursuant to this chapter in an amount that does not exceed the reasonable administrative costs by the local enforcement agency in issuing the permit.

(j) Notwithstanding any other law, if there are multiple local agencies involved in the issuance of any type of permit, license, or other authorization to a microenterprise home kitchen operation, the governing body of the city or county, or city and county, shall designate one lead local agency that shall be vested with the sole authority to accept all applications for, to collect all fees for, and to issue, any permit, license, or other authorization required

for a microenterprise home kitchen operation to operate in the city or county, or city and county. A local agency other than the lead local agency shall not accept any applications for, collect any fees for, nor issue, any permits for the same purpose.

114367.3. (a) Notwithstanding any other law, after the initial inspection for purposes of determining compliance with this chapter, a microenterprise home kitchen operation shall not be subject to routine inspections, except that a representative of a local enforcement agency may access, for inspection purposes, the permitted area of a microenterprise home kitchen operation after the occurrence of either of the following:

(1) The representative has provided the microenterprise home kitchen operation with reasonable advance notice.

(2) The representative has a valid reason, such as a consumer complaint, to suspect that adulterated or otherwise unsafe food has been produced or served by the microenterprise home kitchen operation, or that the microenterprise home kitchen operation has otherwise been in violation of this part.

(b) Notwithstanding any other law, a microenterprise home kitchen operation shall not be subject to more than one inspection each year by the local enforcement agency, except in cases in which the local enforcement agency has valid reason, such as a consumer complaint, to suspect that adulterated or otherwise unsafe food has been produced or served by the microenterprise home kitchen operation, or that the microenterprise home kitchen operation has otherwise been in violation of this part.

(c) The local enforcement agency shall document the reason for the inspection, keep that documentation on file with the microenterprise home kitchen operation's permit, and provide the reason in writing to the operator of the microenterprise home kitchen operation.

(d) Access provided under this section is limited to the permitted area of the microenterprise home kitchen operation, during the posted operating hours of the microenterprise home kitchen operation, and solely for the purpose of enforcing or administering this part.

(e) A local enforcement agency may seek recovery from a microenterprise home kitchen operation of an amount that does not exceed the local enforcement agency's reasonable costs of inspecting the microenterprise home kitchen operation for compliance with this part if the microenterprise home kitchen operation is found to be in violation of this part.

114367.4. (a) (1) A city, county, or city and county shall not prohibit the operation of, require a permit to operate, require a rezone of the property for, or levy any fees on, or impose any other restriction on, a microenterprise home kitchen operation in any residential dwelling for zoning purposes. A microenterprise home kitchen operation shall be a permitted use of residential property in any residential dwelling for zoning purposes if the microenterprise home kitchen operation complies with both of the following criteria:

(A) Abstain from posting signage or other outdoor displays advertising the microenterprise home kitchen operation.

(B) Be in compliance with applicable local noise ordinances.

(2) This subdivision does not supersede or otherwise limit the investigative and enforcement authority of the city, county, or city and county with respect to violations of its nuisance ordinances.

(b) The use of a residence for the purposes of a microenterprise home kitchen operation shall not constitute a change of occupancy for purposes of the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code), or for purposes of local building and fire codes.

(c) A microenterprise home kitchen operation shall be considered a residence for the purposes of the State Uniform Building Standards Code and local building and fire codes.

114367.5. (a) A person delivering food on behalf of a microenterprise home kitchen operation with a permit issued pursuant to Section 114367.2 shall be an employee of the operation or a family member or household member of the permit holder, and, if the person drives a motor vehicle in the delivery of the food, the person shall have a valid driver's license.

(b) The microenterprise home kitchen operation shall keep on file a copy of the valid driver's license of a person delivering food on behalf of the operation.

114367.6. (a) An Internet food service intermediary that lists or promotes a microenterprise home kitchen operation on its Internet Web site or mobile application shall meet all of the following requirements:

(1) Be registered with the department.

(2) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, clearly and conspicuously post on its Internet Web site or mobile application the requirements for the permitting of a microenterprise home kitchen specified in this chapter, which shall be written at the high school level and be provided by the department.

(3) Clearly and conspicuously post on its Internet Web site or mobile application the fees associated with using its platform in a manner that allows both the consumer and the microenterprise home kitchen operation to see and understand the amount being charged for the services provided by the Internet food service intermediary. The Internet food service intermediary shall notify microenterprise home kitchen operations of any changes to these fees exceeding a 2-percent increase in writing and no later than one month before the changes take effect.

(4) Clearly and conspicuously post on its Internet Web site or mobile application whether or not it has liability insurance that would cover any incidence arising from the sale or consumption of food listed or promoted on its Internet Web site or mobile application.

(5) Provide a dedicated field on its platform for a microenterprise home kitchen operation to post the permit number, and shall provide notice to the microenterprise home kitchen operation of the requirement that the permit number be updated annually.

(6) Clearly and conspicuously post on its Internet Web site or mobile application how a consumer can contact the Internet food service

intermediary through its Internet Web site or mobile application if the consumer has a food safety or hygiene complaint and a link to the department's Internet Web site that contains information for how to file a complaint with the local enforcement agency.

(7) Submit the name and permit number of a microenterprise home kitchen operation to the local enforcement agency if it receives, through its Internet Web site or mobile application, three or more unrelated individual food safety or hygiene complaints in a calendar year from consumers that have made a purchase through its Internet Web site or mobile application. The Internet food service intermediary shall submit this information to the local enforcement agency within two weeks of the third complaint received.

(8) If it is notified by the local enforcement agency of significant food safety related complaints from a verified consumer that has made a purchase through its Internet Web site or mobile application, submit to the local enforcement agency the name and permit number of microenterprise home kitchen operation where the food was purchased, and a list of consumers who purchased food on the same day from that microenterprise home kitchen operation through its Internet Web site or mobile application.

(9) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, obtain consent from the microenterprise home kitchen operation to make the disclosures to government entities required pursuant to this section.

(b) For purposes of this chapter, an "Internet food service intermediary" means an entity that provides a platform on its Internet Web site or mobile application through which a microenterprise home kitchen operation may choose to offer food for sale and from which the Internet food service intermediary derives revenues, including, but not limited to, revenues from advertising and fees for services offered to a microenterprise home kitchen operation. Services offered by an Internet food service intermediary to a microenterprise home kitchen operation may include, but are not limited to, allowing a microenterprise home kitchen operation to advertise its food for sale and providing a means for potential consumers to arrange payment for the food, whether the consumer pays directly to the microenterprise home kitchen operation or to the Internet food service intermediary. Merely publishing an advertisement for the microenterprise home kitchen operation or food cooked therein does not make the publisher an Internet food service intermediary.

SEC. 7. Section 114390 of the Health and Safety Code is amended to read:

114390. (a) Enforcement officers shall enforce this part and all regulations adopted pursuant to this part.

(b) (1) For purposes of enforcement, any authorized enforcement officer may, during the facility's hours of operation and other reasonable times, enter, inspect, issue citations to, and secure any sample, photographs, or other evidence from a food facility, cottage food operation, or any facility suspected of being a food facility or cottage food operation, or a vehicle transporting food to or from a retail food facility, when the vehicle is

stationary at an agricultural inspection station, a border crossing, or at any food facility under the jurisdiction of the enforcement agency, or upon the request of an incident commander.

(2) If a food facility is operating under an HACCP plan, the enforcement officer may, for the purpose of determining compliance with the plan, secure as evidence any documents, or copies of documents, relating to the facility's adherence to the HACCP plan. Inspection may, for the purpose of determining compliance with this part, include any record, file, paper, process, HACCP plan, invoice, or receipt bearing on whether food, equipment, or utensils are in violation of this part.

(3) The enforcement officer may, for the purpose of determining compliance with the gross annual sales requirements for operating a microenterprise home kitchen operation or a cottage food operation, require those operations to provide copies of documents related to determining gross annual sales.

(c) Notwithstanding subdivision (a), an employee may refuse entry to an enforcement officer who is unable to present official identification showing the enforcement officer's picture and enforcement agency name. In the absence of the identification card, a business card showing the enforcement agency's name plus a picture identification card such as a driver's license shall meet this requirement.

(d) It is a violation of this part for any person to refuse to permit entry or inspection, the taking of samples or other evidence, access to copy any record as authorized by this part, to conceal any samples or evidence, withhold evidence concerning them, or interfere with the performance of the duties of an enforcement officer, including making verbal or physical threats or sexual or discriminatory harassment.

(e) A written report of the inspection shall be made, and a copy shall be supplied or mailed to the owner, manager, or operator of the food facility.

SEC. 8. (a) Section 4.1 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by both this bill and Assembly Bill 2178. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 113789 of the Health and Safety Code, (3) Assembly Bill 2524 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 2178, in which case Sections 4, 4.2, and 4.3 of this bill shall not become operative.

(b) Section 4.2 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by both this bill and Assembly Bill 2524. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 113789 of the Health and Safety Code, (3) Assembly Bill 2178 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 2524, in which case Sections 4, 4.1, and 4.3 of this bill shall not become operative.

(c) Section 4.3 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by this bill, Assembly Bill 2178,

and Assembly Bill 2524. That section of this bill shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2019, (2) all three bills amend Section 113789 of the Health and Safety Code, and (3) this bill is enacted after Assembly Bill 2178 and Assembly Bill 2524, in which case Sections 4, 4.1, and 4.2 of this bill shall not become operative.

SEC. 9. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Assembly Bill No. 377

CHAPTER 536

An act to amend Sections 113825, 114367.1, 114367.2, 114367.5, and 114367.6 of, and to repeal and add Sections 114367 and 114367.3 of, the Health and Safety Code, relating to retail food facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 7, 2019. Filed with Secretary
of State October 7, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 377, Eduardo Garcia. Microenterprise home kitchen operations.

(1) The California Retail Food Code (code) authorizes the governing body of a city, county, or city and county, by ordinance or resolution, to permit microenterprise home kitchen operations if certain conditions are met. The code requires a microenterprise home kitchen operation, as a restricted food service facility, to meet specified food safety standards. A violation of the code is generally a misdemeanor.

This bill would prohibit a microenterprise home kitchen operation from producing, manufacturing, processing, freezing, or packaging milk or milk products, including, but not limited to, cheese and ice cream. The bill would modify the conditions for a city, county, or city and county to permit microenterprise home kitchen operations within its jurisdiction. The bill would modify the inspections and food safety standards applicable to microenterprise home kitchen operations. The bill would prohibit an internet food service intermediary or a microenterprise home kitchen operation from using the word "catering" or any variation of that word in a listing or advertisement of a microenterprise home kitchen operation's offer of food for sale. The bill would require a microenterprise home kitchen operation to include specific information, including its permit number, in its advertising. The bill would prohibit a third-party delivery service from delivering food produced by a microenterprise home kitchen operation, except to an individual who has a physical or mental condition that is a disability which limits the individual's ability to access the food without the assistance of a third-party delivery service. By expanding the scope of a crime for a violation of the code, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 113825 of the Health and Safety Code is amended to read:

113825. (a) “Microenterprise home kitchen operation” means a food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets all of the following requirements:

(1) The operation has no more than one full-time equivalent food employee, not including a family member or household member.

(2) Food is prepared, cooked, and served on the same day.

(3) Food is consumed onsite at the microenterprise home kitchen operation or offsite if the food is picked up by the consumer or delivered within a safe time period based on holding equipment capacity.

(4) Food preparation does not involve processes that require a HACCP plan, as specified in Section 114419, or the production, service, or sale of raw milk or raw milk products, as defined in Section 11380 of Title 17 of the California Code of Regulations.

(5) The service and sale of raw oysters is prohibited.

(6) The production, manufacturing, processing, freezing, or packaging of milk or milk products, including, but not limited to, cheese, ice cream, yogurt, sour cream, and butter, is prohibited.

(7) Food preparation is limited to no more than 30 individual meals per day, or the approximate equivalent of meal components when sold separately, and no more than 60 individual meals, or the approximate equivalent of meal components when sold separately, per week. The local enforcement agency may decrease the limit of the number of individual meals prepared based on food preparation capacity of the operation, but shall not, in any case, increase the limit of the number of individual meals prepared.

(8) The operation has no more than fifty thousand dollars (\$50,000) in verifiable gross annual sales, as adjusted annually for inflation based on the California Consumer Price Index.

(9) The operation only sells food directly to consumers and not to any wholesaler or retailer. For purposes of this paragraph, the sale of food prepared in a microenterprise home kitchen operation through the internet website or mobile application of an Internet food service intermediary, as defined in Section 114367.6, is a direct sale to consumers. An operation that sells food through the internet website or mobile application of an Internet food service intermediary shall consent to the disclosures specified in paragraphs (6) and (7) of subdivision (a) of Section 114367.6.

(b) “Microenterprise home kitchen operation” does not include either of the following:

(1) A catering operation.

(2) A cottage food operation, as defined in Section 113758.

(c) For purposes of this section, “resident of a private home” means an individual who resides in the private home when not elsewhere for labor or other special or temporary purpose.

SEC. 2. Section 114367 of the Health and Safety Code is repealed.

SEC. 3. Section 114367 is added to the Health and Safety Code, to read:

114367. The governing body of a city, county, or city and county that is designated as the enforcement agency, as defined in Section 113773, may authorize, by ordinance or resolution, within its jurisdiction the permitting of microenterprise home kitchen operations in accordance with this chapter. If a governing body of a city, county, or city and county authorizes the permitting of microenterprise home kitchen operations, the authorization shall apply to all areas within its jurisdiction, including being applicable to all cities within a county that authorizes microenterprise home kitchen operations, regardless of whether each city located within the jurisdiction of the county separately authorizes them.

SEC. 4. Section 114367.1 of the Health and Safety Code is amended to read:

114367.1. (a) A microenterprise home kitchen operation, as defined in Section 113825, shall be considered a restricted food service facility for purposes of, and subject to all applicable requirements of, Chapter 1 (commencing with Section 113700) to Chapter 9 (commencing with Section 114265), inclusive, and Chapter 13 (commencing with Section 114380), except as otherwise provided in this chapter.

(b) A microenterprise home kitchen operation shall be exempt from all of the following provisions:

(1) Handwashing facilities requirements, as required in Section 113953, provided that a handwashing sink is supplied with warm water and located in the toilet room and supplied, as specified in Section 113953.2.

(2) Any provision in this part relating to sinks, warewashing machines, and manual or machine sanitation, including, but not limited to, Sections 114099, 114099.2, 114099.4, 114101.1, 114101.2, 114103, 114107, 114123, 114125, 114163, and 114279, provided that all of the following conditions are met:

(A) Utensils and equipment are able to be properly cleaned and sanitized.

(B) The sink in a microenterprise home kitchen operation has hot and cold water and is fully operable.

(C) If a dishwasher is used, it shall be operated in accordance with the manufacturer’s specifications.

(3) Prohibition on the presence of persons unnecessary to the food facility operation in the food preparation, food storage, or warewashing areas, as specified in Section 113945.1, provided that the permitholder takes steps to avoid any potential contamination to food, clean equipment, utensils, and unwrapped single-service and single-use articles and prevents a person suffering from symptoms associated with acute gastrointestinal illness or person known to be infected with a communicable disease that is

transmissible through food to enter the food preparation area while food is being prepared as part of a microenterprise home kitchen operation.

(4) No smoking sign posting requirements, as specified in Section 113978.

(5) Limitations on employee consumption of food, drink, or tobacco outside of designated areas, as specified in Sections 113977 and 114256, provided that the permitholder takes steps to avoid any potential contamination to food, clean equipment, utensils, and unwrapped single-service and single-use articles and prevents a person suffering from symptoms associated with acute gastrointestinal illness or person known to be infected with a communicable disease that is transmissible through food to enter the food preparation area while food is being prepared as part of a microenterprise home kitchen operation.

(6) Limitations on consumer access to the food facility through food preparation areas, as specified in Section 113984.1, provided that the permitholder takes steps to avoid any potential contamination to food, clean equipment, utensils, and unwrapped single-service and single-use articles and prevents a person suffering from symptoms associated with acute gastrointestinal illness or person known to be infected with a communicable disease that is transmissible through food to enter the food preparation area while food is being prepared as part of a microenterprise home kitchen operation.

(7) Display guard, cover, and container requirements, as specified in Section 114060, provided that any food on display that is not protected from the direct line of a consumer's mouth by an effective means is not served or sold to any subsequent consumer.

(8) Requirements to provide clean drinking cups and tableware for second portions and beverage refills, as specified in Section 114075.

(9) Requirements pertaining to the characteristics and certification of utensils and equipment, as specified in Sections 114130 and 114139, provided that utensils and equipment are designed to retain their characteristic qualities under normal use conditions.

(10) Requirements pertaining to the characteristics, construction, and multiuse of food-contact and nonfood-contact surfaces, as specified in Sections 114130.3 and 114130.4, provided that food contact surfaces are smooth, easily cleanable, and in good repair.

(11) Requirements pertaining to the characteristics, construction, and disassembly of clean in place (CIP) equipment, as specified in Section 114130.5.

(12) Limitations on the use of wood as a food contact surface and in connection with other equipment, as specified in Section 114132, provided that hard maple or equivalent wood is approved for use in direct contact with food during preparation.

(13) Any provision in this part relating to ventilation, including, but not limited to, Article 2 (commencing with Section 114149) of Chapter 6, provided that gases, odors, steam, heat, grease, vapors, and smoke are able to escape from the kitchen.

(14) Requirements that cold or hot holding equipment used for potentially hazardous food be equipped with integral or permanently affixed temperature measuring device or product mimicking sensors, as specified in subdivision (c) of Section 114157.

(15) Requirements pertaining to the installation of fixed, floor-mounted, and table-mounted equipment, as specified in Section 114169.

(16) Dedicated laundry facility requirements, as specified in Section 114185.5, provided that linens used in connection with the microenterprise home kitchen operation shall be laundered separately from the household and other laundry.

(17) Requirements pertaining to water, plumbing, drainage, and waste, as specified in Sections 114193, 114193.1, and 114245.7.

(18) Any requirement that a microenterprise home kitchen operation have more than one toilet facility or that access to the toilet facility not require passage through the food preparation, food storage, or utensil washing areas, including, but not limited to, the requirements specified in Sections 114250 and 114276.

(19) Light intensity, light source, and lightbulb requirements, as specified in Sections 114252 and 114252.1, provided that food preparation areas are well lighted by natural or artificial light whenever food is being prepared.

(20) Requirements to provide and use lockers, storage facilities, and designated dressing areas, and that food facility premises be free of litter and items that are unnecessary to the operation, as specified in Sections 114256.1 and 114257.1, provided that personal effects and clothing not ordinarily found in a home kitchen are placed or stored away from food preparation areas and dressing takes place outside of the kitchen.

(21) Limitations on the presence and handling of animals, such as domestic, service, or patrol animals, as specified in Sections 114259.4 and 114259.5, provided that all animals are kept outside of the kitchen during food service and preparation.

(22) Requirements pertaining to floor, wall, and ceiling surfaces, as specified in Sections 114268, 114269, and 114271, provided that the floor, wall, and ceiling surfaces of the kitchen, storage, and toilet areas are smooth, of durable construction, and easily cleanable with no limitations on the use of wood, tile, and other nonfiber floor surfaces ordinarily used in residential settings.

(23) Any local evaluation or grading system for food facilities, as authorized by Section 113709.

(24) All prohibitions and limitations on the use of a kitchen in a private home as a food facility, including, but not limited to, prohibitions and limitations specified in Section 114285, provided that food is not prepared in designated sleeping quarters. Open kitchens adjacent to living and sleeping areas, kitchens in efficiency, studio, and loft-style residences, and kitchens without doors at all points of ingress and egress may be used in microenterprise home kitchen operations.

(25) Planning and permitting provisions of Sections 114380 and 114381.2.

(c) A microenterprise home kitchen operation may operate an open-air barbecue or outdoor wood-burning oven, pursuant to the requirements of Section 114143.

(d) The operator of a microenterprise home kitchen operation shall successfully pass an approved and accredited food safety certification examination, as specified in Section 113947.1.

(e) Any individual, other than the operator, who is involved in the preparation, storage, or service of food in a microenterprise home kitchen operation shall be subject to the food handler card requirements specified in Section 113948.

(f) A microenterprise home kitchen operation shall only offer for sale or sell food that was prepared during a food demonstration or preparation event to a consumer who was present at that food demonstration or preparation event.

SEC. 5. Section 114367.2 of the Health and Safety Code is amended to read:

114367.2. (a) A microenterprise home kitchen operation shall not be open for business unless it has obtained a permit issued from the enforcement agency.

(b) The department shall post on its internet website the requirements for the permitting of a microenterprise home kitchen operation, pursuant to this chapter and any ordinance, resolution, or rules adopted by any city, county, or city and county, that has authorized the permitting of microenterprise home kitchen operations, which shall be written at a high school level.

(c) The applicant shall submit to the enforcement agency written standard operating procedures that include all of the following information:

(1) All food types or products that will be handled.

(2) The proposed procedures and methods of food preparation and handling.

(3) Procedures, methods, and schedules for cleaning utensils, equipment, and for the disposal of refuse.

(4) How food will be maintained at the required holding temperatures, as specified in Section 113996, pending pickup by consumer or during delivery.

(5) Days and times that the home kitchen may potentially be utilized as a microenterprise home kitchen operation. The stated days and times are not binding on the permit holder and shall be used for information purposes only.

(d) (1) The enforcement agency shall issue a permit after an initial inspection has determined that the proposed microenterprise home kitchen operation and its method of operation comply with the requirements of this chapter.

(2) An enforcement agency shall not require a microenterprise home kitchen operation to comply with food safety requirements that are different from, or in addition to, the requirements of this chapter.

(e) For purposes of permitting, the permitted area includes the home kitchen, onsite consumer eating area, food storage, utensils and equipment, toilet room, janitorial or cleaning facilities, and refuse storage area. Food operations shall not be conducted outside of the permitted areas.

(f) An enforcement agency may require a microenterprise home kitchen operation to renew its permit annually.

(g) A permit, once issued, is nontransferable. A permit shall be valid only for the person and location specified by that permit, and, unless suspended or revoked for cause, for the time period indicated.

(h) The permit, or an accurate copy thereof, shall be retained by the operator onsite and displayed at all times the microenterprise home kitchen operation is in operation.

(i) An enforcement agency may collect a fee for the issuance of a permit pursuant to this chapter in an amount that does not exceed the reasonable administrative costs by the enforcement agency in issuing the permit.

SEC. 6. Section 114367.3 of the Health and Safety Code is repealed.

SEC. 7. Section 114367.3 is added to the Health and Safety Code, to read:

114367.3. (a) Notwithstanding any other law, a microenterprise home kitchen operation shall only be subject to the three following types of inspections by the enforcement agency:

(1) A routine inspection for the purpose of allowing the enforcement agency to observe the permitholder engage in the usual activities of a microenterprise home kitchen operation, including, but not limited to, active food preparation. The enforcement agency shall provide notice to a permitholder before a routine inspection and shall conduct the routine inspection at a mutually agreeable date and time. A microenterprise home kitchen operation shall not be subject to more than one routine inspection within 12 months. This paragraph shall not be deemed to require the enforcement agency to conduct a routine inspection.

(2) An investigation inspection for the purpose of allowing the enforcement agency to perform an inspection when the enforcement agency has just cause that adulterated or otherwise unsafe food has been produced or served by the microenterprise home kitchen operation or that the permitholder has otherwise violated this part. One or more consumer complaints may constitute just cause for an investigation inspection. The enforcement agency shall provide notice to a permitholder before an investigation inspection and shall conduct the investigation inspection at a mutually agreeable date and time.

(3) An emergency inspection for the purpose of allowing the enforcement agency to perform a limited inspection when the enforcement agency has just cause that the microenterprise home kitchen operation poses a serious hazard or immediate threat to public health. To the extent that notice of an emergency inspection is reasonable under the circumstances, the enforcement agency shall provide notice to a permitholder before an emergency inspection. The scope of emergency inspection shall be limited in duration and scope to address the facts giving just cause that the microenterprise

home kitchen operation poses a serious hazard or immediate threat to public health.

(b) The enforcement agency shall only inspect the permitted area of the microenterprise home kitchen operation for the purpose of enforcing or administering this part.

(c) The enforcement agency may seek recovery from a microenterprise home kitchen operation of an amount that does not exceed the enforcement agency's reasonable costs of inspecting the microenterprise home kitchen operation for compliance with this part if the microenterprise home kitchen operation is found to be in violation of this part.

SEC. 8. Section 114367.5 of the Health and Safety Code is amended to read:

114367.5. (a) A person delivering food on behalf of a microenterprise home kitchen operation with a permit issued pursuant to Section 114367.2 shall be an employee of the microenterprise home kitchen operation or a family member or household member of the permitholder.

(b) (1) Except as provided in paragraph (2), food produced in a microenterprise home kitchen operation shall not be delivered by a third-party delivery service.

(2) (A) Food produced in a microenterprise home kitchen operation may be delivered by a third-party delivery service to an individual who has a physical or mental condition that is a disability which limits the individual's ability to access the food without the assistance of a third-party delivery service.

(B) A microenterprise home kitchen operation or an internet food service intermediary that offers or facilitates food delivery pursuant to subparagraph (A) shall do all of the following:

(i) Record and maintain a record of the number and dates of food deliveries made pursuant to subparagraph (A). A microenterprise home kitchen operation shall make the record available to an enforcement agency pursuant to any inspection authorized pursuant to Section 114367.3. An internet food service intermediary shall make the record available to an enforcement agency upon request.

(ii) Clearly and conspicuously post on its internet website or mobile application alongside any mention of third-party delivery options a notice that a third-party delivery service is prohibited from delivering food except to an individual who has a physical or mental condition that is a disability which limits the individual's ability to access the food without the assistance of a third-party delivery service.

(C) Food delivery by a third-party delivery service pursuant to subparagraph (A) does not apply to dine-in meals sold for consumption on the premises of a microenterprise home kitchen or to cooking classes or demonstrations.

SEC. 9. Section 114367.6 of the Health and Safety Code is amended to read:

114367.6. (a) An internet food service intermediary that lists or promotes a microenterprise home kitchen operation on its internet website or mobile application shall meet all of the following requirements:

(1) Be registered with the department. A registration, once issued, is nontransferable. A registration shall be valid only for the person and type of business specified by that registration, and unless suspended or revoked for cause by the department.

(2) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, clearly and conspicuously post on its internet website or mobile application the requirements for the permitting of a microenterprise home kitchen specified in this chapter, which shall be written at the high school level and be provided by the department.

(3) Clearly and conspicuously post on its internet website or mobile application the fees associated with using its platform and fees associated with third-party delivery service pursuant to paragraph (2) of subdivision (b) of Section 114367.5 in a manner that allows both the consumer and the microenterprise home kitchen operation to see and understand the amount being charged for the services provided by the internet food service intermediary. The internet food service intermediary shall notify the microenterprise home kitchen operation of any changes to these fees exceeding a 2-percent increase in writing and no later than one month before the changes take effect.

(4) Clearly and conspicuously post on its internet website or mobile application whether or not it has liability insurance that would cover any incidence arising from the sale or consumption of food listed or promoted on its internet website or mobile application.

(5) Provide a dedicated field on its platform for a microenterprise home kitchen operation to post the permit number and the name of the enforcement agency that issued the permit.

(6) Clearly and conspicuously post on its internet website or mobile application how a consumer can contact the internet food service intermediary through its internet website or mobile application if the consumer has a food safety or hygiene complaint and a link to the department's internet website that contains information for how to file a complaint with the enforcement agency.

(7) Submit the name and permit number of a microenterprise home kitchen operation to the enforcement agency that issued the permit to the microenterprise home kitchen operation if the internet food service intermediary receives, through its internet website or mobile application, three or more unrelated individual food safety or hygiene complaints in a calendar year from consumers that have made a purchase through its internet website or mobile application. The internet food service intermediary shall submit this information to the enforcement agency within two weeks of the third complaint received.

(8) If it is notified by the enforcement agency of significant food safety related complaints from a verified consumer that has made a purchase through its internet website or mobile application, submit to the enforcement

agency the name and permit number of the microenterprise home kitchen operation where the food was purchased, and a list of consumers who purchased food on the same day from that microenterprise home kitchen operation through its internet website or mobile application.

(9) Prior to the listing or publication of a microenterprise home kitchen operation's offer of food for sale, obtain consent from the microenterprise home kitchen operation to make the disclosures to government entities required pursuant to this section.

(10) Shall not permit the use of the word "catering" or any variation of that word in a listing or publication of a microenterprise home kitchen operation's offer of food for sale.

(11) Shall not use, or knowingly facilitate the use of, a third-party delivery service for food produced by the microenterprise home kitchen operation, except as authorized pursuant to paragraph (2) of subdivision (b) of Section 114367.5.

(b) For purposes of this chapter, an "internet food service intermediary" means an entity that provides a platform on its internet website or mobile application through which a microenterprise home kitchen operation may choose to offer food for sale and from which the internet food service intermediary derives revenues, including, but not limited to, revenues from advertising and fees for services offered to a microenterprise home kitchen operation. Services offered by an internet food service intermediary to a microenterprise home kitchen operation may include, but are not limited to, allowing a microenterprise home kitchen operation to advertise its food for sale and providing a means for potential consumers to arrange payment for the food, whether the consumer pays directly to the microenterprise home kitchen operation or to the internet food service intermediary. Merely publishing an advertisement for the microenterprise home kitchen operation or food cooked therein does not make the publisher an internet food service intermediary.

(c) (1) A microenterprise home kitchen operation that advertises to the public, including, but not limited to, advertising by website, internet, social media platform, newspaper, newsletter, or other public announcement, shall include all of the following within the advertisement:

(A) Name of the enforcement agency that issued the permit.

(B) Permit number.

(C) Statement that the food prepared is "Made in a Home Kitchen" in a clear and conspicuous font and location within a written advertisement and an audible and comprehensible manner in a verbal advertisement.

(2) A microenterprise home kitchen operation shall not use the word "catering" or any variation of that word in an advertisement relating to the microenterprise home kitchen operation's offer of food for sale.

SEC. 10. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of

Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 11. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To ensure a uniform implementation of the health and food safety responsibilities of microenterprise home kitchen operations throughout the state, it is necessary that this act take effect immediately.



Solano County

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Fairfield, California 94533
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Agenda Submittal

Agenda #:	29	Status:	Regular Calendar
Type:	Ordinance	Department:	Resource Management
File #:	19-821	Contact:	Bill Emlen, 784-6062
Agenda date:	10/22/2019	Final Action:	
Title:	Consider adopting an urgency ordinance suspending the approval of certain categories of administrative permits such as small event centers and hosted short term vacation rentals proposed on private roads and instead requiring conditional use permits for uses in those categories within the unincorporated territory of the County of Solano (4/5 vote required)		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Ordinance		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes _____ No X
Public Hearing Required? Yes _____ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board:

1. Read the proposed ordinance by title only and waive further reading by majority vote; and:
2. Adopt an urgency ordinance suspending the approval of certain categories of administrative permits such as small event centers and hosted short term vacation rentals proposed on private roads and instead requiring conditional use permits for uses in those categories within the unincorporated territory of the County of Solano. (4/5 vote required) Said Ordinance would be in effect for 45 days with possible further extensions up to two years total.

SUMMARY:

Per the existing Zoning Regulations, the approval of certain land uses is handled by the issuance of an administrative permit provided the application is consistent with applicable standards and requirements for that use. This includes uses that might be dependent on use of a private road to provide primary access. Such a proposal may be acceptable if other users of the private road find use of the private road acceptable. Where it becomes problematic are situations where other neighbors also using the private road find a proposed use unacceptable due to impacts the use would have on the road or where maintenance responsibilities are not adequately defined and the proposed use would disproportionately impact all users with shared maintenance responsibilities. In response to these type of situations of which staff has been addressing recently, and the limited flexibility of standards in the Administrative Permit process that effects the County's ability to address private road issues, staff is recommending under the attached urgency ordinance that use proposals currently allowed by Administrative Permits where access is provided by private road be re-classified to Minor Use Permits. Applicants would still be able to file for the covered land uses and staff would process said applications as Minor Use Permits rather than Administrative Permits. No uses are being

prohibited under the proposed urgency ordinance. Staff intends to bring forward a permanent ordinance in the very near future.

FINANCIAL IMPACT:

The costs associated with preparing the agenda item and urgency ordinance are nominal and absorbed by the Department's FY2019/20 Adopted Budget.

DISCUSSION:

Chapter 28 of the Solano County Code (Zoning Regulations) was amended in 2010 to allow for the issuance of an administrative permit for certain uses allowed by right within various zoning districts. Provided that all applicable standards and requirements related to that use were met prior to commencement, an applicant need merely apply for an administrative permit as opposed to applying for a conditional use permit. In 2012, the types of uses that require an administrative permit rather than a discretionary conditional permit were expanded. Such uses include certain types of event venues. With adoption of the Short term Vacation Rental Ordinance, Hosted rentals were also included in the Administrative Permit category.

In general the Administrative Permit process has been effective in streamlining the permit process. Under the terms of the proposed urgency ordinance, there is minimal impact on most Administrative Permit categories and uses and such permits will continue to be available to prospective applicants. The exception is those Administrative Permit proposals where a private road is necessary to provide access. In those situations, a Minor Use Permit would be required.

There are advantages to implementing this change on several fronts. Whereas Administrative Permit do not require public noticing, Minor Use Permits do include public noticing to neighbors in the vicinity of an application site. That is important in cases where private roads provide access to a proposed use as it gives the other neighbors who use the private road the opportunity to be aware of and comment on a proposal. There is also some benefit to the applicant. Under Administrative Permits, a proposal must meet all the standards established under the ordinance. There is no ability to add conditions of approval. Under a Minor Use Permit, conditions can be applied which allows flexibility in addressing variable that may apply to a particular site or to address some specific concerns that might arise in the course of evaluating an application. And finally, a Minor Use Permit includes legal findings that would give the County the necessary discretion to not approve an application where there are unresolvable issues such as incompatibility with a neighborhood. This is important in cases where there may be disputes over use of a private road.

The proposed Urgency Ordinance would remain in effect for 45 days unless extended. During the 45 day period, staff will be evaluating options for permanent ordinance revisions to address issues that have arisen relative to private roads and Administrative Permits. Our initial assessment is a permanent ordinance change would be relatively simple and straight forward. If possible, staff will attempt to bring forward a permanent ordinance revision prior to the expiration of the initial 45 day period. If that proves not feasible, an extension of the urgency ordinance would be requested.

ALTERNATIVES:

The Board may choose to not adopt the urgency ordinance. This is not recommended as there are several recent examples of where the current process does not effectively address private road circumstances and precludes effective action relative to both applicants and affected neighbors.

OTHER AGENCY INVOLVEMENT:

County Counsel assisted in development of the ordinance.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

ORDINANCE NO. 2019 - _____

AN INTERIM ORDINANCE SUSPENDING THE APPROVAL OF ADMINISTRATIVE PERMITS FOR CERTAIN LAND USES LOCATED ON PRIVATE ROADS, INCLUDING SPECIAL EVENT FACILITIES AND VACATION HOUSE RENTALS, AND INSTEAD REQUIRING CONDITIONAL USE PERMITS FOR THESE LAND USES WITHIN THE UNINCORPORATED AREA OF SOLANO COUNTY, ADOPTED AS AN URGENCY MEASURE

The Board of Supervisors of the County of Solano ordains as follows:

SECTION 1. Findings

- A. In 2010, through Ordinance No. 1713, the County of Solano amended its Zoning Regulations to require issuance of an administrative permit for certain uses allowed by right within the various zoning district. Uses subject to an administrative permit are allowed by right within the district rather than subject to a discretionary use permit, but the administrative permit enables the County to affirmatively verify that all standards and requirements applicable to the use, as described in Chapter 28 of the Solano County Code (Zoning Regulations) or elsewhere in the County Code, are met prior to commencement of the use.
- B. In 2012, as part of a comprehensive update to its Zoning Regulations (Ordinance No. 1726), the County expanded the types of land uses that required only an administrative permit rather than a conditional use permit.
- C. The approval of an administrative permit does not require public notice or public hearing, and is not subject to environmental review under the California Environmental Quality Act. When presented with a proper application, the Director of the Department of Resource Management has both the authority and the duty to issue an administrative permit if the evidence offered in support of the application establishes that all objective standards specified in the County Code for such use are satisfied.
- D. The administrative permit process has, in general, been beneficial to the residents of Solano County. However, after almost a decade of experience with the administrative permit process, the County sees a need to re-evaluate whether that process is appropriate for certain types of land uses in certain zoning districts, particularly commercial land uses on parcels in non-commercial zoning districts that have access only via private roads.
- E. Visitors to business facilities, including special event facilities and vacation house rentals, can reasonably expect that the access to the business facility meets current standards and is adequate for emergency vehicles. While the County's existing administrative permit standards generally require there to be a recorded road maintenance agreement for private roads providing access to commercial uses, the existence of such a maintenance agreement does not guarantee that the private road meets current County road standards or are properly maintained. The potential that a business facility may be approved to operate through an administrative permit process, even though it is located on substandard or inadequately maintained private road, presents a threat to the public health, safety, and welfare.

- F. The County has received, and continues to receive and process, administrative permit applications for business facilities whose sole route of access is via a private road. There is a current and immediate need for the County to impose access requirements on these uses that are more protective of the public health, safety, and welfare than is provided for in the County's existing administrative permit standards.
- G. The Department of Resource Management intends to study possible revisions to the County's administrative permit process, including the types of land uses subject to such a permit and the standards applicable to those land uses, and to present its recommendations to the Planning Commission for consideration at a public hearing.

SECTION 2. Interim Prohibition on Certain Administrative Permits

From and after the date of enactment of this interim ordinance, and while this interim ordinance or any extension of it is in effect, the following types of land uses in the following zoning districts shall be subject to a minor conditional use permit if the property does not abut and have direct access to a County-maintained public road:

Land Use	Zoning Districts
Special Event Facility operated in conjunction with an Agricultural Processing Facility or a Winery, with 7-12 events per year and 150 persons maximum	A-20, A-40, A-80, A-160
Special Event Facility, not operated in conjunction with a winery or agricultural processing facility and with not more than 6 events per year and 150 persons maximum	A-20, A-40, A-80, A-160, A-SM-80, A-SM-160
Winery, medium (20,000 – 100,000 gal) with tasting and/or retail sales	A-20, A-40, A-80, A-160
Home Occupation, type II	A-20, A-40, A-80, A-160, A-SV-20
Agricultural Education Facility, minor	A-20, A-40, A-80, A-160
Certified Farmers Market, small	A-20, A-40, A-80, A-160
Vacation House Rental, hosted	A-20, A-SV-20, RR-2.5, RR-5, RR-10
Bakery, Café, or Restaurant (1,001 – 5,000 square feet)	A-SV-20

Bed and Breakfast Inn	A-SV-20
Gallery	A-SV-20
Tasting Facility	A-SV-20
Temporary Agritourism, including amusement or entertainment uses, farmer's markets, and seasonal sales lots	A-SV-20

As provided in section 28.106(H) of the Solano County Code, a minor use permit shall not be approved for any of these uses unless the Zoning Administrator first makes the three general findings described in that section. In determining whether the use will have adequate road access, the Zoning Administrator shall consider whether the private road providing access to the property meets current County road standards and, where applicable, CalFire's SRA Fire Safe emergency access and egress regulations (14 Cal. Code Regs., § 1273.00 et seq.).

The standards otherwise applicable to such uses for issuance of an administrative permit shall also remain in effect to the greatest extent possible, but the Zoning Administrator shall exercise discretion and consider public input when deciding whether the standards are satisfied in each case.

SECTION 3. Pending Applications

Any application for administrative permits for any of the uses and in the zoning districts identified in Section 2 of this ordinance that was complete as of the date this ordinance originally became effective, and for which the County has not taken a final action, shall be processed and acted upon as an application for a minor conditional use permit, without additional fee or charge to the applicant, except as follows: If the County determines that the use being applied for is not exempt from the California Environmental Quality Act ("CEQA"), the applicant shall reimburse the County for the County's costs of CEQA compliance.

SECTION 4. Effective Period

This interim ordinance is urgently needed for the immediate preservation of the public health, safety, and welfare. It shall take effect immediately upon adoption and shall be of no further force and effect 45 days following the date of its adoption, unless extended in accordance with the provisions set forth in California Government Code section 65858.

SECTION 5. Authority

California Government Code section 65858 provides that an urgency measure in the form of an initial interim ordinance may be adopted by a four-fifths vote of the board of supervisors, which shall be effective for only 45 days following its date of adoption.

Government Code section 65858 further provides that such an urgency measure may be extended following compliance with that section for an additional 10 months and 15 days beyond the original 45-day period, and subsequently extended for an additional year.

SECTION 6. Penalties

The definitions and penalties for land use violations that are prescribed in Chapter 28 of the Solano County Code shall apply to violations of the provisions of this interim ordinance.

SECTION 7. Severability

If any provision of this interim ordinance or the application of it to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the interim ordinance are declared to be severable.

PASSED AND ADOPTED by the Solano County Board of Supervisors at its regular meeting on October 22, 2019 by the following vote:

AYES: SUPERVISORS: _____

NOES: SUPERVISORS: _____

EXCUSED: SUPERVISORS: _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	30	Status:	Regular Calendar
Type:	Resolution-Presentation	Department:	Board of Supervisors
File #:	19-775	Contact:	Monica Brown, 784-3031
Agenda date:	10/22/2019	Final Action:	
Title:	Adopt and present a resolution recognizing November 2019 as In-Home Supportive Services Home Care Workers Month in Solano County (Supervisor Brown)		
Governing body:	Board of Supervisors		
District:	District 2		
Attachments:	A - Resolution		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes _____ No X
Public Hearing Required? Yes _____ No X

DEPARTMENTAL RECOMMENDATION:

Supervisor Monica Brown recommends the Board adopt and present a resolution recognizing November 2019 as In-Home Supportive Services Home Care Workers Month in Solano County.

SUMMARY/Discussion:

Solano County joins the National Association of Home Care & Hospice to recognize November as Home Care & Hospice Month to honor the millions of home care workers for the remarkable difference they make for the patients and families they serve. For more than thirty years, Solano County, in partnership with the State of California and the Federal government, has addressed the needs of low-income seniors and people with disabilities to receive assistance and allow them to remain in their homes through the In-Home Supportive Services (IHSS) program. IHSS is a program that is physically and emotionally challenging for the in-home care providers. IHSS workers are assisting the elderly and disabled to live safely and with dignity in their own homes. In-home care providers are dedicated and committed to serving their clients and the community.

Solano County has approximately 4,500 IHSS home care workers providing care for 5,027 clients. As the elderly population grows throughout Solano County, the demand for in-home care workers both within the IHSS program and within private pay systems will increase. The California Department of Finance projects the population over the age of 64 in Solano County will reach 145,458 by the year 2020 in Solano County.

IHSS allows families to keep their loved ones close and in a familiar environment to maintain a higher quality of life. Without the assistance of IHSS home care workers, the cost of caring for a person in an outside facility could be more than \$7,000 per month versus the average cost of \$1,450 per-month per-client that the IHSS program costs in Solano County. For these reasons and more, Solano County would like to recognize the outstanding work these home care workers provide to some of the most vulnerable members of our community.

FINANCIAL IMPACT:

The costs associated with the preparation of this agenda item are included in the Department's FY 2019/20 adopted budget. There is no additional impact to the County General Fund.

ALTERNATIVES:

The Board may choose not to adopt and present the resolution. This is not recommended as it is an opportunity to recognize the dedication and commitment of IHSS home care workers.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION

Resolution No. 2019 –

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING NOVEMBER 2019 AS IN-HOME SUPPORTIVE SERVICES HOME CARE WORKERS MONTH IN SOLANO COUNTY

WHEREAS, numerous national organizations have joined together in declaring the month of November as National Home Care Month to recognize, honor and support the valuable contributions of home care workers; and

WHEREAS, the California In-Home Supportive Services (IHSS) program is recognized nationally and has been replicated in other states as the preferred way to provide assistance to people who need long-term care; and

WHEREAS, providing services and support for the disabled and elderly to remain living in their homes is a humane, dignified, and compassionate alternative to long term care-or other institutional placement; and

WHEREAS, more than 4,500 IHSS home care workers provide home care services and support which make it possible for 5,027 IHSS-eligible low-income disabled and elderly residents in Solano County to remain living independently in their homes; and

WHEREAS, the work of Solano County's IHSS home care workers requires sensitivity, honesty, patience, trust, commitment, dedication, and compassion; and

WHEREAS, the work of Solano County's IHSS home care workers is both physically demanding and emotionally challenging.

NOW, THEREFORE BE IT RESOLVED, that the Solano County Board of Supervisors does hereby recognize the month of November 2019 as Solano County *"In-Home Supportive Services Home Care Worker Month."*

Dated this 22rd day of October, 2019

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk



Solano County

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

Agenda Submittal

Agenda #:	31	Status:	Regular Calendar
Type:	Presentation	Department:	Health and Social Services
File #:	19-793	Contact:	Gerald Huber, 784-8400
Agenda date:	10/22/2019	Final Action:	
Title:	Receive a presentation regarding the In-Home Supportive Services Public Authority Advisory Committee goals and accomplishments for FY2018/19; and Consider approval of revised Vision and Mission statements for the In-Home Supportive Services Public Authority Advisory Committee		
Governing body:	Board of Supervisors		
District:	All		
Attachments:	A - Presentation		

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes _____ No X
Public Hearing Required? Yes _____ No X

DEPARTMENTAL RECOMMENDATION:

The Department of Health and Social Services recommends the Board receive a presentation regarding the In-Home Supportive Services Public Authority Advisory Committee goals and accomplishments for FY2018/19; and consider approval of revised Vision and Mission statements for the In-Home Supportive Services Public Authority Advisory Committee

SUMMARY

On April 11, 2000 the Solano County Board of Supervisors, serving as the In-Home Supportive Services (IHSS) Governing Board, approved the creation of an eleven-member IHSS Public Authority Advisory Committee as mandated by AB 1682 (March 1999). The purpose and function of the Advisory Committee is to provide ongoing advice and recommendations regarding IHSS to the IHSS Governing Board and any administrative body in the County that is related to the delivery and administration of IHSS services.

The presentation will provide information regarding accomplishments of the Advisory Committee for FY2018/19, along with its goals and recommendations. In May 2019 as part of the IHSS Spring Outreach Conference, the Advisory Committee engaged IHSS stakeholders and collected data from consumers to formulate their recommendations in this presentation.

DISCUSSION

The IHSS Public Authority Advisory Committee (Advisory Committee) Implementation Team was established to develop recommendations to the Board as to the mode of service best suited to Solano County in implementing AB 1682 mandates. On January 8, 2002, the Board adopted a resolution creating the Solano County IHSS Public Authority. At that time, the Implementation Team continued as the IHSS Public Authority

Advisory Committee with the responsibility to provide ongoing advice and recommendations to the Board of Supervisors. Currently, the Advisory Committee has 10 sitting members: five consumers, two providers, and three members at-large.

The Advisory Committee has continued its commitment to thoughtful planning of the future of the Solano County IHSS Public Authority (Public Authority) and its own responsibilities within Solano County to the Board. In December 2018, the Advisory Committee met and voted to adopt changes to its Vision and Mission statements to reflect a focus on IHSS consumers and providers. The proposed Vision and Mission statements are included in the presentation for the Board's consideration.

True to its commitment to outcome-based planning and accountability, the Advisory Committee is presenting accomplishments from FY2018/19, goals, and recommendations. A stakeholder forum was held at the IHSS Spring Conference on May 29, 2019 to receive input for the Advisory Committee's goals and recommendations.

To fulfill its obligations to make ongoing recommendations regarding the delivery of IHSS services, the Advisory Committee respectfully requests the Solano County Board of Supervisors to support its efforts to:

1. Advocate to the State to permanently restore the 7% cut to IHSS service hours;
2. Advocate to the State to review the "bowel and bladder" IHSS service category to increase the amount of time allowed for this service; and,
3. Continue to provide outreach through our yearly newsletter and Spring Conference to inform our IHSS stakeholders of resources available to assist them in the implementation of Electronic Visit Verification and to help them better navigate through the multitude of services offered by Solano County.

FINANCIAL IMPACT:

There is no financial impact to the County General Fund. Staff time preparing this Board Item is nominal and is included in the Department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board may choose not to accept the Advisory Committee's presentation. This is not recommended as this presentation is an opportunity for the Advisory Committee to keep the Board apprised of its goals and accomplishments.

OTHER AGENCY INVOLVEMENT:

The IHSS Public Authority Advisory Committee has approved this presentation.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION



Solano County IHSS Public Authority Advisory Committee

2019 Report

- Introduce the Committee
- Present Proposed Vision and Mission Statements
- Present Goals and Accomplishments
- Recommendations

Presented to Solano County Board of Supervisors on October
22, 2019

Solano County IHSS Public Authority



About the IHSS Advisory Committee

- **IHSS Advisory Committee established under Welfare & Institutions Code 12301.3**
 - Up to 11 members may serve on this committee
 - Six must be current or past users of personal care services
 - Two must be current or past providers of IHSS
 - The remaining three may be advocates

- **Purpose as outlined in AB 1682 (March 1999)**
 - Serve in an advisory capacity regarding IHSS and the Public Authority to the Board, IHSS contractors, and any administrative body in the County related to the administration of IHSS.
 - Duties include providing ongoing advice and recommendations regarding IHSS



2019-2020 IHSS Advisory Committee Officers

- **Sandi Hilton, Chair**

- Represents District 2, residing in Vallejo
- Appointed on May 22, 2012



- **Donna Brown, Vice Chair**

- Represents District 5, residing in Fairfield
- Appointed on April 26, 2008



- **John Metzler, Secretary**

- Represents District 2, residing in Benicia
- Reappointed on January 5, 2010



- **Sal Macasieb, District 1**

- Appointed on February 11, 2014





2019-2020 IHSS Advisory Committee Officers

- **Nieves Fernandez, District 1**
 - Appointed on November 6, 2007
- **Carl Vinson, District 3**
 - Appointed on May 9, 2017
- **Samuel White, District 3**
 - Appointed on August 11, 2015





2019-2020 IHSS Advisory Committee Members

- **Susan Rotchy, District 4**
 - Appointed on November 2, 2004
- **Kathy Mitsopoulos, District 5**
 - Past Chair
 - Appointed November 7, 2000
- **Marlon "Joey" Osum, District 5**
 - Appointed August 11, 2015





Vision of the IHSS Public Authority Advisory Committee

The IHSS Public Authority Advisory Committee met in December 2018 to discuss committee goals for 2019 through 2020. During this meeting, members proposed a change to the committee vision to shift the focus to IHSS consumers and providers from the prior vision focus on the committee.

2018 Proposed Vision

All IHSS consumers and providers have access to services and support to maximize their quality of life.

2017 Vision

The Solano County IHSS Public Authority Advisory Committee is recognized and valued for their advocacy on behalf of seniors, persons with disabilities, and homecare workers to ensure Solano County is a safe and happy place for all persons to live, learn, work and play.



Mission of the IHSS Public Authority Advisory Committee

Also proposed during the December 2018 meeting was a change to the committee mission to match what is reflected in AB 1682 (1999) and its proposed vision.

2018 Proposed Mission

The Solano County IHSS Public Authority Advisory Committee shall provide ongoing recommendations to ensure all IHSS consumers and providers have access to services and support.

2017 Mission

The Solano County IHSS Public Authority Advisory Committee advocates, educates, and makes recommendations to the County Board of Supervisors, Health and Social Services programs, and community partners regarding the needs and services for seniors and people with disabilities to enable them to remain safely in their homes.



2019-2020 IHSS Advisory Committee Goals

■ **GOAL 1 - Advocacy**

Work through stakeholder groups such as CICA to advocate for changes to the IHSS program that will maximize quality of life for consumers.

Work through stakeholder groups to advocate for low-cost housing options so IHSS consumers can maintain IHSS eligibility and avoid higher levels of care.

■ **GOAL 2 – Outreach**

Continue to provide outreach to IHSS consumers and providers through the yearly newsletter and Outreach Conference, ensuring to include information about resources that address the issues pertinent to IHSS consumers and providers.

■ **GOAL 3 – Stakeholder Engagement**

Utilize various strategies to engage IHSS stakeholders to receive input regarding IHSS services and supports in Solano County to assist in making recommendations to the Board of Supervisors during an annual report each year in the month of October.



Accomplishments (Goal 1 – Advocacy)

ADVOCACY EFFORTS 2018 – 2019

- Continued to support the implementation of electronic timesheets & electronic services portal through the newsletter outreach to IHSS consumers and providers
- Advocated for improvements in IHSS by Participating in the California IHSS Consumer's Alliance (CICA) monthly calls and Capitol Action Day in Sacramento
- Advocated for supportive services to be offered to Solano IHSS providers such as support groups, first aid training, and a yearly recognition event



Accomplishments (Goal 2 – Outreach)

OUTREACH EFFORTS 2018 - 2019

IHSS Annual Newsletter (4 pages)

- Distributed to over 7,500 households in April 2018 & 2019
- Included information on Electronic Visit Verification, Hourly Task Guidelines, Fraud Prevention, and training opportunities

Hosted IHSS Spring Conferences (May 2018 & May 2019)

- Over 125 registrants each time, 75+ in attendance
- Topics included emergency preparedness, diabetes prevention, gatekeeper training, Alzheimer's & Dementia, Stress Management



Accomplishments (Goal 3 – Stakeholder Engagement)

STAKEHOLDER ENGAGEMENT EFFORTS 2018-2019

- **Advisory Committee Meetings** – informed and invited IHSS consumers and providers to attend Advisory Committee meetings in the annual newsletter
- **Surveys** - Created two surveys for Solano IHSS consumers to provide input about their IHSS experience in Solano County
- **Stakeholder Forum** - Provided a stakeholder forum at the May 2019 Spring Conference to obtain feedback about IHSS experience & Electronic Visit Verification



Results of IHSS Stakeholder Engagement

As a result of stakeholder engagement efforts in 2018 through 2019 previously described, the committee received over 70 verbal response, and 13 survey response. The following feedback was received:

1. Most respondents are satisfied with IHSS staff and IHSS services.
2. Most IHSS Consumers understand the services available and have a great understanding of their role as the employer of their caregiver.
3. Some respondents expressed dissatisfaction with telephone assistance, indicating a preference to speak with a staff person immediately versus leaving a message. **Note:** The current procedure for return calls is 48 hours and respondents agreed they were receiving return calls within this timeframe.
4. Consumers felt they received an adequate level of hours for most IHSS services, except in the area of bowel and bladder care. **Note:** The State of California establishes the hourly task guidelines for all IHSS services.
5. IHSS consumers who hire family and friends expressed satisfaction with the electronic timesheet system; however consumers who typically hire caregivers outside their family or friends are not favorable of electronic timesheets.



Recommendations

To fulfill the obligations set forth in AB 1682 to make ongoing recommendations regarding the delivery of IHSS services, the IHSS Public Authority Advisory Committee respectfully requests the Solano County Board of Supervisors to:

1. Support Advocacy to the State to permanently restore the 7% cut to IHSS service hours.
2. Support advocacy to the State to review the "bowel and bladder" IHSS service category to increase the amount of time allowed for this service
3. Continue to support outreach through the yearly IHSS newsletter and Spring conference to inform our IHSS stakeholders of resources to assist them in the implementation of Electronic Visit Verification (EVV) and to help them better navigate through the maze of services offered by Solano County.



QUESTIONS?



Solano County

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

Agenda Submittal

Agenda #:	32	Status:	Regular Calendar
Type:	Ordinance	Department:	Resource Management
File #:	19-820	Contact:	Mike Yankovich, 784-3159
Agenda date:	10/22/2019	Final Action:	

Title: Conduct a Public Hearing to consider a proposed ordinance for Zone Text Amendment No. ZT 17-03 to amend Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts, allowing for the expansion of such uses subject to discretionary approval via the use permit amendment process, of which approval of this text amendment would allow the Planning Commission's granting of a conditional use permit for the expansion of the Guru Nanak Sikh Temple to become effective; and Consider terminating an easement, granted to the County in 1999 by the Guru Nanak Sikh Temple, concerning property located at 2748 Rockville Road

Governing body: Board of Supervisors

District:

Attachments: A - Ordinance, B - Location Map, C - Easement Deed and Agreement, D - PC Resolution 4669, E - PC Resolution 4677, F - ALUC Resolution No. 18-09, G - Public Notice

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes X No ___
Public Hearing Required? Yes X No ___

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board of Supervisors consider the Planning Commission's recommendation to:

1. Waive reading of the ordinance;
2. Conduct a public hearing to consider Zone Text Amendment No. ZT-17-03;
3. Adopt the Ordinance for Zone Text Amendment No. ZT-17-03, amending Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts. Approval would allow for the Planning Commission's granting of a conditional use permit for the expansion of the Guru Nanak Sikh Temple to become effective; and
4. Terminate the Easement Deed and Agreement granted to the County by the Guru Nanak Sikh Temple

SUMMARY:

Solano County Zoning Regulations currently prohibit new religious facilities from locating within Agricultural zoning districts. In addition, existing legal nonconforming churches within these districts are limited to the terms and conditions of an approved use permit pursuant to the Nonconforming Uses section of the Zoning Regulations (County Code Section 28.114) and thus cannot expand under the current provision. In general,

nonconforming uses of land and buildings are limited to the size, scope, and intensity of that which was lawfully established and existing prior to the adoption of any provision of the Zoning Regulations that renders such uses nonconforming.

The Guru Nanak Sikh Temple located at 2948 Rockville Road has filed a Zone Text Amendment to amend the Nonconforming Uses section of the County Zoning Regulations to set forth a discretionary permitting process for legal, nonconforming churches within the Suisun Valley Agriculture zoning districts to pursue an expansion or intensification. This text amendment would not apply to other Agricultural zoning districts within the County.

The Planning Commission recommended that the Board adopt the proposed ordinance ZT-17-03 and has also conditionally granted Amendment No. 1 of Use Permit U-97-13 to authorize the construction of a new 15,060 square foot religious temple and associated site improvements at 2948 Rockville Road. The actions taken by the Planning Commission are contingent upon Board approval of Zone Text Amendment No. ZT-17-03. The Planning Commission's resolution and conditions of approval are attached.

FINANCIAL IMPACT:

The costs to prepare the ordinance amendment have been paid to the Department of Resource Management via the Zone Text Amendment application fee.

ENVIRONMENTAL ANALYSIS:

In their recommendation to the Board, the Planning Commission considered that the proposed ordinance amendment is exempt from further environmental review pursuant to the General Rule Exemption under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. The proposed ordinance amends the Nonconforming Uses section of the County Zoning Regulations and sets forth a discretionary permitting process should legal, nonconforming churches within the Suisun Valley Agriculture zoning districts pursue an expansion or intensification. Further environmental review would be required on a project specific basis. The proposed ordinance amendment poses no development nor any other physical alterations on the environment. The use permit amendment granted by the Planning Commission, contingent upon approval of the subject zone text amendment for the Guru Nanak Sikh Temple included approval of a Mitigated Negative Declaration.

DISCUSSION:

Background

The Guru Nanak Sikh Temple has been subject to the terms and conditions of an approved use permit (U-97-13) originally granted February 2, 1999.

In March 2001, through Ordinance No. 1604, the Board of Supervisors amended Chapter 28 of the Solano County Code (Zoning Regulations) to preclude the establishment of new churches in the Exclusive Agricultural zoning districts in order to prevent the conversion of agricultural properties to non-agricultural uses that have the potential to draw large assemblages of people.

Churches lawfully established within Exclusive Agricultural zoning districts prior to the enactment of Ordinance No. 1604 became legal nonconforming land uses, and could continue to operate but could not expand in size or intensity of use.

In February 2011, through Ordinance No. 2011-1717, the Board of Supervisors established new zoning districts and enacted new zoning regulations for the Suisun Valley area. The Guru Nanak Sikh Temple

property was rezoned Suisun Valley Agriculture "A-SV-20" at that time; however the church land use remained lawfully established yet nonconforming with respect to current zoning regulations and thus could not expand pursuant to the current nonconforming land use provisions.

On February 21, 2019 the Planning Commission considered Zone Text Amendment No. ZT-17-03 and made a recommendation to the Board of Supervisors to adopt the proposed Ordinance relating to nonconforming churches within the Suisun Valley to set forth provisions to allow expansion of such uses (*D - Planning Commission Resolution No. 4669*).

On August 1, 2019 the Planning Commission granted Amendment No. 1 of Use Permit U-97-13 of the Guru Nanak Sikh Temple to authorize construction of a new 15,060 square foot religious temple and associated expanded facilities to accommodate up to 600 persons per weekly service. The expansion approval is contingent upon Board approval of Zone Text Amendment No. ZT-17-03 (*E - Planning Commission Resolution No. 4677*).

General Plan and Zoning Consistency

The proposed ordinance amendment makes changes to the Nonconforming Uses section of the Zoning Regulations, applicable specifically to the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" Zoning Districts. The amendment does not alter the permitted or prohibited land uses within the Suisun Valley Agricultural Zoning Districts. As seen on the General Plan / Zoning Consistency Table (General Plan Table LU-7) the zoning remains consistent with the applicable Agricultural General Plan Designation for the area.

Easement Deed and Agreement

As part of the original use permit approval in 1999, the property owner also entered into an Easement Deed and Agreement with the County of Solano which restricts various aspects of the land uses on-site. The Easement over the property restricts: (1) the total floor area of the religious worship facilities on the property is limited to no more than 6,000 square feet, (2) the total number of persons who may congregate at the religious worship facilities on the property at any one time shall be limited to no more than 200; and (3) 5.16 acres of the property shall be used only for agriculture or open space uses. The proposed temple expansion project exceeds the total floor area, number of persons, and developed footprint limitations (*C - Easement Deed and Agreement*).

The Planning Commission determined that for the Temple to effectively reconfigure the site to meet expansion needs, the subject Easement Deed and Agreement needed to be lifted. They also believed the mixed development character on the south side of Rockville Road on adjacent property on either side of the Temple site, mitigated any concerns with impacts to agriculture in the area.

Staff recommends that the Board terminate the existing Easement Deed and Agreement should the Board desire to allow the Guru Nanak Sikh Temple expansion project including the increased visitor capacity, expanded developed footprint, and the reduction of the agricultural or open space use on the property.

Recommendation

The Department has prepared a draft ordinance that accomplishes the objective of providing a permitting process which allows the Planning Commission to consider use permit amendment applications for the expansion or intensification of existing legal, nonconforming churches within the Suisun Valley provided that such expansion would not adversely impact agricultural operations on nearby properties. The proposed ordinance would be applicable to two additional religious facilities within the Suisun Valley, including Presbytery of the Redwoods located at 4177 Suisun Valley Road (Use Permit U-95-34) and Community of

Christ located at 4084 Suisun Valley Road (Use Permit U-77-11) (*B - Location Map*).

The Planning Commission is recommending an ordinance which applies the following development standards to existing legal, nonconforming churches within Suisun Valley seeking expansion or intensification:

- Proposed expansion is consistent with the development standards in section 28.73.30(B)(1),
- Proposed expansion is located entirely within the parcel originally approved for the use.
- Proposed expansion does not adversely impact agricultural operations on nearby properties.
- Proposed expansion is subject to the terms and conditions of an approved amendment to the use permit.

PUBLIC HEARING NOTICE:

In accordance with Solano County Zoning Regulations, notice of a public hearing was published at least 15 days before the scheduled hearing in the Fairfield Daily Republic.

ALTERNATIVES:

The Board of Supervisors may choose alternative actions, including:

1. Approval of the proposed Zone Text Amendment with modifications; or
2. Continue the item to a later date to acquire additional information; or
3. Disapproval of the proposed Zone Text Amendment

OTHER AGENCY INVOLVEMENT:

The Solano County Airport Land Use Commission has found the proposed Zone Text Amendment No. ZT-17-03 consistent with the Travis Air Force Base Land Use Compatibility Plan (*F - ALUC Resolution No. 18-09*).

ORDINANCE NO. 2019 - _____

**AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE
RELATING TO CHURCHES IN THE A-SV-20 AND ATC ZONING DISTRICTS**

Section 1. Findings. The Board of Supervisors of the County of Solano ("County") finds and declares as follows:

Whereas, in March 2001, through Ordinance No. 1604, the Board of Supervisors amended Chapter 28 ("Zoning Regulations") to preclude the establishment of new churches in the Exclusive Agricultural zoning districts in order to prevent the conversion of agricultural properties to non-agricultural uses that have the potential to draw large assemblages of people; and

Whereas, churches lawfully established within Exclusive Agricultural zoning districts prior to the enactment of Ordinance No. 1604 became legal nonconforming land uses, and could continue to operate but could not expand in size or intensity of use; and

Whereas, in February 2011, through Ordinance No. 2011-1717, the Board of Supervisors established new zoning districts and enacted new zoning regulations and for the Suisun Valley area, to protect the agricultural economy of that area by fostering development of agritourism land uses; and

Whereas, it is in the public interest to allow legal nonconforming churches in the A-SV-20 and ATC zoning districts to seek discretionary approval to expand, through the use permit amendment process, in order to accommodate the needs of growing congregations, if such expansion would not adversely impact agricultural operations on nearby properties.

Therefore, the Board of Supervisors of the County of Solano ordains as follows:

Section 2. Solano County Code Section 28.114 is amended to add subdivision (H)(4), to read as follows:

Nonconforming churches in the A-SV-20 or ATC district, legally established prior to February 21, 2019, and subject to an approved use permit, may be enlarged or expanded, provided that any such enlargement or expansion complies with the development standards in section 28.73.30(B)(1), is contained entirely within the parcel originally approved for the use, would not adversely impact agricultural operations on nearby properties, and is approved as an amendment to the use permit.

Section 3.

Any portion of this ordinance deemed invalid or unenforceable shall be severed from the remainder, which shall remain in full force and effect.

Section 4.

This ordinance shall take effect 30 days after its adoption.

Section 5.

A summary of this ordinance will be published within 15 days after its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on (October 22, 2019) by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk

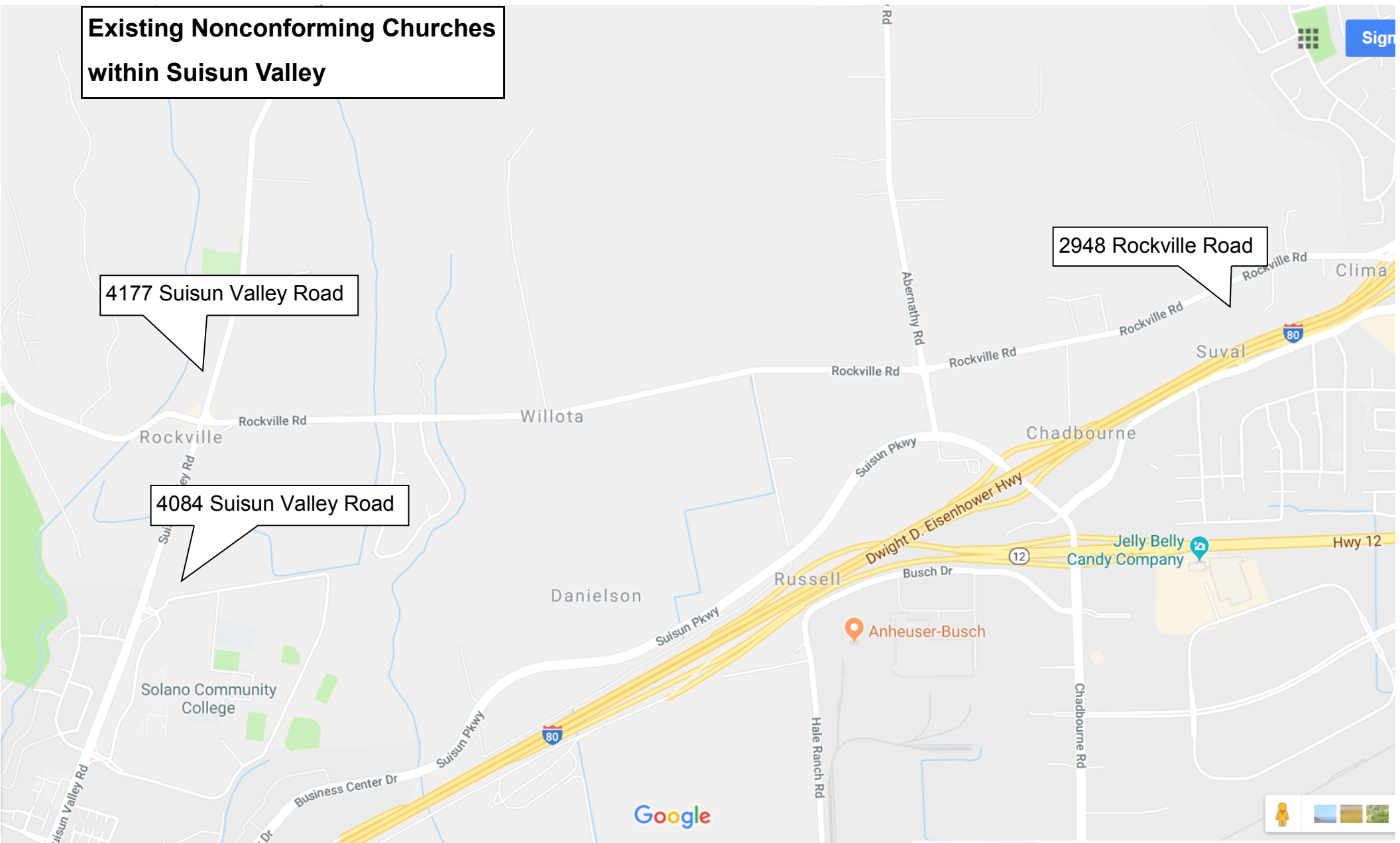
Introduced: February 21, 2019 (Planning Commission)
Adopted:
Effective:
Operative:

**Existing Nonconforming Churches
within Suisun Valley**

4177 Suisun Valley Road

4084 Suisun Valley Road

2948 Rockville Road



RECORDING REQUEST BY
AND WHEN RECORDED RETURN TO:

COUNTY OF SOLANO
OFFICE OF COUNTY COUNSEL
580 Texas Street
Fairfield, CA 94533

1999-00075142
Recorded By: COUNTY OF SOLANO
Official Records
County of Solano
Robert Blechschmidt
Assessor/Recorder
11:00 31-AUG-99
51 RecFee
SurMon
NoPCOR
IncFee
DTTax
Free \$. 0
OvrSht
AR16 8 Pgs

EASEMENT DEED AND AGREEMENT

This Easement Deed and Agreement is entered into by the GURU NANAK SIKH TEMPLE, a California Nonprofit Religious Corporation ("Grantor"), and the COUNTY OF SOLANO, a political subdivision of the State of California ("Grantee").

Recitals:

A. Grantor is the owner of that certain real property located in Solano County, California, more particularly described in Exhibit A attached hereto and incorporated herein (the "Property").

B. Grantor on February 2, 1999 received from Grantee approval of a Use Permit for the purpose of establishing a religious temple on the Property (U-97-13 and AR-97-04).

C. Grantee wishes to limit any potential future expansion of the proposed religious temple so as to retain the Property's agricultural and open space values.

D. Grantor is willing to so limit any potential future expansion of the proposed religious temple as set forth herein.

E. *NOW, THEREFORE*, in consideration of the foregoing, the parties agree as follows:

Agreement:

1. Grant of Restrictive Easement: Pursuant to Government Code section 6950 et seq., and subject to the terms set forth below, Grantor hereby grants to Grantee, and Grantee hereby accepts, an Easement over the Property by which: (1) the total floor area of the religious worship facilities to be established on the Property shall be limited to no more than 6,000 square feet; and (2) the total number of persons who may congregate at the religious worship facilities on the Property at any one time shall be limited to no more than 200. The area of the Property encompassed within the cross-hatched area on the site plan of the Property, comprising approximately 5.16 acres thereof, more or less, as shown on Exhibit "B" attached hereto and incorporated herein, shall be used only for agricultural or open space uses.

2. Limitation of Grant: The Easement hereby granted shall not limit Grantor or Grantor's successors in interest from any use of the Property authorized by law at the time such use is proposed except as herein stated. Grantor shall specifically retain the right to maintain, replace and enlarge existing agricultural, residential and related structures and improvements on the Property, subject to the provisions of paragraph 3, below.

3. Compliance with County Ordinances: Nothing herein shall relieve Grantor from the obligation of complying with all Solano County ordinances in effect at the time Grantor or Grantor's successors in interest may apply for any permits to use the Property for any purpose.

4. Maintenance of Property: No right of access or use by Grantee or the general public to the Property is conveyed by this Easement, nor does this Easement impose on Grantee any obligation to keep, maintain, or control the Property. Grantor shall keep, maintain and control the Property.

5. Recordation: Grantor shall record this instrument in a timely fashion in the official records of Solano County, California.

6. Nature of Obligation: The restriction of this Easement shall run with the land and be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

7. Effective Date of Easement: This Easement is dependent upon, and shall not come into existence until, Grantor or Grantor's successors in interest exercise the development rights acquired through Grantee's approval of the Use Permit. Such rights will be deemed exercised if Grantor or Grantor's successors in interest apply for and obtain from Grantee a building permit for the construction of improvements for which the approval of the Use Permit was a legal prerequisite. If such a building permit is not applied for and issued, Grantee shall have no easement rights whatsoever hereunder.

8. General Provisions:

a. The interpretation and performance of this Easement shall be governed by the laws of the State of California.

b. This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussion, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

c. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no affect upon construction or interpretation.

d. By signing below, the parties represent they have proper authority to bind the respective party signatories hereto.

e. Grantor agrees not to challenge this Easement at a later date.

f. Grantor warrants that the descriptions attached in Exhibits "A" and "B" accurately reflect the easement described herein.

Dated: 4/13/99

GRANTEE:

COUNTY OF SOLANO, a political
Subdivision of the State of California

By John L. Silva
Chairman of the Board of
Supervisors

ATTEST:

By Maggie J. J. J. Deputy
Clerk of the Board

APPROVED AS TO FORM:
OFFICE OF SOLANO COUNTY COUNSEL

By Ann B. Bunting

Dated: 3.22.99

GRANTOR:

Guru Nanak Sikh Temple

By Paul Hayer
Paul Hayer, President

APPROVED AS TO FORM:
DICKENSON, PEATMAN & FOGARTY

By David W. Meyers
DAVID W. MEYERS
Attorneys for Temple

STATE OF CALIFORNIA)
) ss.
COUNTY OF SOLANO)

On MARCH 22nd 1999, before me, LISA H. MCGEE,
a Notary Public in and for the State of California, personally appeared PAUL HAYER,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person
whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument the person, or the
entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Lisa H. McGee
NOTARY'S SIGNATURE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SOLANO)

On _____, before me, _____,
a Notary Public in and for the State of California, personally appeared
_____, personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his
signature on the instrument the person, or the entity upon behalf of which the person acted,
executed the instrument.

WITNESS my hand and official seal.

NOTARY'S SIGNATURE

EXHIBIT "A"

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SOLANO, CITY OF UNINCORPORATED, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY SIDE OF COUNTY ROAD #81, AT THE NORTHEAST CORNER OF A CERTAIN 299 ACRE TRACT OF LAND CONVEYED TO STEVENSON C. READ, BY DEED DATED OCTOBER 7, 1859, AND RECORDED IN BOOK "M" OF DEEDS, PAGE 17; RUNNING THENCE S. 1° 47' E. 43.44 CHAINS, MORE OR LESS, TO THE SOUTHWEST CORNER OF LAND OF JOHN T. COOPER; THENCE S. 87° 57' E. 21.49 CHAINS TO THE SOUTHEAST CORNER OF SAID LAND; THENCE S. 40 CHAINS TO THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND CONVEYED TO J.M. BOWMAN BY DEED RECORDED IN BOOK "P" OF DEEDS, PAGE 326; THENCE WEST 821 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF A CERTAIN 49 ACRE TRACT OF LAND CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO R.H. CHADBOURNE AND F.A. CHADBOURNE, JR., BY DEEDS DATED JANUARY 10, 1921 AND RECORDED IN BOOK 251 OF DEEDS, PAGE 109; THENCE ALONG THE BOUNDARY OF SAID TRACT N. 0° 10' E. 1874 FEET; N. 33° 25' W. 367 FEET; N. 0° 40' W. 404 FEET; THENCE W. 659 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE ALONG THE BOUNDARY OF THAT CERTAIN TRACT OF LAND CONVEYED TO WARREN A. WOODS, BY DEED DATED JANUARY 21, 1920 AND RECORDED IN BOOK 246 OF DEEDS, PAGE 45; N. 46.80 FEET, MORE OR LESS, TO AN ANGLE IN SAID LINE; THENCE WEST 6.77 CHAINS TO ANOTHER ANGLE IN SAID LINE; THENCE N. 2° 31' W. 17 1/2 CHAINS, MORE OR LESS, TO THE SOUTHWEST CORNER OF A 13.78 ACRE TRACT OF LAND CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO R.H. CHADBOURNE, BY DEED DATED FEBRUARY 8, 1923 AND RECORDED IN BOOK 269 OF DEEDS, PAGE 61; THENCE ALONG THE BOUNDARY OF SAID TRACT, S. 88° 21' E. 10.96 CHAINS TO A POINT ABOUT 15 FEET, MORE OR LESS, WESTERLY FROM WESTERLY LINE OF LAND OF J.T. COOPER; THENCE ALONG A FENCE, N. 1° 43' W. 15.66 CHAINS TO LAND OF SACRAMENTO NORTHERN RAILROAD AND CONTINUING SAME COURSE TO THE NORTHERLY LINE OF SAID RAILROAD; THENCE ALONG THE NORTHERLY BOUNDARY OF SAME S. 61° 12' WEST 6 1/2 CHAINS, MORE OR LESS, TO THE MOST EASTERLY CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO SUISUN VALLEY FRUIT GROWERS ASSOCIATION BY DEED DATED APRIL 7, 1920, AND RECORDED IN BOOK 246 OF DEEDS, PAGE 57 THENCE ALONG THE BOUNDARY OF SAID TRACT, S. 86° 44' WEST 119.5 FEET TO THE EAST LINE OF A CERTAIN 2.85 ACRE TRACT CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO R.M. CHADBOURNE, BY DEED DATED FEBRUARY 8, 1923 AND RECORDED IN BOOK 269 OF DEEDS, PAGE 61; THENCE ALONG THE BOUNDARY OF SAID TRACT, N. 2° 17' W. 614 FEET TO THE SOUTHERLY LINE OF THE STATE HIGHWAY; THENCE N. 64° 39' E. 8 3/4 CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM R.E. EATON, ET UX TO WILLIAM C. HALE, ET AL, DATED SEPTEMBER 26, 1945, AND RECORDED SEPTEMBER 27, 1945 IN BOOK 331 OF OFFICIAL RECORDS, AT PAGE 232, SERIES NO. 9824.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM R.E. EATON, ET UX TO THE STATE OF CALIFORNIA, DATED APRIL 25, 1950 AND RECORDED AUGUST 8, 1950, IN BOOK 542 OF OFFICIAL RECORDS, AT PAGE 162, SERIES NO. 10118.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM R.E. EATON, ET UX TO THE STATE OF CALIFORNIA, DATED MARCH 29, 1960 AND RECORDED MAY 13, 1960, IN BOOK 1027 OF OFFICIAL RECORDS AT PAGE 555, SERIES NO. 9453.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM MERVYN C. EATON TO THE COUNTY OF SOLANO, DATED MARCH 31, 1978 AND RECORDED JUNE 21, 1978, IN BOOK 1978 OF OFFICIAL RECORDS, AT PAGE 49482, SERIES NO. 28708.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM MERVYN C. EATON TO SOLANO BUSINESS PARK, A JOINT VENTURE, ET AL, DATED AUGUST 13, 1960, AND RECORDED SEPTEMBER 3, 1980, IN BOOK 1980 OF OFFICIAL RECORDS, AT PAGE 61179, SERIES NO. 37575.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM MERVYN C. EATON TO CREST ENTERPRISES, INC., A CALIFORNIA CORPORATION, DATED SEPTEMBER 3, 1980 AND RECORDED SEPTEMBER 18, 1980 IN BOOK 1980, PAGE 65363, SERIES NO. 40010.

ALSO EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE NORTHERLY AND SOUTHERLY LINES OF SACRAMENTO NORTHERN RAILROAD RIGHT OF WAY.

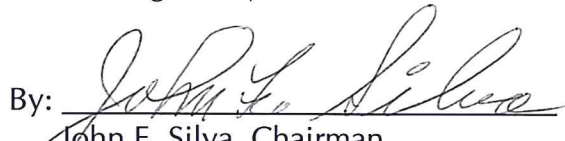
APN: 28-130-150



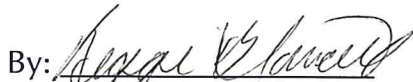
CERTIFICATE OF ACCEPTANCE
(California Government Code section 27281)

This certifies that the interest in real property conveyed by the deed or grant deed dated March 22, 1999 from Guru Nanak Sikh Temple to County of Solano, a political subdivision of the State of California, is accepted by the undersigned officer on behalf of the Solano County Board of Supervisors pursuant to authority conferred by Resolution No. 99-34 of the Solano County Board of Supervisors adopted on February 2, 1999, and the grantee consents to recordation.

Dated: August 31, 1999

By: 
John F. Silva, Chairman
Solano County Board of Supervisors

ATTEST:
Michael D. Johnson, Clerk
Board of Supervisors

By: 
Deputy

END OF
DOCUMENT

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4669**

**RESOLUTION RECOMMENDING
APPROVAL OF ZONE TEXT AMENDMENT NO. ZT-17-03
TO THE SOLANO COUNTY BORD OF SUPERVISORS**

WHEREAS, the Solano County Planning Commission, after proper notice, conducted a public hearing on February 21, 2019, relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agricultural Tourist Center "ATC" zoning districts to allow for the expansion of such uses subject to discretionary approval via the use permit amendment process, and a Notice of Exemption to be prepared for the project; and


WHEREAS, after considering the zone text amendment, environmental analysis, and all public testimony offered at the hearing, the Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment, and that a Notice of Exemption shall be filed for the project; and

WHEREAS, after public testimony and due deliberation, the Planning Commission has determined that the proposed zone text amendment is appropriate and desirable and is consistent with the Solano County General Plan.

RESOLVED, that the Solano County Planning Commission does hereby recommend approval of the proposed zone text amendment to the Solano County Board of Supervisors.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on February 21, 2019, by the following vote:

AYES:	Commissioners	<u>Walker, Hollingsworth, Bauer and</u>
		<u>Vice-Chair Rhoads-Poston</u>
NOES:	Commissioners	<u>None</u>
ABSTAIN:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>Cayler</u>

By: 
Bill Emlen, Secretary

SOLANO COUNTY PLANNING COMMISSION

RESOLUTION NO. 4677

WHEREAS, the Solano County Planning Commission has considered Amendment No. 1 of Use Permit U-97-13-AM1 of the **Guru Nanak Sikh Temple** to authorize the construction of a new 15,060 square foot religious temple to accommodate up to 600 persons per weekly service. The project also includes new and expanded facilities to accommodate the increased demand for parking, vehicle access, septic capacity, storm water retention, and fire suppression. The project is located at 2948 Rockville Road, ¼ mile west of the City of Fairfield, within the Suisun Valley Agriculture "A-SV-20" Zoning District; APN 0150-260-040, and;

WHEREAS, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on August 1, 2019, and;

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

1. The establishment, maintenance, or operation of the proposed use or building applied for are in conformity to the Solano County General Plan with regard to traffic circulation, population densities, and distribution, and other aspects of the General Plan considered by the Planning Commission to be pertinent.

The applicant has furnished a Traffic Impact Study to evaluate the potential traffic impacts associated with the proposed temple expansion project. The traffic conditions analyzed in the study were made using the level of service (LOS) concept for both study intersections and roadway segments. LOS is a qualitative measure of the level of delay and congestion experienced by motorists and designated by six levels "A" through "F", from best to worst. The intersection and roadway segment level of service analysis results for existing conditions plus project conditions indicate all study areas would continue to operate at acceptable LOS and thus the project would not result in any significant impact to the existing traffic operations.

The General Plan policies relating to population densities and distribution are not applicable to this use permit amendment request.

The loss of 5.16 acres of the existing agricultural easement will be compensated by the acquisition of farmland conversion mitigation at a minimum ratio of 1:5:1 (1.5 acres of farmland protected for each acre of farmland converted).

2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

The project is served by Rockville Road which is a public road that provides adequate transportation and circulation to and from the site. The traffic study included with the application concludes that the proposed project will not adversely affect traffic operations along Rockville Road. Onsite municipal water service provides adequate water supply to the property. Wastewater treatment, disposal systems, stormwater retention, and other utilities are or will be in place to serve the proposed expansion and as conditioned by this permit.

3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of

persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

The proposed religious temple expansion will not create a nuisance or cause any detrimental effect to the health, safety, peace, morals, comfort, or general welfare of the community. The various studies provided with this application demonstrate that the land use will not generate potentially significant environmental impacts.

4. The project site is unique in respect to size, shape, location, existing and potential uses.

- A. The project site is a very small agriculturally zoned property (7.78 acres) that has not been farmed in over thirty (30) years and is adjacent to nonagricultural land uses.
 - B. The property has a location that is bordered by Rockville Road to the north and Interstate 80 to the south. It is additionally bordered on the east by nonagricultural uses including service commercial businesses and restaurant. The property is bordered to the west by nonagricultural uses including a construction yard.
 - C. The property is unique in shape and size in that it is a wedge-shaped parcel consisting of 7.78 acres.
 - D. The project site is not suitable for agricultural use because of the location, size, and development upon it. The location, including the proximity to high volume traffic and the presence of mixed, nonconforming uses located onsite as well as on adjacent parcels, the wedge shape formation, and the location of existing buildings renders the undeveloped portion of the property inappropriate for agricultural use.
- 5.** The project site is not the minimum size for a “farmable unit” on a highly productive irrigated parcel as referenced in the Solano County General Plan. Given its size, history, location, and existing and proposed land uses constructed upon it, it is not a viable agricultural economic unit.
- 6.** Approval of the proposed expansion is neither precedent setting nor detrimental to protecting the integrity of prime agricultural lands within the Suisun Valley Agriculture “A-SV-20” Zoning District, and it will be in conformance with the regulations set forth by the Solano County Zoning Ordinance based on the imposition of the recommended conditions of approval.
- 7.** The proposed Temple expansion is compatible with surrounding land uses and will not be in conflict with agricultural operations located along or across Rockville Road.
- 8.** The functional arrangement and general appearance of the project will be consistent with the character of the area and will not be detrimental to the orderly development of the County.

BE IT, THEREFORE, RESOLVED, that the Planning Commission does hereby approve Amendment No. 1 of Use Permit U-97-13 subject to the recommended conditions of approval.

BE IT, THEREFORE, RESOLVED, that the Planning Commission does hereby adopt the Mitigated Negative Declaration prepared for the Project. The Planning Commission certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered along with the comments received during the public review process and finds that the Mitigated Negative Declaration reflects the independent judgement of the Planning Commission.

BE IT, THEREFORE, RESOLVED, that the Planning Commission has approved Amendment No. 1 of Use Permit U-97-13 subject to the following recommended conditions of approval:

Administrative

1. The proposed expansion of the permitted religious facility shall be established and operated in accord with the application materials and development plans for Amendment No. 1 of Use Permit U-97-13, filed April 12, 2017, and as approved by the Solano County Planning Commission.
2. Granting of Amendment No. 1 to Use Permit U-97-13 authorizes the construction of a 15,060 square foot temple located near the southwest corner of the property. This structure includes a 9,000 sq. ft. prayer hall, lobby, storage, and utility rooms. The two-story structure measures 35 feet in height; however domes and spires would reach a maximum height of 58 feet above the finished grade. The proposal would accommodate an increase from 200 to 600 persons per Sunday service.

The former 5,033 square foot temple would continue to utilize the commercial kitchen, dining hall, and library.

The project involves up to three (3) large events per year with an anticipated attendance of up to 1,000 persons per event. These events would occur on Sundays with guest arrival and departure times similar to regular services. Smaller gatherings would also occur on Wednesdays of up to 50 persons.

In addition to the new temple, the project includes a 2,160 square foot modular unit which is being utilized as the Guru Nanak Sikh Temple Academy. Use of the classroom occurs during Sunday service hours.

The project also includes new and expanded facilities to accommodate the increased demand for parking, vehicle access, septic capacity, storm water retention, and fire suppression.

Activities and services not listed in the project description are prohibited.

3. Granting of Use Permit U-97-13-AM1 is contingent on the approval of Zoning Text Amendment ZT-17-03 and shall not become valid unless and until the zoning text amendment becomes effective.
4. Granting of Use Permit U-97-13-AM1 is contingent on Board of Supervisors action to amend or supersede the existing Easement Deed and Agreement which limits development potential and use intensity of the subject site. The use permit amendment shall not become valid unless and until an amended or superseded Easement Deed and Agreement has been recorded with the Solano County Recorder's Office.
5. This use permit is issued for an indefinite term, commencing on effective date of Zoning Text Amendment ZT-17-03 and subject to renewal as provided below.
6. This use permit is subject to renewal pursuant to Section 28.106(N) of the Solano County Code. Application for renewal must be filed 60 days prior to the five (5) year anniversary date of the initial approval or the most recent renewal approval date.
7. Conditions of Approval established through the issuance of this amendment shall supersede any and all prior conditions established under the original use permit (U-97-13).

8. No additional uses, new or expanded buildings shall be established beyond those identified on the approved development plans without prior approval of an amendment or revision to the use permit.
9. Prior to the issuance of a certificate of occupancy for structures authorized under this use permit, the permittee shall be present on site for an inspection of the premises by the Department of Resource Management and other agencies with jurisdiction, in order to determine if all prerequisite conditions and requirements have been met. Commencement of activities authorized under this permit shall not begin until the Director of Resource Management determines that the permittee is in compliance with the necessary prerequisite conditions of approval.
10. If additional inspections are required before the Director determines the permittee is in compliance with the use permit, the permittee shall be charged inspection fees based on the adopted rate established by the Board for hourly work by the Department.
11. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.
12. By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance of and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.

Site and Facility Improvements

13. The subject property shall be limited to a maximum occupancy of 610 persons during normal Sunday services, and 1,000 persons during the three (3) special events provided annually.
14. No more than 600 people shall occupy the religious temple during normal Sunday service hours between 8:00 a.m. and 5:00 p.m.
15. Within two (2) years of the effective date of this use permit, the permittee shall file with the Director of Resource Management improvement plans and right of way dedication that may be necessary to construct a left turn lane into the facility along Rockville Road. An encroachment permit shall be obtained from the Public Works Engineering Division and the road improvements shall be constructed prior to the issuance of the Certificate of Occupancy for the new temple building.
16. The permittee shall compensate for the loss of 5.16 acres of agricultural land by acquiring farmland conversion mitigation at a minimum ratio of 1:5:1 (1.5 acres of farmland protected through mitigation for each acre of farmland converted). A plan for mitigation compensation shall be submitted to the Director of Resource Management within two (2) years of the effective date of this use permit. The mitigation compensation shall be secured prior to the issuance of the Certificate of Occupancy for the new temple building.

Structures

17. The use of existing structures during service activities are limited to structures that are permitted for commercial and public assembly occupancy and are in compliance with American Disabilities Act (ADA) where applicable. Any interior remodeling of an existing structure is limited to that needed to meet building occupancy and ADA requirements without expansion of the footprint.
18. The use of the existing metal storage building for public assembly is prohibited.
19. The use of temporary structures during special events is limited to structures that are permitted for commercial and public assembly occupancy and are in compliance with American Disabilities Act (ADA) where applicable. This requirement may be waived when the applicable fire agency verifies in writing that the proposed structure is adequate for safe egress and all other fire safety concerns have been addressed.
20. The existing 28 foot tall Nishan Sahib (orange flagpole), is allowed on the project site at the location shown on the approved site plan and may be replaced by a 59 foot tall Nishan Sahib.
21. Banners, cloth or paper signs, temporary signs, streamers, balloons, etc. used to advertise the existence of the Temple, its activities and its religious services are prohibited. Only those signs approved by the Planning Division shall be installed on the project site.
22. Mobile homes, recreational vehicles and any structures not specified on the approved development plans are prohibited on the subject site.
23. Residential use of and construction of residential structures on the subject property is prohibited except for the residential use of the detached single family residential structure that currently exists on the project site. When the current life estate terminates, the existing detached single family residential structure shall only be used for residential purposes unless this permit is modified to allow other uses.
24. All buildings shall be set back a minimum of twenty-five (25) feet to any property line constituting the parcel boundary.

Circulation & Parking

25. Ingress and egress to the subject site and the interior circulation pattern shall be developed consistent with the approved development plan.
26. Parking on-site is restricted to the areas designated and identified for parking on the approved development plans. Overflow parking for religious services and activities is prohibited on other areas of the subject property and off-site along Rockville Road.
27. The proposed parking lot and driveways leading to it shall be surfaced with asphaltic concrete or its equivalent as approved by the Solano County Public Works Division. The proposed parking lot shall be sloped consistent with the approved development plans.
28. Curbs and wheel stops shall be installed in the proposed parking lot to protect landscaping and other improvements from damage by vehicles.
29. Adequate on-site parking arrangements including driveways, aisles, pathways, number of spaces, dimensions, surfacing, and marking shall be developed in accordance with Section 28.94 of the Solano County Zoning Regulations and constructed prior to the issuance of the Certificate of Occupancy for the new temple building.

30. Parking areas, including driveways and loading areas, used for primary circulation and for frequent idling of vehicle engines shall be designed and located to minimize the impact of noise on adjacent properties.

Lighting

31. Lighting capable of providing adequate illumination for security and safety shall be provided. Lighting shall be downcast and/or directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
32. Parking areas shall have lighting capable of providing adequate illumination for security and safety. Any illumination shall be directed away from adjacent properties and public rights-of-way.

Landscaping

33. Prior to the issuance of any building permits for construction purposes, a detailed landscape plan showing the species and spacing of all plant materials shall be approved by the Director of Resource Management.
34. Proposed improvements, including the installation of landscaping, shall be completed prior to the issuance of the Certificate of Occupancy for the new temple building.
35. The required front yard setback as determined by the zone district shall be landscaped in accordance with a landscape and irrigation plan approved by the Department of Resource Management. At least two twenty-four inch (24") box street trees are required for each 50 feet of street frontage or fraction thereof.
36. Landscaping shall be provided equivalent to at least fifteen percent of the total parking area hardscape. The parking area hardscape includes parking stalls, sidewalks, and all driveways outside of the front yard setback. Such landscaping shall be located throughout the parking area and at a minimum shall include one twenty-four inch box tree for every five parking stalls.
37. All landscaping installed as a result of the subject use permit applications' approval shall be maintained in a healthy, thriving and weed-free condition at all times by the applicant. Dead plant materials shall be replaced with plant materials) approved by the Planning Division of the Department of Resource Management.
38. The permittee shall maintain the transitional buffering of evergreen trees and shrubs to provide a visual screen between the adjacent agriculturally and commercially zoned properties and the Interstate 80 frontage (Fairfield Linear Park).

Operational & Performance Standards

39. Construction activities associated with the development of the proposed religious facility shall only take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday.
40. The permittee shall be responsible for taking measures necessary or as may be required by the County to prevent light, glare, traffic congestion, visual distraction or other impacts which constitute a nuisance to motorists, persons or property in the surrounding area.
41. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

42. Adequate maintenance shall be provided to prevent deterioration of all exterior improvements by the owner so that the subject project remains visually attractive to the public at all times.
43. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
44. The applicant shall use its best, good faith efforts to coordinate temple activities so as to avoid potential conflicts associated with pesticide use by the neighboring property to the west of the project site.
45. The permittee shall prevent offensive noise, dust, glare, vibration or odor. All uses of land and buildings shall be conducted in a manner, and provide adequate controls and operational management to prevent:
 - a. Dust, offensive odors, vibration detectable beyond any property line.
 - b. Noise that exceeds 65dBA LDN at any property line.
 - c. Glint or glare detectable beyond any property line or by overflying aircraft.
46. The project shall contain measures to manage storm water to prevent any potential contaminants, processing wastes or by-products from entering any natural or constructed storm water facility or canal, creek, lake, pond, stream or river.
47. Removal of natural material 1) shall prevent offensive noise, dust, vibrations or standing water from occurring beyond any property line; 2) shall not create finished grades of a greater slope than two to one; and 3) shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.

Public Works – Engineering Division

48. The permittee shall acquire a Grading Permit from the Public Works – Engineering Division for any grading or earthwork on-site.
49. The permittee shall acquire an Encroachment Permit from the Public Works – Engineering Division for the new, easterly driveway connection to the Rockville Road. The encroachment permit will require construction of driveway connection that meets the minimum standards of a "Commercial Driveway/Private Road Connection" as shown in the Solano County Road Improvement Standards.
50. No parking will be allowed along the permittee's frontage of Rockville Road. The permittee shall pay this department a fee for installing required no parking signs.
51. The applicant shall furnish a hydrologic study prepared by a licensed civil engineer to demonstrate that permanent storm drain facilities can be designed and constructed on site to satisfy County Code section 31-26 and Section 31-30 "General Design Principles and Standards" showing no increased rate of run off. All current County and State stormwater requirements must be met. The applicant will need to indicate the general location of significant storm drainage improvements on the use permit site plan. The site plan will need to be revised to show that surface water runoff created by any impervious surface on site is retarded by appropriate structural and vegetative measures so that flow rates at the discharge point don't exceed flows prior to any historical development on site. Such improvements need to be contained within the property boundary.

Environmental Health Services Division

52. The permittee shall maintain the potable water service from the City of Fairfield and shall ensure that all structures on site are connected to the City of Fairfield water supply. The permittee shall notify the City of Fairfield about the existing well onsite, and shall comply with any cross connection control requirements that the City of Fairfield has.
- A. The well water onsite shall be used for irrigation and landscaping uses only. All hose bibs or plumbing fixtures which provide water from the well shall be clearly labeled as "Non-Potable Water – Do Not Drink".
- B. The location of the existing water well shall be shown on the site plan.
53. The permittee shall have the septic design plan revised based upon the revised use permit site plan dated July 23, 2019, and shall pay any additional plan fees associated with the additional review. The revised septic design shall meet all standards of Solano County Code Ch. 6.4, including the leachfield setback distance from the water well and the detention pond.
- A. The septic design plan shall be based upon the usage or wastewater flows that have been revised since the original permit was approved in August 2017.
54. The permittee shall maintain the food facility permit to operate. All food must be prepared and stored in approved areas only, any expansion from the permitted areas require plan submittal and approval prior to implementation.

All water used for human consumption must be from a potable source, the use of the onsite well is not permissible.

Building & Safety Division

55. The permittee shall obtain approval from the Solano County Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws. Submit four (4) sets of plans to the Building and Safety Division for plan review and obtain permits prior to beginning any improvements.

Suisun Fire Protection District

56. Plans submitted for building permit must meet all requirements of the Uniform Building and Fire Codes. Occupancies will be determined by the County Building Official for restrictions.
57. New buildings may require protection by an automatic fire sprinkler system. System plans must be submitted to the Suisun Fire Protection District for permit, plan review and field inspections.
58. Other Fire Protection Systems and Alarms may be required pending occupancy use.
59. Public events on-site may have special requirements.
60. Access Road and building approach must meet County and Fire Code Standards.
61. Occupant load and exits will be determined upon submission of plans for building permit.

62. The access road must meet all Solano County requirements for use as a commercial driveway. This may include adequate turning radius or approved turnarounds capable of supporting fire apparatus.
63. Any gate entrances shall be at least 16 ft. wide. If gate is locked, it will be required to be provided with approved fire department access devise.

California Department of Fish and Wildlife

64. If construction, grading, vegetation removal, or other project-related improvements are scheduled during the nesting season of protected raptors and migratory birds, January 31 to September 1, a focused survey for active nests of such birds shall be conducted by a qualified biologist within 7 days prior to the beginning of project related activities. The results of the survey shall be sent to CDFW and the Planning Division prior to the start of project activities. If an active nest is found, the Permittee shall consult with USFWS and CDFW regarding appropriate action to comply with the Migratory Bird Treaty Act of 1918 and Fish and Game Code. If a lapse in project related work of 7 days or longer occurs, another focused survey and if required, consultation with CDFW and USFWS, shall be required before project work can be reinitiated.

Central Valley Regional Water Quality Control Board

65. Prior to the commencement of project related activities the permittee shall obtain a Construction Storm Water General Permit from the Central Valley Regional Quality Control Board. A copy of the permit shall be submitted to the Planning Services Division by the permittee.

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

Mitigation Measures

66. **Air Quality.** Require Implementation of Measures to Reduce Construction-Related Exhaust Emissions. The applicant, as a condition of project approval, shall be required to implement the following measures to further reduce exhaust emissions from construction-related equipment:
 - Commercial electric power shall be provided to the project site in adequate capacity to avoid or minimize the use of portable gas-powered electric generators and equipment.
 - Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).

- To the extent feasible, alternative fuels and emission controls shall be used to further reduce NO_x and PM₁₀ exhaust emissions.
- On-site equipment shall not be left idling when not in use.
- The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited.
- Construction shall be curtailed during periods of high ambient pollutant concentrations; this may involve ceasing construction activity during the peak hour of vehicular traffic on adjacent roadways or on Spare the Air Days.
- Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.
- Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with BAAQMD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is anticipated that in the near future, both NO_x and PM₁₀ control equipment will be available.

67. Require Implementation of Measures to Reduce Fugitive PM₁₀ Dust Emissions. The applicant, as a condition of project approval, to implement the following enhanced and additional control measures recommended by BAAQMD to further reduce fugitive PM₁₀ dust emissions:

- Hydroseeding shall be used or nontoxic soil stabilizers shall be applied to inactive construction areas (previously graded areas inactive for 10 days or more).
- Exposed stockpiles (e.g., dirt, sand) shall be enclosed, covered, or watered twice daily, or nontoxic soil binders shall be applied to such stockpiles.
- Traffic speeds on unpaved roads shall be limited to 15 mph.
- Sandbags or other erosion control measures shall be installed to prevent runoff of silt to public roadways.
- Vegetation shall be replanted in disturbed areas as quickly as possible.
- Wheel washers shall be installed on all exiting trucks, or the tires or tracks of all trucks and equipment leaving the site shall be washed off.
- Windbreaks shall be installed or trees/vegetative windbreaks shall be planted at windward side(s) of construction areas.
- Excavation and grading activity shall be suspended when winds (instantaneous gusts) exceed 25 mph.
- The area subject to excavation, grading, and other construction activity at any one time shall be limited, as necessary.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on August 1, 2019 by the following vote:

AYES: Commissioners

Rhoads-Poston, Cayler, Hollingsworth, Bauer and
Chairman Walker

NOES: Commissioners

None

EXCUSED: Commissioners

None

By: 
Bill Emlen, Secretary

**SOLANO COUNTY AIRPORT LAND USE COMMISSION
RESOLUTION NO. 18-09**

**RESOLUTION REGARDING CONSISTENCY WITH
AIRPORT LAND USE COMPATIBILITY PLANS
(County of Solano Zoning Ordinance - Churches)**

WHEREAS, pursuant to California Public Utilities Code section 21675 the Solano County Airport Land Use Commission ("**Commission**") has the responsibility to prepare and adopt airport land use plans for any public and military airports within Solano County and to amend any such adopted plan as necessary; and

WHEREAS, pursuant to such authority, the Commission has adopted airport land use compatibility plans for Travis Air Force Base, Rio Vista Municipal Airport, and the Nut Tree Airport, and the Solano County Airport Land Use Compatibility Review Procedures (the "**Compatibility Plans**"); and

WHEREAS, in enacting the sections within the State Aeronautics Act (the "**Act**") that provide for airport land use commissions, the California Legislature has declared that the purposes of the legislation include: (1) to provide for the orderly development of each public use airport in this state; (2) to provide for the orderly development of the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards; (3) to provide for the orderly development of the area surrounding these airports so as to prevent the creation of new noise and safety problems; (4) to protect the public health, safety, and welfare by ensuring the orderly expansion of airports; and (5) to protect the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses (Pub. Util. Code, § 21670, subd. (a)); and

WHEREAS, the Act provides that an airport land use commission's powers and duties include: (a) to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses; (b) to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare; (c) to prepare and adopt an airport land use compatibility plan pursuant to Public Utilities Code section 21675; and (d) to review the plans, regulations, and other actions of local agencies and airport operators pursuant to Public Utilities Code section 21676 (Pub. Util. Code, § 21674); and

WHEREAS, the Act provides that the purpose of compatibility plans is to provide for the orderly growth of the airports and the area surrounding the airports, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general (Pub. Util. Code, § 21675, subd. (a)); and

WHEREAS, Public Utilities Code section 21675, subdivision (a), authorizes the Commission, in formulating a compatibility plan, to develop height restrictions on buildings, specify the use of land, and determine building standards, including sound-proofing adjacent to airports; and

WHEREAS, Public Utilities Code section 21675, subdivision (b), directs the Commission to prepare a compatibility plan for areas surrounding military airports, and the Legislature's intent in

enacting subdivision (b) was to protect the continued viability of military installations in California, to protect the operations of military airports from encroachment by development, and to encourage land use policies that reflect the contributions military bases make to their communities, as well as their vital importance in the state's economy and in the defense of our nation; and

WHEREAS, pursuant to such authorities, the Compatibility Plans set forth criteria to be applied by the Commission when evaluating local land use plans and specific development proposals; and

WHEREAS, Public Utilities Code section 21676, subdivision (b), requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Commission, local agencies within Solano County are required to first refer the proposed action to the Commission for a consistency determination; and

WHEREAS, the County of Solano ("**Local Agency**") is considering approving the following project (the "**Project**"), as set forth in greater detail in the Staff Report and its Attachments concerning "Item AC 18-034" of the Commission's December 13, 2018 Regular Meeting ("**Staff Report**"): "Public Hearing to consider a Consistency Determination (ALUC-18-09) for the proposed County of Solano Zoning Ordinance amendment for non-conforming churches in the A-T-C and A-SV-20 Zoning Districts (Non-Conforming Church Ordinance) with the Travis Air Force Base Land Use Compatibility Plan"; and

WHEREAS, the Commission has duly considered the Project, at a noticed public meeting, in order to ensure consistency of the Project with the Compatibility Plans.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does adopt and incorporate by this reference as its findings and determinations the analysis, conclusions, and recommended findings of the Staff Report.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does find and determine that the Project is consistent with the provisions of the Travis Air Force Base Land Use Compatibility Plan.

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RESOLVED, that after adoption of this Resolution Staff is authorized to correct any clerical errors in this Resolution or the Staff Report.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on December 13, 2018, by the following vote:

AYES: Commissioners Baldwin, Vancil, DuClair, Sagun, Cook
and Chairman Randall


NOES: Commissioners None

ABSTAIN: Commissioners None

ABSENT: Commissioners Cavanagh, Meyer, and Seiden

By 
Thomas Randall, Chairman
Solano County Airport Land Use Commission

Attest:

By: 
Bill Emlen, Clerk to the Commission

DEPARTMENT OF RESOURCE MANAGEMENT



**NOTICE OF PUBLIC HEARING
(Board of Supervisors)**

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Paris Stovell, Department of Resource Management at 675 Texas Street, Suite 5500, Fairfield, CA (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

NOTICE IS GIVEN that the Solano County Board of Supervisors will hold a public hearing to consider a proposed Ordinance, Zone Text Amendment No. ZT-17-03, to amend Chapter 28 of the Solano County Code relating to legal, nonconforming churches within the Suisun Valley Agriculture "A-SV-20" and Agriculture Tourist Center "ATC" zoning districts to allow for the expansion of such uses subject to discretionary approval via the use permit amendment process. The Planning Commission has recommended approval of this amendment. In addition, the Board will consider terminating an easement, granted to the County in 1999 by the **Guru Nanak Sikh Temple**, concerning property located at 2748 Rockville Road. A Mitigated Negative Declaration has been prepared for this project.

Summary of proposed ordinance: The ordinance adds a provisions to the Solano County Zoning Regulations allowing legal nonconforming churches within the A-SV-20 and ATC zoning districts to be enlarged or expanded, provided the increase in development or intensity of use complies with the development standards otherwise applicable to churches, is contained within the parcel originally approved for the use, does not adversely impact agricultural operations, and is approved as an amendment to the use permit. The ordinance does not authorize new churches to be established in these zoning districts.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Any person wishing to comment on the project and/or review the information contained within the project file may do so at the Solano County Department of Resource Management, Planning Division, County Administration Center, 675 Texas Street, Suite 5500, Fairfield. Staff reports are available by 5:00 p.m. the Friday prior to the meeting at www.solanocounty.com under Quick Clicks, Board Meetings.

The hearing will be held in the Board of Supervisors' Chambers, County Administration Center, 1st Floor, 675 Texas Street, Fairfield on October 22, 2019. The meeting begins at 9:00 a.m. however this item is scheduled to be heard by the Board at 2:00 p.m. or as soon thereafter as the matter may be heard. Interested persons may appear and be heard at that time.

BIRGITTA E. CORSELLO
Clerk of the Board of Supervisors
County of Solano, State of California