

# Solano County

675 Texas Street  
Fairfield, California 94533  
[www.solanocounty.com](http://www.solanocounty.com)



**Please see  
page 2 of this  
agenda for  
participation  
options for the  
meeting**

## Agenda - Final

**Tuesday, May 12, 2020**

**9:00 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. Spering (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

This meeting will be live-streamed and available to view at:

<http://www.solanocounty.com/depts/bos/meetings/videos.asp>

Due to COVID-19 and to protect County staff and members of the public, access to the Board Chambers will be restricted during Board of Supervisors meetings. This precaution is being taken pursuant to the authority conferred by Governor Newsom's Executive Order N-29-20. All or some of the Board members may attend the meeting telephonically and participate in the meeting to the same extent as if they were present.

\*\*\*\*\*

**PUBLIC COMMENTS: To submit public comments, please see the options below.**

Email/Mail:

If you wish to address any item listed on the Agenda or Closed Session by written comment, please submit comments in writing to the Clerk of the Board by U.S. Mail or by email. Written comments must be received no later than 8:30 A.M. on the day of the meeting. The email address for the clerk is: [clerk@solanocounty.com](mailto:clerk@solanocounty.com). The mailing address is: Clerk of the Board of Supervisors, 675 Texas Street, Suite 6500, Fairfield, CA 94533. Copies of comments received will be provided to the Board and will become a part of the official record but will not be read aloud at the meeting.

Phone:

To submit comments verbally from your phone during the meeting, you may do so by dialing: 1-415-655-0001 and using Access Code 809-855-665 on your phone. No attendee ID number is required. Once entered in the meeting, you will be able to hear the meeting and will be called upon to speak during the public speaking period.

\*\*\*\*\*

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, 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 will be emailed to you upon request. You may request materials by emailing [clerk@solanocounty.com](mailto:clerk@solanocounty.com).

## AGENDA

**CALL TO ORDER - 9:00 A.M.**

**ROLL CALL**

**SALUTE TO THE FLAG AND A MOMENT OF SILENCE**

### PRESENTATIONS

#### Board of Supervisors:

- 1      **20-373**      Adopt and present resolutions proclaiming the week of May 12, 2020 as Junior Reserve Officer Training Corps (ROTC) Week and recognizing the contributions of the four High School JROTC units in Solano County (Supervisor Spering)

**Attachments:**    [A - Armijo Resolution](#)  
                          [B - Fairfield Resolution](#)  
                          [C - Jesse Bethel Resolution](#)  
                          [D - Vanden Resolution](#)

#### Health and Social Services/Office of Emergency Services:

- 2      **20-355**      Receive a verbal update from Dr. Bela Matyas, Public Health Officer, and Don Ryan, Emergency Services Manager, regarding the coronavirus disease 2019 (COVID-19) and provide any necessary direction

### 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**County Administrator:

- 3      **20-388**      Adopt a resolution and plaque of appreciation honoring Jodene Nolan, County Administrator Executive Assistant, upon her retirement from the County Administrator's Office with over 25 years of dedicated public service to Solano County and 32 years of total public service  
Attachments:    [A - Resolution](#)
- 4      **20-350**      Adopt a resolution to receive a noncompetitive allocation award of \$37,780 under the Housing Navigators Program (HNP) to assist eligible Child Welfare Services clients aged 18 to 21 years with housing navigator services for securing and maintaining permanent housing; Approve an Appropriations Transfer Request (ATR) to recognize the unanticipated revenue (4/5 vote required); and Delegate authority to the County Administrator to execute the allocation award documents with the California Department of Housing and Community Development and other related documents necessary to accept the award  
Attachments:    [A - Grant Acceptance Form](#)  
                         [B - Grant Resolution](#)

Clerk of the Board of Supervisors:

- 5      **20-380**      Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors  
Attachments:    [A - Appointment List](#)



Auditor-Controller:

- 6      **20-358**      Approve the write-off of accounts receivable due to Solano County in the amount of \$1,898.42 related to a supplemental property tax refund (4/5 vote required); Discharge the Auditor-Controller's Office from further collection efforts; and Authorize the Auditor-Controller's Office to remove this account from the County's accounting records
- 7      **20-363**      Approve an Appropriation Transfer Request (ATR) in the amount of \$142,000 utilizing Fund Balance within the Pension Debt Service Fund to recognize an increase in interest expense on County pool (4/5 vote required)

General Services:

- 8      **20-343**      Approve an agreement for \$2,100,000 with American River Construction Inc. of Placerville for the Department of Child Support Services Relocation Project at 675 Texas Street, Fifth Floor, in Fairfield; and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget

Attachments:    [A - Agreement](#)  
                         [B - Project Funding & Budget Summary](#)  
                         [C - Bid Tabulation](#)

Veterans Service Office:

- 9      **20-374**      Adopt a resolution recognizing May 25, 2020 as Memorial Day and to honor all Solano County Veterans who have made the ultimate sacrifice for our country

Attachments:    [A - Resolution](#)

**HEALTH AND SOCIAL SERVICES**Health and Social Services:

- 10     **20-376**      Adopt a resolution recognizing May 17-23, 2020 as Emergency Medical Services Week in Solano County
- 11     **20-377**      Adopt a resolution recognizing May 2020 as Older Americans Month in Solano County

Attachments:    [A - Resolution](#)

**CRIMINAL JUSTICE**Sheriff's Office:

- 12      **20-357**      Approve an agreement with the California Department of Health Care Services effective July 1, 2020 to participate in the Medi-Cal County Inmate Program; Authorize the County Administrator to sign the agreement and any amendments including changes to terms and conditions and scope of services, with concurrence from County Counsel; and Authorize the Sheriff or his designee to execute contract amendments which are technical and administrative in nature and remain within budget appropriations

Attachments:    [A - MCIP Participation Form](#)  
                         [B - MCIP Agreement](#)

**LAND USE/TRANSPORTATION**Resource Management:

- 13      **20-328**      Adopt a resolution proclaiming the week of May 17-23, 2020 as National Public Works Week in Solano County

Attachments:    [A - Resolution](#)

**MISCELLANEOUS ITEMS**Health and Social Services:

- 14      **20-378**      Approve the appointment of Michael Brimer to the Senior Coalition of Solano County for a term to expire May 31, 2022

**REGULAR CALENDAR****Rescheduled Consent Items****Consider the following:**

- A)
- B)
- C)

**LAND USE/TRANSPORTATION**Resource Management:

- 15      20-178**      Conduct a noticed public hearing to consider the following three applications of Bill Morgan, regarding a 310.5-acre property located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated portion of Vacaville, APN: 105-110-070, 100, 440, 450; 105-160-130; 105-170-150, 010 (Application No.: GP-18-01, Z-18-01 and S-18-02): 1) Amend the General Plan land use designations on portions of the subject property from Specific Project Area to Agriculture and Rural Residential, and Rural Residential to Agriculture; 2) Rezone portions of the subject property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum (RR-10); and 3) Subdivide the subject property into 19 lots (Development is proposed in three (3) phases and the project is known as the Lands of Morgan Subdivision); and Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

**Attachments:**    [A - Location Map](#)  
[B - Tentative Subdivision Map](#)  
[C - Proposed Development Phasing Table](#)  
[D - BOS Resolution Morgan GPA](#)  
[E - Proposed GPA](#)  
[F - Morgan Rezone Ordinance](#)  
[G - Proposed Rezone](#)  
[H - BOS Resolution Morgan Subdivision](#)  
[I - CC Morgan Conditions of Approval](#)  
[J - Mitigation Monitoring and Reporting Program](#)  
[K - Initial Study Mitigated Negative Declaration](#)  
[L - February 20, 2020 PC Minutes](#)  
[M - CEQA Comment Letter](#)  
[N - Water System Plan](#)  
[O - Preliminary Detention Pond Plan](#)  
[P - Public Hearing Notice](#)  
[Q - Proposed Projects Table](#)

- 16      20-371**      Receive a verbal update on the status of the 2020 Census outreach effort

**GENERAL GOVERNMENT**Registrar of Voters:

- 17      **20-344**      Receive a presentation from the Registrar of Voters' Office on preparations for the 2020 General Elections, with contingencies; Consider adopting a resolution supporting AB860 allowing county elections officials to conduct the November 3, 2020 election as an all-mail ballot election with traditional polling places; and Consider adopting an updated stipend schedule for pollworkers and poll places for contingency measures identified by the Registrar of Voters.

Attachments:    [A - Resolution](#)  
                         [B - SB860 Letter of Support](#)  
                         [C - AB860 Bill Text](#)  
                         [D - Alternate Resolution](#)  
                         [E - Alternate Letter to the Governor](#)  
                         [F - Alternate Executive Order](#)  
                         [G - Proposed Poll Worker Stipend](#)  
                         [H - Presentation](#)

Health and Social Services:

- 18      **20-352**      Receive a presentation regarding 1) a grant award of \$6,301,108 from the California Health Facilities Finance Authority (CHFFA) for proposed construction of a 16-bed licensed Residential Mental Health Diversion Program and 2) a grant award of \$1,256,129 under the Homeless Housing Assistance and Prevention (HHAP) Program to support proposed construction of a 16-bed Board and Care housing program for adult residents experiencing housing insecurity and a mental illness; Accept the grant awards to support the proposed construction of the 32-bed project at the 275 Beck Ave Health and Social Services Campus; Approve subsequent Appropriations Transfer Requests (ATR) to recognize the unanticipated allocation awards revenues (4/5 vote required); and Delegate authority to the County Administrator to execute the subsequent allocation award documents for these grants and other related documents necessary to accept the awards

Attachments:    [A - HHAP Fund Request Form](#)  
                         [B - HHAP Standard Agreement](#)  
                         [C - Agreement Exhibits A-E](#)  
                         [D - CSI Allocation Letter](#)  
                         [E - Presentation](#)

- 19      **19-954**      Consider authorizing participation in the California State Department of Health Care Services Organized Delivery System pilot for substance use treatment services under Medi-Cal; and Consider delegating authority to the County Administrator to execute the State-County Intergovernmental Agreement and any State associated certification documents, and the master agreement with Partnership Health Plan to oversee the delivery of services under the Organized Delivery System once finalized in concurrence with County Counsel

Attachments:    [A - Link to Agreements, Exhibits, Attachments and Implementation Plan](#)  
                         [B - Presentation](#)

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

### **CLOSED SESSION**

- 20      **20-372**      Conference with Real Property Negotiators: Property: 600 Kentucky Street, Fairfield, California; Agency negotiators: Megan Greve, Director of General Services, James Bezek, Assistant Director of General Services, and Dale Eyeler, Real Estate Agent; Negotiating party: Melisa Castro-Herrmann, Jones Lang Lasalle, and Karen LaFave, United States Postal Service; Under negotiation: Price and terms

Attachments:    [A - Memorandum](#)

### **RECONVENE**

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

### **ADJOURN:**

*To the Board of Supervisors meeting of June 2, 2020 at 9:00 A.M., Board Chambers,  
675 Texas Street, Fairfield, CA*



# Solano County

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## Agenda Submittal

<b>Agenda #:</b>	1	<b>Status:</b>	Presentation
<b>Type:</b>	Resolution-Presentation	<b>Department:</b>	Board of Supervisors
<b>File #:</b>	20-373	<b>Contact:</b>	Catherine Cook, 784-6418
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt and present resolutions proclaiming the week of May 12, 2020 as Junior Reserve Officer Training Corps (JROTC) Week and recognizing the contributions of the four High School JROTC units in Solano County (Supervisor Sperring)		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	District 3		
<b>Attachments:</b>	A - Armijo Resolution, B - Fairfield Resolution, C - Jesse Bethel Resolution, D - Vanden Resolution		

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

Public Hearing Required? Yes ☐ No ☒

### **DEPARTMENTAL RECOMMENDATION:**

Supervisor Jim Sperring is requesting the Board proclaim the week of May 12, 2020 as Junior Reserve Officer Training Corps (JROTC) Week in Solano County in recognition of the cadets who participate in this high school leadership program and collectively contributed over 4,550 hours of community service during the 2019/2020 school year.

### **SUMMARY/DISCUSSION:**

Solano County is fortunate to have four Junior ROTC units within its boundaries, including three affiliated with the Air Force and one sponsored by the Navy. The overall objective of the JROTC program is to instill values of citizenship, a sense of service to the United States, personal responsibility, a sense of accomplishment and values of leadership. The program provides opportunities for cadets to practice their leadership skills by planning and organizing each JROTC event and activity under the supervision of their instructors. Additionally, each program has an academic side, with aerospace science the focus of Air Force JROTC and naval science the focus of Navy JROTC. There are currently 440 students enrolled in the program between the four schools.

### **FINANCIAL IMPACT:**

The costs associated with preparing the agenda item are nominal and absorbed by the District 3 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 may choose not to adopt these resolutions. This is not recommended as adopting these resolutions provides an opportunity to recognize some of our local students and their instructors who have contributed to the community through thousands of volunteer hours fundraising and supporting local veteran and non-profit organizations. This type of recognition is in keeping with the values of the Solano County Board of Supervisors

**OTHER AGENCY INVOLVEMENT:**

Coordination with faculty members at Armijo, Fairfield, Jesse-Bethel and Vanden high schools.

# *Resolution No. 2020 -*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING ARMIJO HIGH SCHOOL'S 71st CADET GROUP JUNIOR RESERVE OFFICERS TRAINING CORPS PROGRAM IN SOLANO COUNTY**

**WHEREAS**, the Air Force Junior Reserve Officer Training Corps program at Armijo High School, known as the 71st Cadet Group, has 105 cadets enrolled and is a leadership program that has been of great benefit to the young people of Solano County; and

**WHEREAS**, cadets at Armijo High School in academic year 2019-2020 contributed an impressive 1,150 hours of community service to their school and community, while maintaining their academic work load, and participating in Junior ROTC and other extracurricular activities throughout the school year; and

**WHEREAS**, Armijo High School's cadets assisted in numerous volunteer efforts, including removing trash and debris from local creeks as part of Fall Coast and Creek Cleanup effort; tutoring fellow Armijo students; collecting socks for the homeless; assisting school administration in enrolling 8<sup>th</sup> graders in high school classes; and helping run fundraising events for Crystal Middle School and Sheldon Elementary School to support their schools, as well as serving meals at the Lion's Club annual Crab Fest fundraiser; and

**WHEREAS**, Armijo's cadets showed their esprit de corps and team work – the hallmark of the military - by marching in the annual Fairfield Veterans Day Parade, conducting a military drill demonstration for visiting students from Japan, and performing the daily raising and lowering of Armijo's flag. This was also evident with the Color Guard presenting the colors at a variety of community events throughout the year, including the Special Olympics for the Fairfield-Suisun School District, and home football games; and

**WHEREAS**, the cadets at Armijo High School willingly joined the Junior ROTC program and accepted the objectives of personal responsibility, self-reliance, service to others, and took on leadership roles at school, in Junior ROTC activities, and in their daily lives; and

**WHEREAS**, the cadets at Armijo High School, under the guidance and leadership of their dedicated instructors Lieutenant Colonel Ed Bruce and Master Sergeant Janet Santa, are diligently working toward acquiring the experience and knowledge to become involved and productive citizens.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors recognizes the outstanding Junior ROTC program at Armijo High School and the fine accomplishments of the cadets in the 71<sup>st</sup> Cadet Group.

Dated this 12<sup>th</sup> day of May, 2020

\_\_\_\_\_  
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. 2020 –*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING FAIRFIELD HIGH SCHOOL'S 32<sup>nd</sup> CADET GROUP JUNIOR RESERVE OFFICERS TRAINING CORPS PROGRAM IN SOLANO COUNTY**

**WHEREAS**, the Air Force Junior Reserve Officer Training Corps (JROTC) program at Fairfield High School, known as the 32<sup>nd</sup> Cadet Group with 116 cadets, is a valuable leadership training program that tremendously benefits the young people of Solano County; and

**WHEREAS**, in School Year 2019-2020, the cadets contributed more than 800 hours of community service to the Solano County community and to Fairfield High School; while maintaining strong academic focus and actively participating in JROTC and extracurricular activities; and

**WHEREAS**, the cadets supported numerous community service and school-sponsored activities, including the local Coast and Creek Cleanup, the Rotary Club Pumpkin Patch Festival, the Travis Regional Armed Forces Committee, the Wounded Warrior Project's recognition ceremonies, the Fairfield Community Services Foundation Coat and Toy Drive, the Senior Citizens Dinner at the Fairfield Adult Recreation Center, and multiple school-wide events; and

**WHEREAS**, cadets showed their esprit de corps and team work – the hallmark of the military - by competing with a strong showing in the Rio Linda and Titan Drill Meet and placing in multiple events in Color Guard and Drill Team competitions. Cadets showcased the Corps of Cadets during the 2019 Fairfield Veteran's Day Parade, performed Color Guard service during Daughters of the American Revolution meetings, hosted retired veterans on campus for a Veterans Day and a Pearl Harbor Day Memorial ceremony, and attended the quarterly Honor Dinner as part of the Paradise Valley Estates "Vets and Cadets" program; and

**WHEREAS**, cadets at Fairfield High School willingly joined the Junior ROTC program and accepted the objectives of personal responsibility, self-reliance, service to others, and took on leadership roles at school, in Junior ROTC activities, and in their daily lives; and

**WHEREAS**, cadets at Fairfield High School, under the guidance and leadership of their dedicated instructors, Major Frank Aguon and Master Sergeant Michael Occiano, are diligently working toward acquiring the experience and knowledge to become involved and productive citizens.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors recognizes the outstanding Junior ROTC program at Fairfield High School and the fine accomplishments of the cadets and instructors of the 32<sup>nd</sup> Cadet Group.

Dated this 12<sup>th</sup> day of May, 2020

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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. 2020-*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING JESSE BETHEL HIGH SCHOOL'S NAVY JUNIOR RESERVE OFFICERS TRAINING CORPS PROGRAM IN SOLANO COUNTY**

**WHEREAS**, the Navy Junior Reserve Officer Training Corps Program at Jesse Bethel High School has 95 cadets enrolled and is a youth citizen-leadership program that has been of great benefit to the young people of Solano County; and

**WHEREAS**, cadets at Jesse Bethel High School in 2019-2020 contributed an impressive 1,200 community service hours in support of school activities and various local veteran and non-profit organizations, while maintaining their academic work load, and participating in Junior ROTC events and other extracurricular activities; and

**WHEREAS**, Jesse Bethel cadets participated in numerous community service activities, including packing food items at the Vallejo Salvation Army and at Faith Food Fridays to feed Vallejo's needy families; participating in the Goldstar Family Ruck-March at Travis Air Force Base, carrying 30-pound rucksacks filled with canned goods to donate to the homeless; participating in the Special Olympic Games for special needs students; performing flag raising ceremonies for 9/11 at Jesse Bethel High School and the Vallejo Yacht Club; providing Color Guards and Drill Teams for Veterans Day and 4<sup>th</sup> of July Weekend opening ceremonies at Six Flags Discovery Kingdom; and marching in the Vallejo Mad Hatter Parade and providing community support; and

**WHEREAS**, cadets supported various community fundraising activities this year, including the Eric Reyes Scholarship Foundation Fundraiser, which provides college scholarships for graduating seniors in Solano County; the Holy Smokin' Barbeque; several Veterans of Foreign Wars Vallejo Crab Feeds; and Fall Family Night and Community-Resource Fair. In addition, cadets volunteered to help elderly with grocery shopping; put together care packages for the homeless; distributed masks and ran errands to help their community guard against the COVID-19 virus; and

**WHEREAS**, the cadets at Jesse Bethel High School willingly joined the Navy Junior ROTC program and accepted the objectives of personal responsibility, self-reliance, service to others, and took on leadership roles at school, in Junior ROTC activities, and in their daily lives; and

**WHEREAS**, the cadets at Jesse Bethel High School under the guidance and leadership of their dedicated instructors, Chief Petty Officer Ivery Hood, and Captain Ralph Ortolano, are diligently working toward acquiring the experience and knowledge to become involved and productive citizens.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors recognizes the outstanding Navy Junior ROTC program at Jesse Bethel High School and the fine accomplishments of its cadets.

Dated this 12<sup>th</sup> day of May, 2020

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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.-2020*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING VANDEN HIGH SCHOOL'S 20011 CADET GROUP JUNIOR RESERVE OFFICERS TRAINING CORPS PROGRAM IN SOLANO COUNTY**

**WHEREAS**, the Air Force Junior Reserve Officer Training Corps program at Vanden High School, known as the 20011 Cadet Group, has 124 cadets enrolled and is a leadership program that greatly benefits the young people of Solano County. The unit received the Distinguished Unit Award for the 2019-20 school year – the 18<sup>th</sup> consecutive year of receiving this award and an unprecedented record for JROTC units; and

**WHEREAS**, cadets at Vanden High School in 2019-2020 donated an impressive 1,400 hours of community service to their school and community, while maintaining their academic work load, and participating in Junior ROTC and other extracurricular activities throughout the school year; and

**WHEREAS**, Vanden's cadets participated in numerous community activities including the Vacaville/Elmira Cemetery Memorial Day Grave Decorations and Ceremony, Gold Star Families Dinner, Tuskegee Airman Fall Ball, Vacaville Veterans of Foreign Wars Crab Feed, Dixon Veterans of Foreign Wars Steak Dinner, and the Travis Regional Armed Forces Committee dinner saluting enlisted members; and

**WHEREAS**, Vanden High School cadets assisted in a fundraising effort for a worthy cause, and collected over \$990 to purchase Christmas gifts for the Solano County Foster Children; and

**WHEREAS**, the cadets at Vanden High School willingly joined the Junior ROTC program and accepted the objectives of personal responsibility, self-reliance, service to others, and took on leadership roles at school, in Junior ROTC activities, and in their daily lives; and

**WHEREAS**, the cadets at Vanden High School, under the guidance and leadership of their dedicated instructors Lieutenant Colonel Jay Brookman and Master Sergeant Hollis Huvar are diligently working toward acquiring the experience and knowledge to become involved and productive citizens.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors recognizes the outstanding Junior ROTC program at Vanden High School and the fine accomplishments of the cadets in the 20011 Cadet Group.

Dated this 12<sup>th</sup> day of May, 2020

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

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

By: \_\_\_\_\_  
Jeanette Neiger, Chief Deputy Clerk



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## Agenda Submittal

<b>Agenda #:</b>	2	<b>Status:</b>	Presentation
<b>Type:</b>	Presentation	<b>Department:</b>	Health and Social Services
<b>File #:</b>	20-355	<b>Contact:</b>	Dr. Bela Matyas, 784-8400
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Receive a verbal update from Dr. Bela Matyas, Public Health Officer, and Don Ryan, Emergency Services Manager, regarding the coronavirus disease 2019 (COVID-19) and provide any necessary direction		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>			

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 receive an update from Dr. Bela Matyas, Public Health Officer, and Don Ryan, Emergency Services Manager, regarding the activities and efforts relating to the coronavirus disease 2019 (COVID-19) pandemic and provide any necessary direction to staff in response to the evolving situation.

For information, updates and resources on COVID-19, please visit the Solano County Public Health web page at:

[<http://www.solanocounty.com/depts/ph/ncov.asp>](http://www.solanocounty.com/depts/ph/ncov.asp)



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## Agenda Submittal

<b>Agenda #:</b>	3	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Resolution	<b>Department:</b>	County Administrator
<b>File #:</b>	20-388	<b>Contact:</b>	Birgitta E. Corsello, 784-6100
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt a resolution and plaque of appreciation honoring Jodene Nolan, County Administrator Executive Assistant, upon her retirement from the County Administrator's Office with over 25 years of dedicated public service to Solano County and 32 years of total public service		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>			
<b>Attachments:</b>	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 the Board adopt a resolution and plaque of appreciation honoring Jodene Nolan, County Administrator's Executive Assistant, upon her retirement from the County Administrator's Office, with over 25 years of dedicated public service to Solano County and 32 years of providing services to the public.

### **SUMMARY:**

Jodene Nolan retired from the County Administrator's Office after 25 years of dedicated public service to Solano County effective April 24, 2020. Ms. Nolan has committed 25 years of her career providing public service within the County, and prior to 1995 worked for Partnership Health Plan and the City of Suisun City.

### **DISCUSSION:**

Jodene Nolan started her public service career in 1988 working for the City of Suisun City as a Building permit Technician and later worked for the Partnership Health Plan.

Ms. Nolan started her career with Solano County on January 3, 1995 when she was hired by the Solano County Department of Environmental Management as a Building Permit Technician. Ms. Nolan was promoted to the position of County Budget Technician in the County Administrator's office in 1999, and later in 2001 was transferred to the Department of Health and Social Services where she initially promoted to Office Supervisor and then subsequently promoted to Accounting Supervisor in 2003. In 2005, she returned to the County Administrator's Office to become the County Administrator's Executive Assistant where she was an integral part of the office until her retirement.

Ms. Nolan retired on April 24, 2020 after 25 years of providing dedicated public service to the County. During her tenure, Ms. Nolan consistently demonstrated a high level of commitment to excellence and dedication to the County and the Board.

**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 and plaque are included in the Board's FY 2019/20 Adopted Budget.

**ALTERNATIVES:**

The Board may choose not to adopt this resolution and approve this plaque of appreciation; however, this is not recommended because this is an opportunity to recognize Ms. Nolan for her dedication and contributions to the County.

**OTHER AGENCY INVOLVEMENT:**

There is no other agency involvement.

# *Resolution No. 2020 -*

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS  
HONORING JODENE NOLAN, UPON HER RETIREMENT FROM THE COUNTY ADMINISTRATOR'S  
OFFICE, WITH OVER 25 YEARS OF DEDICATED PUBLIC SERVICE TO SOLANO COUNTY AND NEARLY  
32 YEARS OF TOTAL DEDICATED PUBLIC SERVICE**

**WHEREAS**, Jodene Nolan began her public-sector career nearly thirty-two years ago; and

**WHEREAS**, Ms. Nolan began her career working for the City of Suisun City as a Building Permit Technician in November 1988 providing administrative and permitting support for the building services staff; and

**WHEREAS**, Ms. Nolan went to work for Partnership Health Plan in January 1994 working for the Director of Claims and providing administrative and financial support; and

**WHEREAS**, Ms. Nolan was hired on January 3, 1995 by Solano County Department of Environmental Management into a newly created position as a Building Permit Technician helping to implement a permit tracking system and providing administrative support to the Building Services Division; and

**WHEREAS**, Ms. Nolan was promoted and hired into the County Administrator's Office as the County Budget Technician on April 4, 1994 where she worked closely with the county analysts and Budget Officer to help compile the annual budget documents, including data entry, compiling the text document and coordinating the production of the budget book, as well as providing administrative support; and

**WHEREAS**, Ms. Nolan was promoted to an Office Supervisor position in the Department of Health and Social Services on July 8, 2001, supervising a group of support staff involved in processing claims and preparing financial reports; and

**WHEREAS**, Ms. Nolan was subsequently promoted to Accounting Supervisor for the Department of Health and Social Services, leading a team of staff performing various financial duties for the department; and

**WHEREAS**, Ms. Nolan returned to the County Administrators office on November 11, 2005 to assume the position of County Administrator Executive Assistant where her skills and knowledge enabled her to supervise clerical support staff, support the County Administrator and the Assistant County Administrator and annually assist and coordinate the compilation of the budget document with all the CAO analysts; and

**WHEREAS**, Ms. Nolan retired on April 24, 2020 after more than 25 years of service. During her tenure, Ms. Nolan consistently demonstrated a high level of skill and commitment to excellence in her service and dedication to the County and the Board. Ms. Nolan worked tirelessly to support the County Administrator and the entire team in the County Administrator's Office with managing and scheduling countless meetings, assisting with numerous Board-hosted receptions and events, maintaining the County Administrative Policy Manual, supervising and training support staff, and coordinating the on-boarding of new department heads. Ms. Nolan's support and impact will continue to be missed.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors hereby recognizes Jodene Nolan for more than 32 years of public service, with more than 25 years of dedicated and loyal service to Solano County and wishes her well in her retirement and future endeavors.

Dated this 12<sup>th</sup> day of May, 2020

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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

<b>Agenda #:</b>	4	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Grant Funding	<b>Department:</b>	County Administrator
<b>File #:</b>	20-350	<b>Contact:</b>	Daniel Del Monte, 784-6113
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt a resolution to receive a noncompetitive allocation award of \$37,780 under the Housing Navigators Program (HNP) to assist eligible Child Welfare Services clients aged 18 to 21 years with housing navigator services for securing and maintaining permanent housing; Approve an Appropriations Transfer Request (ATR) to recognize the unanticipated revenue (4/5 vote required); and Delegate authority to the County Administrator to execute the allocation award documents with the California Department of Housing and Community Development and other related documents necessary to accept the award		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - Grant Acceptance Form, B - Grant Resolution		

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 Department of Health and Social Services recommends that the Board:

- 1) Adopt a resolution to receive a noncompetitive allocation award of \$37,780 under the Housing Navigators Program (HNP) to assist eligible Child Welfare Services clients aged 18 to 21 years with housing navigator services for securing and maintaining permanent housing;
- 2) Approve an Appropriations Transfer Request (ATR) to recognize the unanticipated revenue (4/5 vote required); and
- 3) Delegate authority to the County Administrator to execute the allocation award documents with the California Department of Housing and Community Development and other related documents necessary to accept the award

### SUMMARY:

The State Department of Housing and Community Development (HCD) recently allocated \$5 million in funding to counties for the support of housing navigators to help young adults aged 18 years and up to 21 years secure and maintain housing, with priority given to young adults in the foster care system. HCD has allocated these funds flexibly, allowing Counties to provide housing navigation services directly or through a contract with other housing assistance programs in the county. Pursuant to statute, HCD consulted with the



Department of Social Services, the Department of Finance, and the County Welfare Directors Association to establish the formula allocation for distributing these funds to counties. The formula allocation is based on each county's percentage of the total statewide number of young adults aged 18 through 21 years old in foster care. From that formula, Solano County is eligible for a noncompetitive allocation of \$37,780, and by statute, Child Welfare Services is the only eligible applicant for the funding.

**FINANCIAL IMPACT:**

This grant has provided an allocation of funding to provide housing navigator services to eligible youth age 18 to 21 who are aging out of foster care and who can benefit from assistance with securing and maintaining permanent housing.

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

**DISCUSSION:**

The Health and Social Services Department (H&SS) partners closely with First Place for Youth (FPFY), a local non-profit organization that serves young adults age 18 to 24, to implement the Transitional Housing Program for eligible Child Welfare Services clients. Through a component of the program, FPFY provides housing navigation services for non-minor dependents aging out of foster care, supporting them to locate housing as well as through temporary rental assistance. As non-minor dependents age 18 to 21 are the target population for the Housing Navigators Program, H&SS is seeking the Board's support in accepting this grant award. If accepted, H&SS will amend its existing contract with FPFY to add \$37,780 to their current contract with FPFY, enhancing housing navigation services for this eligible population in Solano County.

**ALTERNATIVES:**

The Board may choose not to accept the noncompetitive grant award. This is not recommended because Solano County would not gain \$37,780 to support housing navigation services for eligible youth aged 18 to 21 in need of housing support.

**OTHER AGENCY INVOLVEMENT:**

The Department of Health and Social Services will work closely with local providers to implement services associated with the Housing Navigators Program.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

<b>Housing Navigators Program (HNP) Allocation Acceptance</b>										Rev. 2/4/20						
<b>County Allocation:</b>										<b>\$37,780</b>						
<p>Pursuant to Item 2240-103-0001 of Section 2 of the Budget Act of 2019, as amended by Section 16 of Chapter 363 of the Statutes of 2019 (SB 109), the Department of Housing and Community Development (HCD) shall allocate \$5 million in funding to counties for the support of housing navigators to help young adults aged 18 years and up to 21 years secure and maintain housing, with priority given to young adults in the foster care system. The county may use the funding to provide housing navigation services directly or through a contract with other housing assistance programs in the county. It is encouraged that the county coordinate with the local Continuum of Care to foster communication and collaboration.</p>																
<b>Allocation Applicant</b>																
<b>Allocation Applicant is a County Child Welfare Agency</b>																
<p>Pursuant to statute, HCD consulted with the Department of Social Services, the Department of Finance, and the County Welfare Directors Association to establish the formula allocation for the purpose of distributing these funds to counties. The formula allocation is based on each county's percentage of the total statewide number of young adults aged 18 through 21 year old in foster care. The allocation excludes Alpine, Mono, and Sierra counties because their calculation did not demonstrate a need for young adults aged 18-21.</p>																
<b>Applicant County</b>		<b>Solano County</b>														
<b>Legal name of Applicant as stated on resolution:</b>				<b>Health and Social Services Department</b>												
Address		675 Texas St, Suite 6500				City		Fairfield		State		CA	Zip	94533		
Auth Rep Name		Birgitta Corsello		Title		County Administrator		Auth Rep Email		becorsello@solanocounty.com		Phone		(707)784-6108		
Contact Name		Aaron Crutison		Title		Deputy Director		Email		acrutison@solanocounty.com		Phone		(707)784-8331		
Address		275 Beck Ave				City		Fairfield		State		CA	Zip	94533		
<b>Federal Tax ID Number (FEIN)</b>		94-6000538														
<b>Administrative Fiscal Representative</b>																
Legal Name		Health and Social Services Department				Contact Name		Birgitta Corsello		Contact Email		becorsello@solanocounty.com				
Phone		(707)784-6108		Address		675 Texas St, Suite 6500		City		Fairfield		State		CA	Zip	94533
<b>File Name:</b>		<b>App Resolution</b>		Reference sample resolution document						Attached to email?		Yes				
<b>File Name:</b>		<b>App Signature Block</b>		Signature Block - upload in Microsoft Word document						Attached to email?		Yes				
<b>File Name:</b>		<b>App TIN</b>		Reference Taxpayer Identification Number (TIN) document						Attached to email?		Yes				
<b>Use of Funds</b>																
<p>The HNP program funds housing navigators for county child welfare agencies. The role of a housing navigator is to act as a housing specialist to assist young adults with their pursuits of locating available housing and overcoming barriers to locating housing. Housing navigator activities may include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1) Assist young adults aged 18-21 secure and maintain housing (with priority given to young adults in the state's foster care system);</li> <li>2) Provide housing case management which include essential services in emergency supports to foster youth;</li> <li>3) Prevent young adults from becoming homeless; and</li> <li>4) Improve coordination of services and linkages to key resources across the community including those from within the child welfare system and the local Continuum of Care.</li> </ol>																
<b>Expenditure of Funds</b>																
<p>Any grant funds remaining unexpended as of June 30, 2022, must be returned to the State. Checks shall be payable to the Department of Housing and Community Development and mailed to 2020 West El Camino Ave. Room 300, no later than July 31, 2022 and must reference the Contract Number.</p>																
<b>Allocation Acceptance Requirements</b>																
<p><b>In order to accept and receive an allocation, Applicants must submit the following: Signed Allocation Acceptance form, Signed Resolution, and TIN form. A complete signed application with all applicable information must be received by HCD via email no later than 5:00 p.m. on:</b></p> <p style="text-align: center; color: red;"><b>Tuesday, March 31, 2020</b></p> <p style="text-align: center;">HCD will only accept applications electronically at the following email address:  <a href="mailto:Stephanie.Tran-Houangvilay@hcd.ca.gov">Stephanie.Tran-Houangvilay@hcd.ca.gov</a></p>																
<b>Reporting Requirements</b>																
<p>Applicant acknowledges and agrees to submit an annual report to the Department for the three years following distribution of HNP Program funds addressing the following:</p> <ol style="list-style-type: none"> <li>1) How many people were served?</li> <li>2) What were the funds used for?</li> <li>3) Who were the housing navigator(s)?</li> <li>4) How many people served were in foster care?</li> </ol>											Yes					
<b>Certification</b>																
<p><b>On behalf of the entity identified in the signature block below, I certify that:</b></p> <p>The information, statements and attachments included in this Allocation Acceptance form are, to the best of my knowledge and belief, true and correct.</p> <p>I possess the legal authority to submit this Allocation Acceptance form on behalf of the entity identified above.</p> <p>In addition, I acknowledge that all information in this application and attachments is public, and may be disclosed by the State.</p>																
Printed Name		Title of Signatory		Signature				Date								
Entity Name:						Phone Number:										
Entity Address:						City:		State:		Zip:						

RESOLUTION NO. 2020 - \_\_\_\_\_

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE  
APPLICATION FOR AND ACCEPTANCE OF THE COUNTY ALLOCATION AWARD UNDER THE  
HOUSING NAVIGATORS PROGRAM**

**Whereas**, the State of California, Department of Housing and Community Development (“Department”) issued an Allocation Acceptance form, dated February 7, 2020 under the Housing Navigators Program (“HNP” or “Program”) for \$5 million authorized by item 2240-103-0001 of section 2.00 of the Budget Act of 2019, as amended by Section 16 of Chapter 363 of the Statutes of 2019 (SB 109).

**Whereas**, the Allocation Acceptance form relates to the availability of HOUSING NAVIGATORS Allocation funds; and

**Whereas**, Solano County (“Applicant”), was mentioned in the Allocation Acceptance form dated February 7, 2020.

**Resolved**, the Solano County Board of Supervisors for the County of Solano (“County”) does hereby determine and declare as follows:

SECTION 1. That the Applicant is hereby authorized and directed to apply for and accept their HOUSING NAVIGATORS Allocation award, as detailed in the Allocation Acceptance form, up to the amount authorized the Allocation Acceptance form and applicable state law.

SECTION 2. That Birgitta E. Corsello, County Administrator, or her designee, is hereby authorized and directed to act on behalf of County in connection with the HOUSING NAVIGATORS Allocation award, and to enter into, execute, and deliver any and all documents required or deemed necessary or appropriate to be awarded the HOUSING NAVIGATORS Allocation award, and all amendments thereto (collectively, the “HOUSING NAVIGATORS Allocation Award Documents”).

SECTION 3. That Applicant shall be subject to the terms and conditions that are specified in the HOUSING NAVIGATORS Allocation Award Documents, and that Applicant will use the HOUSING NAVIGATORS Allocation award funds in accordance with the Allocation Acceptance form, other applicable rules and laws, the HNP Program Documents, and any and all HNP requirements.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on May 12, 2020 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

<b>Agenda #:</b>	5	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Meeting Attendance Report	<b>Department:</b>	Clerk of the Board of Supervisors
<b>File #:</b>	20-380	<b>Contact:</b>	Jeanette Neiger, 784-6125
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	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 April 2020 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 April 2020, 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 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	
<b>NATIONAL</b>													
NACO		Primary	Primary	Primary	Primary	Primary	Jan. 7, 2020	1 year					
<b>REGIONAL/STATE</b>													
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. 7, 2020	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. 7, 2020	4 years	1st and 3rd Wed., 9:45 a.m.	\$100 + tolls & milage	\$2,000-\$3,000	Yes	
BAAQMD Sub Committees	Marcy Hiratzka (415) 749-5073			Primary			Jan. 7, 2020	4 years	9:30 a.m.	\$100 + tolls & milage	\$2,000-\$3,000	Yes	
Bay Conservation and Development Commission	Lawrence Goldzband (415) 352-3653			Primary	Alternate		Jan. 7, 2020	1 year	1st & 3rd Thurs., 1 p.m.	\$100	\$2,000-\$3,000	Yes	
California Fairs Financing Authority	Becky Bailey-Findley (916) 263-6160				Primary		Jan. 7, 2020	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	Graham Knaus, Executive Director (916) 327-7500 ext. 545	Primary	Alternate				Jan. 7, 2020	1 year	2/16, 5/18, 9/7, 11/30	No		No	
Delta Conservancy Board	Jessica Adel (916) 375-4022				Alternate	Primary	Jan. 7, 2020	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	Vacant (916) 375-4800				Alternate	Primary	Jan. 7, 2020	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. 7, 2020	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 Tribal Matters Consortium	Nancy Huston 784-6107	Alternate			Primary		Jan. 7, 2020	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. 7, 2020	1 year	2nd Wed., 9 a.m.	\$100	\$1,001-\$2,000	Yes	
4 C's	Matthew Davis 784-6111	Primary	Primary	Primary	Primary	Primary	Jan. 7, 2020	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	Matthew Davis 784-6111	Primary			Primary		Jan. 7, 2020	1 year	As Needed	No		Yes	
<b>REGIONAL/STATE - OTHER</b>													
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)	John Goodwin, Assistant Director (415) 778-5262			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)	Andrew Fremier, Deputy Director (415) 778-5240			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)	Ross McKeown (415) 778-5242			Primary			Dec. 4, 2018	4 years	As Needed	\$100 + tolls & milage	\$0-\$1,000	Yes	
<b>COUNTYWIDE</b>													
Community Action Partnership (CAP) Solano JPA Tripartite Advisory Board	Debbie Vaughn 784-8401	Primary					Jan. 7, 2020	2 years	As Needed	No		No	
East Vallejo Fire Protection District	Magen Yambao 784-1969	Primary	Primary	Primary	Primary	Primary	Jan. 7, 2020	1 year	Quarterly	No		Yes	
First 5 Solano Commission	Megan Richards 784-1335	Primary					Jan. 7, 2020	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. 7, 2020	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. 7, 2020	1 year	As Needed	No		No	
LAFCO	Michelle McIntyre 439-3897 Rich Seithel 439-3898			Primary	Primary	Alternate	Jan. 7, 2020	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. 7, 2020	1 year	Monthly	No		No	
Mental Health Advisory Board	Marisol Lopez 784-8336		Primary				Jan. 7, 2020	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 784-7064					Primary	Jan. 7, 2020	1 year	Last Thurs. in Feb., or Mar. & Oct. 10 a.m.	No		No	
Solano Children's Alliance	Ronda Kogler 421-7229		Primary				Jan. 7, 2020	4 years	1st Wed., 12 p.m.	No		No	
Solano County Farmbudsman Program	Chris Rogers 784-8461				Primary		Feb. 26, 2019	1 year	Quarterly	No		No	
Solano Economic Development Corp.	Pat Uhrich 864-1855	Primary			Alternate		Jan. 7, 2020	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. 7, 2020	1 year	As Needed	No		Yes	
Solano Land Trust	Nicole Byrd 432-0150 ext. 210		Primary				Jan. 7, 2020	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. 7, 2020	1 year	Quarterly	No		Yes	
Solano Transportation Authority	Johanna Masiclat 424-6008	Alternate		Primary			Jan. 7, 2020	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. 7, 2020	Alternate 1 year	2nd Thurs., each month @ 5 p.m.	No		Yes	
Solano Water Authority	Natasha Montgomery 455-4080			Primary	Alternate		Jan. 7, 2020	1 year	As Needed	No		Yes	
Solano County Blue Ribbon Commission on Children in Foster Care	Sara Jones 207-7619	Primary					Jan. 7, 2020	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	Katherine Ashley 455-1100	Primary	Primary	Primary	Primary	Primary	Jan. 7, 2020	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. 7, 2020	1 year	As Needed	\$100	\$0-\$1,000	Yes	
Travis Community Consortium	Stefan Chatwin, Fairfield City Manager 428-7400				Alternate	Primary	Jan. 7, 2020	1 year	As Needed			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	
Vacaville-Fairfield-Solano Greenbelt Authority	Brian Miller 428-7446			Primary	Primary		Jan. 7, 2020	1 year	As Needed	No		No	
Vallejo Flood & Wastewater District Alternate: Donald Tipton, public member	MJ Brown 644-8949	Primary					Jan. 7, 2020	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	Mark Fink (530) 666-8002				Primary	Primary	Jan. 7, 2020	1 year	As Needed	No		Yes	
<b>BOARD OF SUPERVISORS COMMITTEES</b>													
Area Agency on Aging Committee	Birgitta Corsello 784-6100		Primary	Primary			May 1, 2018	1 year	As Needed	No		No	
City of Vallejo Interagency Committee	Greg Nyhoff, City of Vallejo 648-4576	Primary	Primary				Jan. 7, 2020	1 year	As Needed	No		No	
Fair Governance Committee <b>Inactive</b>													
Health & Social Services & Family Justice Committee <b>Inactive</b>													
Historical Records Committee	Elissa DeCaro 447-0518		Primary			Primary	Jan. 7, 2020	1 year		No		No	
Lakes Water System Policy Committee	Misty Kaltreider 784-3311	Primary		Primary			Feb. 5, 2019	1 year	TBD	No		No	
Law & Justice Committee <b>Inactive</b>							Jan. 7, 2020	1 year	As Needed	No		No	
Legislation	Matthew Davis 784-6111	Primary			Primary		Jan. 7, 2020	1 year	As Needed	No		No	
Military & Veterans Affairs Committee	Ted Puntillo 784-6590				Primary	Primary	Jan. 7, 2020	1 year	As Needed	No		No	
Public Art Committee	Megan Greve, 784-7900	Primary			Alternate		Jan. 7, 2020	1 year	As Needed	No		No	
Regional Park Committee	Resource Management Bill Emlen 784-6765	Primary			Primary		Jan. 7, 2020	1 year	As Needed	No		No	
Senior Issues Committee <b>Inactive</b>													
Solano 360 Implementation Committee	Nancy Huston 784-6107	Primary		Primary			Jan. 7, 2020	1 year	As Needed	No		No	
Transportation Land Use Committee	Resource Management Bill Emlen 784-6765			Primary	Primary		Jan. 7, 2020	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. 7, 2020	1 year	As Needed	No		No	
Vacaville MOU for Homelessness Services					Primary	Primary	Mar. 24, 2020	1 year	TBD				
<b>TOTAL ASSIGNMENTS</b>		<b>26</b>	<b>21</b>	<b>22</b>	<b>33</b>	<b>20</b>							
Updated 3-25-2020													



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	6	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Miscellaneous	<b>Department:</b>	Auditor-Controller
<b>File #:</b>	20-358	<b>Contact:</b>	Phyllis S. Taynton, 784-6288
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Approve the write-off of accounts receivable due to Solano County in the amount of \$1,898.42 related to a supplemental property tax refund (4/5 vote required); Discharge the Auditor-Controller's Office from further collection efforts; and Authorize the Auditor-Controller's Office to remove this account from the County's accounting records		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>			

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 authorize the Auditor-Controller to:

1. Write-off accounts receivable due to Solano County in the amount of \$1,898.42 related to a supplemental property tax refund (4/5 vote required);
2. Discharge the Auditor-Controller's Office (ACO) from further collection efforts; and
3. Authorize the Auditor-Controller's Office to remove this account from the County's accounting records.

### SUMMARY/ DISCUSSION:

On April 23, 2013, the ACO Property Tax Division issued a supplemental property tax refund to Bank of New York Mellon (BNY) for \$3,796.84. A supplemental refund results when there is a reduction in the value of property usually due to a change in ownership. Bank of New York Mellon took possession of the property on April 6, 2012. Because the County's records indicated that BNY owned the property at the beginning of FY2012/13, up to the date of the refund, BNY received the entire refund.

After the refund was issued, our office was notified that the property had been sold to SDS Realty Corporation (SDS) on January 7, 2013; therefore, SDS was entitled to 50% of the FY2012/13 supplemental property tax refund. However, since the subsequent change of ownership was not recorded prior to the issuance of the refund to BNY, the full refund was paid to BNY resulting in an overpayment of \$1,898.42. Subsequently, the Auditor-Controller's Office issued SDS its 50% share of the refund.

The ACO made numerous attempts to collect the overpayment from BNY. The ACO and the County's collection agent, Pacific Credit Services, have exhausted all efforts to recover the \$1,898.42 from Bank of New York Mellon. Therefore, the ACO is requesting approval to write-off \$1,898.42 in delinquent accounts



receivable related to a supplemental property tax refund.

Additionally, Government Code section 25257 allows a county officer to request a discharge from accountability for the collection of amounts due and payable to the county if such amount is too small to justify the cost of collection, the likelihood of collection does not warrant the expense involved, or the amount thereof has been lawfully compromised or adjusted.

Approval of the staff recommendation will eliminate further administrative costs and staff time spent on collection activities where it appears there is no reasonable expectation of collecting the receivable.

**FINANCIAL IMPACT:**

The write-off of the outstanding accounts receivable will result in an expenditure in the General Fund-General Revenue budget, however, there are sufficient appropriations in the General Revenue budget to absorb the cost in FY2019/20. Moreover, the cost associated with preparing the agenda item are nominal and absorbed by the Auditor-Controller's FY2019/20 Adopted Budget.

**ALTERNATIVES:**

The Board of Supervisors could choose not to write-off this account and require the Auditor-Controller's Office to continue with collection efforts; however, this alternative is not recommended as the likelihood of collection is remote and the three-year statute of limitations prevents the County from pursuing legal remedies to collect these delinquent accounts. Moreover, continuing to maintain the accounting records for these uncollectible accounts is burdensome and unnecessary.

**OTHER AGENCY INVOLVEMENT:**

None.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	7	<b>Status:</b>	Consent Calendar
<b>Type:</b>	ATR	<b>Department:</b>	Auditor-Controller
<b>File #:</b>	20-363	<b>Contact:</b>	Phyllis S. Taynton, 784-6288
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Approve an Appropriation Transfer Request (ATR) in the amount of \$142,000 utilizing Fund Balance within the Pension Debt Service Fund to recognize an increase in interest expense on County pool (4/5 vote required)		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>			

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

### **DEPARTMENTAL RECOMMENDATION:**

The Auditor Controller's Office (ACO) recommends that the Board of Supervisors Approve an Appropriation Transfer Request (ATR) in the amount of \$142,000 utilizing Fund Balance within the Pension Debt Service Fund to recognize an increase in interest expense on County pool (4/5 vote required).

### **SUMMARY/DISCUSSION:**

In July 2019, the Pension Advisory Committee approved the lump-sum prepayment of the FY2019/20 Employer Unfunded Accrued Liability (UAL) to CalPERS which resulted in net savings to the County. The prepayment resulted in the Pension Debt Service fund carrying a negative cash balance longer than anticipated (through April or 85% of the fiscal year), thus, incurring higher interest expense from the County pool. Also, the increase in interest expense is due to higher interest yield in the County Treasury.

The ATR is necessary to recognize the increase in interest expense on County pool covered by the Fund Balance.

### **FINANCIAL IMPACT:**

The Pension Debt Service Fund will exceed its current appropriations for interest expense on County pool by \$142,000 but will be covered by the Fund Balance.

### **ALTERNATIVES:**

The Board of Supervisors could choose not to approve the Appropriations Transfer Request; however, this alternative is not recommended as the interest expense on County pool will exceed appropriations.

**OTHER AGENCY INVOLVEMENT:**

The County Administrator has reviewed and recommends the approval of the ATR.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	8	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Contract	<b>Department:</b>	General Services
<b>File #:</b>	20-343	<b>Contact:</b>	Mark Hummel, 784-7908
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Approve an agreement for \$2,100,000 with American River Construction Inc. of Placerville for the Department of Child Support Services Relocation Project at 675 Texas Street, Fifth Floor, in Fairfield; and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - Agreement, B - Project Funding & Budget Summary, C - Bid Tabulation		

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 \$2,100,000 with American River Construction Inc. of Placerville for the Department of Child Support Services (DCSS) Relocation Project at 675 Texas Street, Fifth Floor, in Fairfield; and
2. Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget.

### **SUMMARY:**

The Department of General Services is recommending the Board of Supervisors approve an agreement (Attachment A) for \$2,100,000 with American River Construction Inc. as the lowest responsible bidder for the Department of Child Support Services (DCSS) Relocation Project at 675 Texas Street, Fifth Floor, in Fairfield.

### **FINANCIAL IMPACT:**

The total estimated project cost for the DCSS relocation is \$4,339,379 (Accumulated Capital Outlay Fund Budget Unit 1665), including construction costs of \$2,195,000 for tenant improvements at the County Administration Center and other low voltage work; \$508,993 for project management, engineering and design fees, permits and inspections and miscellaneous expenses; \$1,017,750 for Furniture, Fixtures, and Equipment (FF&E) and moving expenses; \$55,000 in increased rent cost at 435 Executive Court (July-December 2020); and \$562,636 in project contingencies.

The Project is funded from multiple sources including \$2,000,000 from FY18/19 Accumulated Capital Outlay Funds; \$450,000 from General Fund - Capital Renewal Reserve Funds and \$1,889,379 from the California State Department of Child Support Services (CA DCSS - from state and federal funding augmentation), incurred over two fiscal years, \$1,105,070 in FY19/20 and \$784,309 anticipated in FY20/21, for allowable expenses in this project. Attachment B provides a breakdown of the estimated project costs and funding sources for the project. Recently, the State informed the County that there is a possibility that the funding for \$784,309 might not be feasible. To offset the anticipated funding gap, the General Fund - Capital Renewal Reserve will fund the project, which will be paid back by DCSS over a period of 30 years with no interest and no prepayment penalty. This is in addition to the estimated tenant improvement for \$1.8 million which will be paid back by DCSS after the completion of the project. Staff will make the necessary budget adjustments during the FY2020/21 supplemental budget process.

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

### **DISCUSSION:**

On October 22, 2019, the Board approved the Department of Child Support Services Relocation Project (Project). At that time the Department of General Services provided a total estimated conceptual-level project cost of \$4,392,646. Subsequent refinement of the project construction documents allowed the cost estimate to be reduced to \$4,339,379.

The Project includes building out existing unfinished fifth floor office space for the relocation of DCSS functions from 435 Executive Court North in Fairfield to the County Administration Center, with corresponding code improvements made to fifth floor restrooms. DCSS will benefit from savings in building occupancy (lease) costs, an enhanced customer service location, an improved workplace environment, and the County will receive occupancy cost recovery revenue associated with the relocation of DCSS.

The Project was advertised as required by Public Contract Code. A total of 388 contractors were notified (56 local); of which 20 contractors (2 local) attended the mandatory pre-bid site walk. A total of eight bids were received (1 local) and American River Construction, Inc., of Placerville was the lowest responsible bidder (Attachment C). The Department of General Services is recommending the Board to approve a contract for \$2,100,000 with American River Construction, Inc., of Placerville to construct the Project.

### **ALTERNATIVES:**

The Board could reject, postpone, or direct staff to re-bid the project. These actions are not recommended since the bid process was conducted in conformance with the Public Contract Code. Rejection of all bids would result in termination and loss of the County's investment in the Project to-date. Re-bidding the Project would increase the overall project cost and delay implementation. DCSS would continue to experience financial pressures from increased operating expenses at the current location, whereas relocation will provide some rent relief. The County would not receive additional anticipated State revenue to offset project costs. The existing unimproved space on the fifth floor of County Administration Center would remain underutilized and the County would not receive occupancy cost recovery revenue associated with the relocation of DCSS.

### **OTHER AGENCY INVOLVEMENT:**

The California Department of Child Support Services, Department of Child Support Services and Department of Information Technology were consulted during preparation of the plans and technical specifications for the Project. The Department of Resource Management reviewed and approved the Project plans. County

Counsel reviewed and approved the contract as to form. The Debt Advisory Committee was consulted and concur with the recommended funding plan to offset the funding gap.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

## ATTACHMENT A

### **AGREEMENT**

This Agreement is made as of the 12<sup>th</sup> day of May, 2020 between the COUNTY OF SOLANO, a political subdivision of the State of California, (referred to as 'Owner') and **American River Construction Inc.** (referred to as "Contractor") for the following Project:

The Project:           **DEPARTMENT OF CHILD SUPPORTS SERVICES (DCSS)  
RELOCATION PROJECT**  
675 Texas Street, Fifth Floor, Fairfield, CA

Architect/Engineer: Dreyfuss + Blackford Architecture  
3540 Folsom Blvd.  
Sacramento, CA 95816

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 **DEPARTMENT OF CHILD SUPPORT SERVICES (DCSS) RELOCATION PROJECT**, 675 Texas Street, Fifth Floor, 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, Section 00 11 00/ Notice to Bidders, and Section 01 32 16/ Construction Progress Schedules and Reports.

## ATTACHMENT A

The Contractor agrees that the Work will be substantially completed in 150 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 150 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 \$2,100,000.

### 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/Architect, 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. Payment(s) to the Contractor will also be contingent upon receiving proper conditional & unconditional releases as outlined in Section 00 65 19/ Waiver and Release Submittal.

The remaining retention would be held until 35 days after the Notice of Completion is filed with the Solano County Recorder's Office and completed according to Section 01 77 00/ Contract Closeout Procedures.

### 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 Architect 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.



## ATTACHMENT A

### ARTICLE 7

#### **MISCELLANEOUS PROVISIONS**

- 7.1 **Terms.** 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.** Notices shall be addressed as follow:
- |   |                               |
|---|-------------------------------|
| OWNER:  | CONTRACTOR:                   |
| <b>COUNTY OF SOLANO</b>                           | <b>AMERICAN RIVER</b>         |
| <b>Birgitta E. Corsello, County Administrator</b> | <b>CONSTRUCTION, INC.</b>     |
| 675 Texas Street, Suite 2500                      | <b>Ron Wood, President</b>    |
| Fairfield, CA 94533                               | 5465 Merchant Circle, Suite 1 |
|   | Placerville, CA 95667         |
- 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.

ATTACHMENT A

ARTICLE 8

**EXECUTION OF AGREEMENT**

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

COUNTY:

CONTRACTOR:

By: \_\_\_\_\_

By: \_\_\_\_\_

Birgitta E. Corsello, County Administrator  
Solano County

Ron Wood, President  
American River Construction, Inc.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

4/14/20

APPROVED AS TO FORM:

County Counsel of Solano County, California

By: \_\_\_\_\_

Lori A. Mazzella, deputy  
Lori A. Mazzella, deputy (Apr 22, 2020)

NOTE: If the Contractor is a corporation, attach to this Contract a certified copy of the by-laws, resolutions, or excerpts of a meeting of the Board of Directors of the Corporation authorizing the person executing this Agreement to do so for the Corporation

# AMERICAN RIVER CONSTRUCTION, INC.

General Contractor Concrete Specialist  
Lic. #573022

## CERTIFIED COPY OF RESOLUTION OF THE BOARD OF DIRECTORS AND SHAREHOLDERS OF AMERICAN RIVER CONSTRUCTION, INC.

I, Ron Wood, President of American River Construction, Inc., a corporation organized and existing under the laws of the State of California (the "Company"), do hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Board of Directors of the Company duly held and convened on July 1, 2014, at which meeting a duly constituted quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and effect:

**RESOLVED:** That Ron Wood, President, of American River Construction, Inc. is empowered and authorized to execute any documentation required for the course of business.

**IN WITNESS WHEREOF,** the undersigned has affixed his signature and the corporate seal of the Company this 2nd of July, 2014

DATED: July 2, 2014



Ron Wood, President






# Contract DCSS Relocation

Final Audit Report

2020-04-22

Created:	2020-04-22
By:	Justine Arvisu (JMArvisu@SolanoCounty.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA56VG219a7xxupl4LWcyXxuRuKFvWMEk5

## "Contract DCSS Relocation" History

-  Document created by Justine Arvisu (JMArvisu@SolanoCounty.com)  
2020-04-22 - 8:40:15 PM GMT- IP address: 107.205.190.105
-  Document emailed to Lori A. Mazzella, deputy (lamazzella@solanocounty.com) for signature  
2020-04-22 - 8:41:12 PM GMT
-  Email viewed by Lori A. Mazzella, deputy (lamazzella@solanocounty.com)  
2020-04-22 - 8:42:32 PM GMT- IP address: 108.91.69.159
-  Document e-signed by Lori A. Mazzella, deputy (lamazzella@solanocounty.com)  
Signature Date: 2020-04-22 - 8:43:38 PM GMT - Time Source: server- IP address: 108.91.69.159
-  Signed document emailed to Justine Arvisu (JMArvisu@SolanoCounty.com) and Lori A. Mazzella, deputy (lamazzella@solanocounty.com)  
2020-04-22 - 8:43:38 PM GMT



Adobe Sign

**Department of Child Support Services (DCSS) Relocation Project**  
**#1665**

675 Texas Street, 5th floor, Fairfield, CA

**Project Funding Source**

Accumulated Capital Outlay (ACO) FY 18/19	\$	2,000,000
CA DCSS FY 19/20	\$	1,105,070
Capital Renewal Reserve FY19/20	\$	450,000
<sup>(1)</sup> Additional Funding FY 20/21	\$	784,309
<b>Total Project Funding</b>	<b>\$</b>	<b>4,339,379</b>

**Project Budget**

Construction Cost	\$	2,100,000
Other Construction-Related Costs (Executive Court Campus - Low Voltage Work)	\$	95,000
Project Management	\$	253,535
Engineering and Design Fees	\$	232,458
Permits / Inspections	\$	20,000
Miscellaneous Expense (Advertising, Prints, Mailing, etc)	\$	3,000
Furniture, Fixtures, and Equipment & Moving Expenses	\$	1,017,750
Increased Rent Cost at 435 Executive Ct. (July - December 2020)	\$	55,000
Contingencies	\$	562,636
<b>Project Budget</b>	<b>\$</b>	<b>4,339,379</b>

<sup>(1)</sup> Anticipated funding from CA DCSS (State and Federal). If not received, GF- Capital

Renewal Reserve to fund to be paid back by DCSS

**Bid Results**  
**Department fo Child Support Services (DCSS) Relocation Project (1665)**  
**675 Texas Street, Fifth Floor, Fairfield, CA**

<b>Name of Firm</b>	<b>Location</b>	<b>Bid</b>
American River Construction	Placerville	\$ 2,100,000
Pro Builders	Orangevale	\$ 2,180,000
J-Walt Construction	Woodland	\$ 2,268,000
REM Construction	Chico	\$ 2,271,377
CB2 Builders*	San Francisco	\$ 2,397,602
WA Thomas Co	Martinez	\$ 2,731,000
Saboo Inc	Brentwood	\$ 2,830,000
Pinguelo Construction	Fairfield	\$ 3,260,000



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	9	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Resolution	<b>Department:</b>	Veteran Services Office
<b>File #:</b>	20-374	<b>Contact:</b>	Ted Puntillo, 784-6590
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt a resolution recognizing May 25, 2020 as Memorial Day and to honor all Solano County Veterans who have made the ultimate sacrifice for our country		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	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 Solano County Veterans Services Office (CVSO) recommends the Board of Supervisors adopt a resolution recognizing May 25, 2020 as Memorial Day and to honor all Solano County Veterans and their families who given their life while serving our country.

### **SUMMARY/DISCUSSION:**

Memorial Day, which falls on the last Monday of May, commemorates the men and women who died while serving in the American military. It is a time to gather to remember, to reflect and to honor those who have died in our nation's service.

General Order Number 11 was written and issued by General John A. Logan designating May 30, 1868 as the first official Decoration Day. This day was first enacted to honor Union and Confederate soldiers of the American Civil War. It was expanded after World War I to include American casualties of any war or military action.

The County of Solano has a long and rich history in support of the military and the many men and women who have served in honor, sacrifice, and duty. Solano County veterans' organizations and historical societies plan annual Memorial Day ceremonies to remember those who have died in our nation's service. These Memorial Day ceremonies serve to encourage the people of Solano County to reflect and appreciate those who gave so much to ensure the freedom of others.

Due to the national COVID-19 pandemic, all in-person Memorial Day events have been cancelled in Solano County. Citizens are encouraged to email, call and host virtual get-togethers with veterans in the community and to thank and honor all veterans of Solano County who have died while in military service to their country.

### **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.

**ALTERNATIVES:**

The Board may choose not to adopt the resolution but this is not recommended because it is an opportunity to honor and remember those who have given their lives in service to our county.



# Resolution No. 2020 -

## RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING MONDAY, MAY 25, 2020 AS MEMORIAL DAY, A DAY TO HONOR AMERICANS WHO DIED FIGHTING IN ANY WAR

**WHEREAS**, Monday, May 25, 2020 is a day of remembrance for those who died in our nation's service. We gather to remember, to reflect and to honor the men and women of the United States who died while in military service and to especially honor those residents of Solano County who made the sacrifice; and

**WHEREAS**, General Order No. 11 was written and issued by General John A. Logan designating May 30, 1868 as the first official Decoration Day, known today as Memorial Day. First enacted to honor Union soldiers of the American Civil War, it was expanded after World War I to include American casualties of any war or military action; and

**WHEREAS**, since the Revolutionary War, more than 42.5 million men and women have served in America's military. More than 600,000 of those dauntless, selfless warriors died in combat. These courageous men and women, each so different in heritage and background, shared the common bonds of the armed forces – duty and sacrifice; and

**WHEREAS**, Memorial Day symbolizes a time that Americans take a clear look at both our past and our future. One day each year, when we acknowledge the debt we owe to these men and women; and

**WHEREAS**, Solano County is home to Travis Air Force Base whose thousands of men and women risk their lives each and every day to protect the rights and freedoms we all enjoy as a nation; and

**WHEREAS**, at the dedication of the Soldiers' National Cemetery in Gettysburg, Pennsylvania, President Abraham Lincoln spoke these words on November 19, 1863:

***"From these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion... that we here highly resolve that these dead shall not have died in vain."***

**NOW, THEREFORE BE IT RESOLVED**, that the Solano county Board of Supervisors encourage all citizens of this county to commemorate Memorial Day 2020 by practicing social distancing and following the Solano County Health advisory that is in place on Memorial Day, and to honor these brave men and women and their families who have given the ultimate sacrifice for our country.

Dated this 12<sup>th</sup> day of May, 2020

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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

<b>Agenda #:</b>	10	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Resolution	<b>Department:</b>	Health and Social Services
<b>File #:</b>	20-376	<b>Contact:</b>	Gerald Huber, 784-8400
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt a resolution recognizing May 17-23, 2020 as Emergency Medical Services Week in Solano County		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	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 and Social Services recommends the Board adopt a resolution recognizing May 17-23, 2020 as Emergency Medical Services Week in Solano County.

### **SUMMARY/DISCUSSION:**

The American College of Emergency Physicians (ACEP) has designated May 17-23, 2020 as National Emergency Medical Services (EMS) Week. National EMS Week brings together local communities and medical personnel to honor the dedication of those who provide the day-to-day lifesaving services of medicine's front line. EMS Week is a national salute to the emergency physicians, emergency medical technicians (EMTs), paramedics, firefighters, emergency medical dispatchers, law enforcement agencies, medical flight teams, educators, administrators, and others who provide quality, lifesaving emergency care to communities across the nation. In Solano County, there are approximately 1,400 EMTs and paramedics who provide daily EMS care to residents and visitors.

The Public Health Division within the Department of Health & Social Services (H&SS) includes the County's EMS Agency, which is responsible for monitoring and oversight of County-contracted ambulance service providers along with designation and monitoring of Trauma Centers, ST Elevation Myocardial Infarction (STEMI) Receiving Centers and Emergency Departments approved for pediatrics. EMS employs a team of professionals who coordinate all aspects of efficient response to individual and community emergencies. EMS core values include: rapid response to minimize the time from emergency event to arrival or resources; competency in practice in applying clinical field medicine to highest standards using best practices; and accountability to measure, validate, report, and improve processes for the delivery of optimal care.

Throughout February 2020, the Solano EMS Agency, supported by Medic Ambulance, assisted the US Health and Human Services Agency in planning and implementing emergency management and response efforts related to the Travis Air Force Base repatriation missions. The effort involved working with the federal

government and local hospitals to prepare for the multi-patient transport and treatment event. EMS responders also transported the first patient in the US confirmed to have sustained community-based coronavirus disease 2019 (COVID-19) transmission, and Solano County fire departments, healthcare providers, and transport agencies continue working together to ensure residents and visitors of Solano County receive the best care and treatment during this pandemic.

The 2020 national EMS Week theme is "EMS Strong - Ready Today. Preparing for Tomorrow." Activities traditionally planned by the EMS Agency to honor industry professionals have been rescheduled to later in the year due to response requirements associated with the COVID-19 pandemic.

**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.

**ALTERNATIVES:**

The Board could choose not to adopt this resolution. This is not recommended because this is an opportunity to recognize the hard work and dedication of Emergency Medical Services providers in Solano County.

**OTHER AGENCY INVOLVEMENT:**

The following organizations are involved with EMS Week in Solano County: Medic Ambulance, City Fire Departments, District Fire Departments, Police, Sheriff's Office, California Highway Patrol, CALSTAR Air Ambulance, Reach Air Ambulance, Kaiser Permanente, NorthBay Medical Center, and various ambulance transport companies.

**CAO RECOMMENDATION:**

**APPROVE DEPARTMENTAL RECOMMENDATION**

# *Resolution No. 2020 -*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING THE WEEK OF MAY 17-23, 2020 AS EMERGENCY MEDICAL SERVICES WEEK IN SOLANO COUNTY**

**WHEREAS**, Emergency Medical Services (EMS) is a vital public service; and

**WHEREAS**, access to quality medical care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the Solano County emergency medical services system is comprised of highly committed physicians, nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, air ambulance personnel, and others; and

**WHEREAS**, Emergency Medical Services teams provide lifesaving care to those in need 24 hours a day, seven days a week, 365 days a year; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, EMS Week brings together local communities and medical personnel to honor the dedication of those who provide day-to-day lifesaving services of medicine's front line, and

**WHEREAS**, Emergency medical service providers across Solano County have consistently demonstrated commitment to the local community throughout COVID-19 pandemic response.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors does hereby recognize the week of May 17-23, 2020 as Emergency Medical Services (EMS) Week and commends the Emergency Medical Services Providers for outstanding and dedicated service to the community.

Dated this 12<sup>th</sup> day of May, 2020

\_\_\_\_\_  
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

<b>Agenda #:</b>	11	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Resolution	<b>Department:</b>	Health and Social Services
<b>File #:</b>	20-377	<b>Contact:</b>	Gerald Huber, 784-8400
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt a resolution recognizing May 2020 as Older Americans Month in Solano County		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - Resolution		

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 Department of Health & Social Services and the Senior Coalition of Solano County recommend that the Board adopt a resolution recognizing May 2020 as Older Americans Month in Solano County.

### SUMMARY/ DISCUSSION:

Older Americans Month was established in 1963 as a vehicle for creating awareness of the contributions made by older adults and for building community support to address their needs. The month-long observance continues to gain importance as the Nation's, California's and Solano County's older adult population continues to grow. The observance provides an opportunity for communities, service providers and policymakers to reflect on both the contributions and needs of older residents. This year's theme is "Make Your Mark" to encourage and celebrate countless contributions that older adults make to the community. Their dedication, experience and talents benefit families, peers and neighbors every day. Communities, organizations and individuals of all ages are also making their marks; everyone can make a difference in the lives of older adults.

California's senior population is expected to increase 87% by 2030, representing approximately four million people, according to a report by the Public Policy Institute of California. In Solano County, where persons 65 years and older make up 17.1% (75,923) of the projected 2020 population; that percentage is expected to increase to 21.5% (101,364) by 2030, according to population projections from the California Department of Finance. As the older population grows, it is increasingly important to both recognize their contributions and implement policies that address their needs.

### FINANCIAL IMPACT:

The costs associated with preparing this agenda item are nominal and are 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.

**ALTERNATIVES:**

The Board may choose not to adopt this resolution. This is not recommended because it is an opportunity to raise awareness about the contributions and needs of older County residents.

**OTHER AGENCY INVOLVEMENT:**

The Senior Coalition of Solano County was involved in the development of this agenda item.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

# *Resolution No. 2020 –*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS RECOGNIZING MAY 2020 AS OLDER AMERICANS MONTH IN SOLANO COUNTY**

**WHEREAS**, Americans over the age of 60 continue to be one of the fastest growing demographics in the country and are projected to total 77 million by the year 2020, according to the U.S. Department of Health and Human Services; and

**WHEREAS**, in California, the 65 years and older population is expected to increase by 87% or 4 million people by the year 2030, according to research done by the Public Policy Institute of California; and

**WHEREAS**, people age 65 and older will make up 17.1% of Solano County's population by the end of 2020 according to the California Department of Finance; and

**WHEREAS**, the Department of Health and Social Services continuously strives to provide exemplary in-home and community-based services to support older adults living independently in their homes; and

**WHEREAS**, supporting older community members includes: promoting independence, inclusion and participation; engaging older adults through education, recreation and service; and, connecting people with opportunities to share their time, experience and talents; and

**WHEREAS**, this year's theme for Older Americans Month is "Make Your Mark", to encourage and celebrate countless contributions that older adults make to the community. Their time, experience and talents benefit families, peers and neighbors every day. Communities, organizations and individuals of all ages are also making their marks. Everyone can make a difference in the lives of older adults, in support of caregivers, and to strengthen communities;

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors does hereby recognize May 2020 as Older Americans Month in Solano County, encourages all older adults to "Make Your Mark" and urges every resident to recognize older adults and the people who support them as essential members of our community.

Dated this 12<sup>th</sup> day of May, 2020

\_\_\_\_\_  
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

<b>Agenda #:</b>	12	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Contract	<b>Department:</b>	Sheriff's Office
<b>File #:</b>	20-357	<b>Contact:</b>	Angelica Russell, 784-7064
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Approve an agreement with the California Department of Health Care Services effective July 1, 2020 to participate in the Medi-Cal County Inmate Program; Authorize the County Administrator to sign the agreement and any amendments including changes to terms and conditions and scope of services, with concurrence from County Counsel; and Authorize the Sheriff or his designee to execute contract amendments which are technical and administrative in nature and remain within budget appropriations		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - MCIP Participation Form, B - MCIP Agreement		

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's Office recommends that the Board of Supervisors:

1. Approve agreement number 20-MCIPSOLANO-48 with the California Department of Health Care Services effective July 1, 2020 to participate in the Medi-Cal County Inmate Program;
2. Authorize the County Administrator to sign the agreement and any amendments including changes to terms and conditions and scope of services, with concurrence from County Counsel; and
3. Authorize the Sheriff or his designee to execute contract amendments which are technical and administrative in nature and remain within budget appropriations.

### SUMMARY:

The Medi-Cal County Inmate Program (MCIP) is a voluntary, fee-for-service only program administered by the California Department of Health Care Services (DHCS) that allows counties or medical providers to draw down federal Medicaid funding for inmates who are treated for more than 24 hours at medical facilities that are offsite or separate from county jails. The MCIP consequently creates budgetary savings for the County for the medical care provided to its Medi-Cal eligible inmates.

Solano County has participated in the MCIP since April 2017 and in April 2020, the County submitted a County Participation Form for FY2020/21 through FY2022/23 which indicated that the County was interested in voluntarily participating in the MCIP from July 1, 2020 to June 30, 2023. Continued participation requires the



Board of Supervisors approve an MCIP agreement and return the signed agreement and a meeting minute order indicating Board approval to DHCS.

**FINANCIAL IMPACT:**

Under MCIP, the County's inmate medical provider, Wellpath, realizes savings for inpatient hospitalization or medical care costs they would have otherwise paid. In turn, Wellpath reimburses the County for the State's 5% administrative fee and pays the County 85% of the net savings from inmates covered under MCIP. Board approval will not impact the County General Fund; however, non-approval will negatively impact County General Fund as the Sheriff's FY2020/21 Recommended Budget includes \$200,000 in revenue from Wellpath for inmates covered under MCIP.

To date, Solano County has received \$267,538 from Wellpath for participation in the MCIP program through September 30, 2019 for inmates who received inpatient medical treatment. Additionally, there is \$201,643 due in payments from Wellpath for the period October 1, 2019 through December 31, 2019. The claims reimbursement process can be lengthy, given that a Medi-Cal provider (NorthBay) only submits claims after all eligible costs have been determined, and the State's release of funds is predicated on the review and appeals process.

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

**DISCUSSION:**

The DHCS implemented the voluntary MCIP beginning April 1, 2017. The MCIP consists of three programs: the Adult County Inmate Program (ACIP), the County Compassionate Release/Medical Parole Program (CCRP/CCMP), and the Juvenile County Ward Program. The first, and most noteworthy, is the ACIP which covers Medi-Cal allowable inpatient hospital services during an eligible inmate's inpatient hospital stay. The second program is the CCRP/CCMP which allows the Sheriff to grant medical release or medical probation in lieu of jail time, if certain conditions are met. An inmate may only be eligible for CCRP/CCMP if the physician determines the inmate has a life expectancy of six months or less; the inmate does not pose a threat to the public's safety; the presiding judge is notified of the intended release; and inmate placement is secured. The third program involves juveniles housed in county juvenile halls and is of interest to the County's Probation Department.

Since FY2016/17, with Board approval, the County has participated in the Adult County Inmate Program under the MCIP. The current contract with Wellpath, the County's contract inmate medical provider, is a full cost model, under which Wellpath is required to pay for inpatient medical treatment if they approve the treatment. Under MCIP, instead of billing Wellpath for treatment, NorthBay seeks reimbursement from the State under Medi-Cal, enabling Wellpath to realize savings. Since Wellpath benefits from lower inmate medical costs resulting from accepted MCIP claims, Wellpath pays the County 85% of its net savings of the claimed amount, retaining the remaining 10% for administrative costs. The 10% retention by Wellpath is a standard administrative fee for MCIP in all their contracts with other counties. In order to participate in the MCIP program, the County is charged a 5% state administrative fee which is entirely offset by Wellpath reimbursement.

Working in collaboration with Wellpath and NorthBay, County Health and Social Services (H&SS) and the Sheriff's Office are responsible for identifying inmates admitted for covered inpatient off-site hospital or medical services; obtaining appropriate authorized representative forms from inmates; working with inmates to complete and sign Medi-Cal application documents; and enroll the inmates by submitting completed Medi-Cal applications and support documentation to the DHCS.

**ALTERNATIVES:**

The Board of Supervisors could choose not to approve the agreement; however, this alternative is not recommended as it would exclude the State, the County's inmate medical provider Wellpath, and the County from benefiting from the MCIP for inpatient hospitalizations of Solano County inmates. Moreover, non-approval is not fiscally prudent, as this revenue stream aids in reducing General Fund costs associated with inmate medical expenses.

**OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed and approved the agreement as to form.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION



BRADLEY P. GILBERT, MD, MPP  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

**Medi-Cal County Inmate Program  
County Participation Form: SFY 2020 through SFY 2023**

Solano County chooses the option selected below in  
County Name

response to our interest in voluntarily participating in the Medi-Cal County Inmate Program (MCIP) from July 1, 2020, through June 30, 2023, for State Fiscal Years 2020-23:



**Voluntarily participating in MCIP-** By selecting this option, we are certifying our interest in voluntarily participating in the MCIP and intend on submitting a fully executed Provider Participation Agreement and Administrative Agreement.



**Not Interested in participating in MCIP**

I hereby certify, that the option selected above is the option that said county will abide by under penalty of perjury, to the best of my knowledge, is true and accurate based on the time of submission.

County Official: *Byrd E. Corder* Date: 4/7/2020  
Signature

County Official Title: County Administrator

County Name: 707-784-6108

Primary Contact: George Bernardino Alternate: Angelica Russell

Phone: 707-784-7154 Phone: 707-784-7064

Email: GBernardino@solanocounty.com Email: ARussell@solanocounty.com

Submit completed form to:  
Department of Health Care Services  
Local Governmental Financing Division/Inmate Medi-Cal Claiming Unit  
P.O. Box 997436, MS 4603  
Sacramento, CA 95899-7436  
EMAIL: DHCSIMCU@dhcs.ca.gov

State of California—Health and Human Services Agency  
Department of Health Care Services  
Medi-Cal County Inmate Program (MCIP)  
**Participation Agreement 20-MCIPSOLANO-48**

County Name: Solano

**ARTICLE I – STATEMENT OF INTENT**

The purpose of this Participation Agreement (PA) between the Department of Health Care Services (DHCS) and the County of Solano (County) is to permit the County to voluntarily participate in the Medi-Cal County Inmate Program (MCIP).

**ARTICLE II - AUTHORITY**

This PA is authorized by Welfare and Institutions Code sections 14053.7, 14053.8, and Penal Code section 5072.

**ARTICLE III – TERM AND TERMINATION OF THE AGREEMENT**

1. This PA is effective on July 1, 2020 (date).
2. This PA will remain in effect until terminated by either party pursuant to and in accordance with the requirements and conditions set forth in this PA.
3. Termination Without Cause:

Either party may terminate this PA without cause, and terminate the participation of the County in MCIP by issuing at least a 30 day prior written notification to the other party of the intent to terminate. Notice of termination shall result in the County's immediate withdrawal from MCIP on the termination date and exclusion from further participation in MCIP unless and until such time as the County's participation is reinstated by DHCS in MCIP. The County shall remain obligated to pay for the non-federal share of all MCIP services provided to the County.

4. Termination With Cause:

If the County fails to comply with any of the terms of this PA, DHCS may terminate this PA for cause effective immediately by providing written notice to the County's representative listed below. Furthermore, DHCS may terminate this PA for cause if DHCS determines that the County does not meet the requirements for participation in MCIP, the County has not submitted a valid reimbursement claim, or that the County is unable to certify that the claims are eligible for federal funds. Termination for cause will result in the County's immediate withdrawal and exclusion from further participation in the MCIP.

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

The conviction of an employee, subcontractor, or authorized agent of the County, or of an employee or authorized agent of a subcontractor, of any felony or of a misdemeanor involving fraud, abuse of any Medi-Cal applicant or beneficiary, or abuse of the Medi-Cal Program, shall result in the exclusion of that employee, agent, or subcontractor, or employee or agent of a subcontractor, from participation in MCIP. Failure of the County to exclude a convicted individual from participation in MCIP shall constitute a breach of this agreement for which DHCS may terminate this PA.

DHCS may terminate this PA in the event that DHCS determines that the County, or any employee or contractor working with the County has violated the laws, regulations or rules governing MCIP.

In cases where DHCS determines in its sole discretion that the health and welfare of Medi-Cal beneficiaries or the public is jeopardized by continuation of this PA, this PA shall be terminated effective the date that DHCS made such determination. After termination of the PA, any overpayment must be returned to DHCS pursuant to Welfare and Institutions Code sections 14176 and 14177.

Finally, this PA will terminate automatically upon the termination of the County's MCIP Administrative Service Agreement.

**ARTICLE IV – PROJECT REPRESENTATIVES**

Shelly Taunk, Chief  
County-Based Claiming and Inmate Services Section  
Telephone: (916) 345-7934  
Fax: (916) 324-0738  
E-Mail: [Shelly.Taunk@dhcs.ca.gov](mailto:Shelly.Taunk@dhcs.ca.gov)

Direct all inquiries and notices to:

Inmates Medi-Cal Claiming Unit  
Local Governmental Financing Division  
1501 Capitol Ave., MS 4603  
P.O. Box 997436  
Sacramento, CA 95899-7436  
Telephone: (916) 345-7895  
E-Mail: [DHCSIMCU@dhcs.ca.gov](mailto:DHCSIMCU@dhcs.ca.gov)

Any notice, request, demand or other communication required or permitted hereunder, shall be deemed to be properly given when delivered to the project representatives identified above.

**ARTICLE V – PAYMENT TERMS AND INVOICING**

1. The County shall compensate DHCS for the County's apportioned share of the nonfederal share of MCIP services listed in Article VII, as required by Welfare and Institutions Code sections 14053.7 and 14053.8, Government Code sections 26605.6, 26605.7, and

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

26605.8, and Penal Code 5072 within 60 days of receipt of an invoice from DHCS, which specifies both the total federally claimable cost and the nonfederal share of the total cost, for payments DHCS has made to providers. The DHCS invoice shall not contain and the County shall not compensate DHCS for MCIP services provided by Medi-Cal providers where the County incurs the cost of providing MCIP services and claims them through the CPE process as outlined specifically for Designated Public Hospitals (DPHs). The County shall not reimburse DHCS for the nonfederal share of services as Certified Public Expenditures (CPEs) of DPHs.

2. DHCS shall submit to the County a quarterly invoice for MCIP services that identifies the nonfederal share amount, and a report that contains information regarding paid claims data for the quarter, including information identifying the provider of services and the beneficiary, the recipient aid code, and amount of reimbursement, and other information that may be agreed to between the parties.

If after comparing its owed nonfederal share to payments actually made, the County has overpaid DHCS, and the amount is undisputed DHCS shall refund the overpayment to the County within 180 days of receipt of an invoice containing the same information from the County. This refund may be made by offsetting the amount against the County's next quarterly payment due to DHCS.

3. DPHs, in MCIP participating counties may submit claims and follow the CPE process which includes a pricing methodology established on an annual basis. These DPHs are paid using Federal Financial Participation (FFP) only.

**ARTICLE VI – COUNTY RESPONSIBILITIES**

1. Except as provided in subdivision (f.) of this section, the County is responsible for reimbursing DHCS for the nonfederal share of MCIP services paid by DHCS.
  - a. The County may pay a Medi-Cal provider to the extent required by or otherwise permitted by state and federal law to arrange for services for Medi-Cal beneficiaries. Such additional amounts shall be paid entirely with county funds, and shall not be eligible for Social Security Act Title XIX FFP.
  - b. If DHCS pays the Medi-Cal provider more than what the County would have paid for services rendered, the County cannot request and receive the difference from the Medi-Cal provider.
  - c. If the County would have paid the Medi-Cal provider less than what DHCS paid the Medi-Cal provider, the County is still obligated to reimburse DHCS for the nonfederal share of DHCS' payment for the MCIP services.
  - d. In the event that FFP is not available for any MCIP service claimed pursuant to this PA, the County shall be solely responsible for arranging and paying for the MCIP service.

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

- e. If the Centers for Medicare & Medicaid Services (CMS) determines an overpayment has occurred including the application of any federal payment limit that reduces the amount of FFP available then DHCS shall seek the overpayment amount from the provider, return the collected FFP to CMS, and return the collected nonfederal share to the County. In the event that DHCS cannot recover the overpayment from the Medi-Cal provider, the County shall pay DHCS an amount equal to the FFP portion of the unrecovered amount to the extent that Section 1903(d)(2)(D) of the Social Security Act is found not to apply.
  - f. The County is not responsible for reimbursing DHCS for the nonfederal share of expenditures for MCIP services provided by DPHs when those services are reimbursed under the CPE process because DHCS is not responsible for the nonfederal share of expenditures for MCIP services reimbursed in the CPE process.
2. If CMS determines DHCS claimed a higher Federal Medical Assistance Percentage (FMAP) rate than is allowed and FFP is reduced by CMS then the County shall hold DHCS harmless for the return of the FFP to CMS.
3. Upon the County's compliance with all applicable provisions in this PA and applicable laws, the County may send its MCIP-eligible beneficiaries to Medi-Cal providers to receive MCIP services.
4. The County understands and agrees that the overall nature of the medical facilities in which an inmate receives medical services must be one of community interaction such that members of the general public may be admitted to receive services and admission into the medical facility or into specific beds within the facility is not limited to individuals under the responsibility of a correctional facility, and that inmates are admitted to specific medical units based not on their statutes as inmates of a correctional institution, but rather on their treatment needs and plan of care.
5. Ensure that an appropriate audit trail exists within records and accounting system and maintain expenditure data as indicated in this PA.
6. The County agrees to provide to DHCS or any federal or state department with monitoring or reviewing authority, access and the right to examine its applicable records and documents for compliance with relevant federal and state statutes, rules and regulations, and this PA.
7. In the event of any federal deferral or disallowance applicable to MCIP expenditures, the County shall provide all documents requested by DHCS within 14 days.
8. The County shall assist with the completion and delivery of completed Medi-Cal applications to the County Welfare Department within 90 days after the date of admission of the beneficiary to a Medi-Cal provider off of the grounds of the County correctional facility resulting in an expected stay of more than 24 hours.

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

9. As a condition of participation in MCIP, and in recognition of revenue generated by MCIP, the County shall pay quarterly administrative costs directly to DHCS.
  - a. The quarterly administrative costs payment shall be used to cover DHCS' administrative costs associated with MCIP, including, but not limited to, claims processing, technical assistance, and monitoring. DHCS shall determine and report staffing requirements upon which projected costs will be based.
  - b. The amount of the administrative costs shall be based upon the anticipated state salaries, benefits, operating expenses, and equipment necessary to administer MCIP and other costs related to that process.
  - c. The County shall enter in to a separate agreement with DHCS to reimburse DHCS for the administrative costs of administering MCIP.

**ARTICLE VII – DHCS RESPONSIBILITIES**

1. DHCS shall pay the appropriate Medi-Cal fee-for-service rate to Medi-Cal providers that directly bill DHCS for MCIP services rendered to the County's MCIP eligible beneficiaries and seek FFP for these service claims. DHCS shall be responsible to pay such Medi-Cal providers only to the extent the County commits to reimburse DHCS for the nonfederal share of all federally reimbursable MCIP claims and for which FFP is available and obtained by DHCS for the MCIP service claims.
2. DHCS shall maintain accounting records to a level of detail which identifies the actual expenditures incurred for MCIP services, the services provided, the county responsible, the specific MCIP-eligible beneficiary treated, the MCIP-eligible beneficiaries aid code, and the specific provider billing.
3. DHCS shall submit claims in a timely manner to CMS to draw down FFP and shall distribute FFP for all eligible claims.
4. DHCS shall:
  - a. Ensure that an appropriate audit trail exists within records and accounting system and maintain expenditure data as indicated in this PA.
  - b. Designate a person to act as liaison with the County concerning issues arising under this PA. This person shall be identified to the County's contact person for this PA.
  - c. Provide a written response by email or mail to the County's contact person within 30 days of receiving a written request for information related to MCIP.
  - d. With each quarterly administrative cost invoice, provide a paid claim analysis report to the County regarding MCIP claims submitted by providers for the County's MCIP-eligible beneficiaries. This analysis shall be used to determine the amount of the non-federal share that the County is obligated to pay under this PA.



**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

5. Should the services to be performed under this PA conflict with DHCS' responsibilities under federal Medicaid law, those responsibilities shall take precedence.
6. DHCS' cessation of any activities due to federal Medicaid responsibilities does not relinquish the obligation of the County to reimburse DHCS for MCIP services incurred by DHCS in connection with this PA for periods in which the County participated in MCIP.
7. DHCS agrees to provide to the County, or any federal or state department with monitoring or reviewing authority, access and the right to examine its applicable records and documents for compliance with relevant federal and state statutes, rules and regulations, and this PA.

**ARTICLE VIII – FISCAL PROVISIONS**

1. DHCS will invoice the County quarterly at the address above. Each invoice shall include the agreement number and supporting documentation for the previous quarter's paid claims.
2. Counties are required to sign and submit the MCIP Certification and Hold Harmless by an authorized county representative to DHCS annually to ensure the County is providing efficient oversight of federal expenditures.

**ARTICLE IX – BUDGET CONTINGENCY CLAUSE**

1. It is mutually agreed that if the State Budget Act of the current State Fiscal Year (SFY) and any subsequent SFYs covered under this PA does not provide sufficient funds for MCIP, this PA shall be of no further force and effect. In this event, the DHCS shall have no liability to pay any funds whatsoever to the County or to furnish any other considerations under the PA and the County shall not be obligated to perform any provisions of this PA.
2. If funding for any SFY is reduced or deleted by the State Budget Act for purposes of MCIP, DHCS shall have the option to either cancel this PA, with no liability occurring to DHCS, or offer an agreement amendment to the County to reflect the reduced amount.

**ARTICLE X – LIMITATION OF STATE LIABILITY**

1. In the event of a federal audit disallowance, the County shall cooperate with DHCS in replying to and complying with any federal audit exception related to MCIP. The County shall assume sole financial responsibility for any and all federal audit disallowances related to the rendering of services under this PA. The County shall assume sole financial responsibility for any and all penalties and interest charged as a result of a federal audit disallowance related to the rendering of services under this PA. The amount of the federal audit disallowance, plus interest and penalties shall be payable on demand from DHCS.
2. To the extent that a federal audit disallowance and interest results from a claim or claims for which the Medi-Cal provider has received reimbursement for MCIP services under this PA, DHCS shall recoup from the Medi-Cal provider, upon written notice of 60 days after the

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

completion of an audit or other examination that results in the discovery of an overpayment per Welfare and Institutions Code section 14172.5), amounts equal to the amount of the disallowance and interest in that state fiscal year for the disallowed claim, less the amounts already remitted to or recovered by DHCS.

**ARTICLE XI – AMENDMENT**

1. This PA and any exhibits attached hereto, along with the MCIP Administrative Agreement shall constitute the entire agreement among the parties regarding MCIP and supersedes any prior or contemporaneous understanding or agreement with respect to MCIP and may be amended only by a written amendment to this PA.
2. Changes to the project representatives may be made via written communication including email by either party and shall not constitute a formal amendment to the PA.

**ARTICLE XII – GENERAL PROVISIONS**

1. None of the provisions of this PA are or shall be construed as for the benefit of, or enforceable by any person not a party to this PA.
2. The interpretation and performance of this PA shall be governed by the State of California. The venue shall lie only in counties in which the California Attorney General maintains an office.

DHCS and the County shall maintain and preserve all records relating to this PA for a period of three years from DHCS' receipt of the last payment of FFP or until three years after all audit findings are resolved, whichever is later. This does not limit any responsibilities held by DHCS or the County provided for elsewhere in this PA, or in state or federal law.

**ARTICLE XIII – INDEMNIFICATION**

It is agreed that the County shall defend, hold harmless, and indemnify DHCS, its officers, employees, and agents from any and all claims liability, loss or expense (including reasonable attorney fees) for injuries or damage to any person or property which arise out of the terms and conditions of this PA and the negligent and intentional acts or omissions of the County, its officers, employees, or agents.

**ARTICLE XIV – AVOIDANCE OF CONFLICTS OF INTEREST**

The County is subject to compliance with the Medi-Cal Conflict of Interest Law, as applicable and set forth in Welfare and Institutions Code section 14022, and Article 1.1 (commencing with Welfare and Institutions Code section 14047), and implemented pursuant to 22 California Code of Regulations, section 51466.

**ARTICLE XV – CONFIDENTIALITY**

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

The County shall comply with the applicable confidentiality requirements as specified in Section 1902(a)(7) of the Social Security Act; 42 Code of Federal Regulations, part 431.300; Welfare and Institutions Code section 14100.2; and 22 California Code of Regulations, section 51009; and, the Business Associates Agreement hereby incorporated by reference.

**THIS SPACE INTENTIONALLY LEFT BLANK**

**Medi-Cal County Inmate Program Participation Agreement 20-MCIPSOLANO-48**  
**County: Solano**

The signatories to this PA warrant that they have full and binding authority to the commitments contained herein on behalf of their respective entities.

County Name: \_\_\_\_\_

\_\_\_\_\_

**Name of Authorized Representative**

(Person legally authorized to bind contracts for the County)

\_\_\_\_\_

**Title of Authorized Representative**

\_\_\_\_\_

**Signature of Authorized  
Representative**

\_\_\_\_\_

**Date**

**STATE OF CALIFORNIA – DEPARTMENT OF HEALTH CARE SERVICES**

\_\_\_\_\_

**Signature of the DHCS Authorized Representative**

\_\_\_\_\_

**Typed or Printed Name of the DHCS Authorized Representative**

\_\_\_\_\_

**Typed or Printed Title of the DHCS Authorized Representative**

\_\_\_\_\_

**Date**



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	13	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Resolution	<b>Department:</b>	Resource Management
<b>File #:</b>	20-328	<b>Contact:</b>	Terry Schmidtbauer, 784-3157
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Adopt a resolution proclaiming the week of May 17-23, 2020 as National Public Works Week in Solano County		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	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 Resource Management recommends that the Board adopt a resolution proclaiming the week of May 17-23, 2020 as National Public Works Week in Solano County.

### **SUMMARY/DISCUSSION:**

National Public Works Week is observed each year during the third full week of May. It is an acknowledgement of the tens of thousands of men and women across the country who provide and maintain the infrastructure and services known as public works. National Public Works Week was initially instituted in 1960 as a public education campaign to call attention to the importance of public works in community life. Public Works professionals serve the public every day with quiet dedication, and their successes most often go unnoticed. The resolution presented today honors their commitment.

The American Public Works Association's theme for 2020 is "The Rhythm of Public Works" and is intended to "challenge everyone to think about their communities as a symphony of essential services, working in concert to create a great place to live." As the cornerstone of civilization, public works provides, maintains, and improves the infrastructures and services that assure a higher quality of life for our communities.

It's also important during this week to recognize the importance of safety in Public Works activities. Engineers and work crews are often working in hazardous situations and are trained to implement and maintain best safety practices in construction zones. Drivers, cyclists, and pedestrians need continuing education to obey all signage and traffic rules, and to raise their level of safety caution and awareness in construction zones.

### **FINANCIAL IMPACT:**

The costs to prepare 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.

**ALTERNATIVES:**

The Board could choose not to approve the resolution. This is not recommended because the proclamation raises public awareness regarding the importance of public works in our communities.

**OTHER AGENCY INVOLVEMENT:**

National Public Works Week is being recognized by local agencies across the United States

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

# *Resolution No. 2020 -*

## **RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS PROCLAIMING THE WEEK OF MAY 17-23, 2020 AS NATIONAL PUBLIC WORKS WEEK IN SOLANO COUNTY**

**WHEREAS**, public works services provided in our community are an integral and vital part of our citizens' everyday lives; and

**WHEREAS**, those facilities and services could not be provided without the dedicated efforts of public works professionals, maintenance workers, contractors, engineers, and administrators who represent State and local governments throughout the United States; and

**WHEREAS**, public works professionals, maintenance workers, contractors, engineers and administrators are integral to designing, building, operating and maintaining these facilities and providing related services; and

**WHEREAS**, it is in the public interest for citizens and civic leaders to understand the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life in Solano County and every community across the nation; and

**WHEREAS**, the support of an informed citizenry is vital to the efficient operations of public works systems and programs, such as our County's streets and roads.

**NOW, THEREFORE BE IT RESOLVED**, that the Solano County Board of Supervisors proclaims the Week of May 17-23, 2020 as National Public Works Week in Solano County.

Dated this 12<sup>th</sup> day of May, 2020

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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

<b>Agenda #:</b>	14	<b>Status:</b>	Consent Calendar
<b>Type:</b>	Appointment	<b>Department:</b>	Health and Social Services
<b>File #:</b>	20-378	<b>Contact:</b>	Gerald Huber, 784-8400
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Approve the appointment of Michael Brimer to the Senior Coalition of Solano County for a term to expire May 31, 2022		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>			

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 and the Senior Coalition of Solano County request that the Board of Supervisors approve the appointment of Michael Brimer to the Senior Coalition of Solano County for a term to expire May 31, 2022.

### **SUMMARY/ DISCUSSION:**

The Senior Coalition of Solano County's (Coalition) bylaws include six categories of members: Solano County Board of Supervisors' representatives (5); city appointed representatives (7); legal and law enforcement; community-based organizations; health, mental health and medical; and seniors. The Coalition met on March 6, 2020 and voted to recommend Michael Brimer's appointment to the Coalition under the seniors' category. Mr. Brimer is a veteran and has extensive background and expertise working with veterans. He will be an excellent addition to the Coalition on issues related to the health and well-being of veterans and seniors in Solano County. Mr. Brimer brings an understanding of countywide issues affecting seniors, demonstrates expertise in the field, and displays a willingness to volunteer generous amounts of time to work on policies and projects designed to enhance the lives of Solano County seniors.

### **FINANCIAL IMPACT:**

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

### **ALTERNATIVES:**

The Board could choose not to approve this appointment. However, this is not recommended as Mr. Brimer is qualified and willing to serve on the Senior Coalition of Solano County.



**OTHER AGENCY INVOLVEMENT:**

The Senior Coalition of Solano County was involved in the development of this agenda item.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION



# Solano County

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

## Agenda Submittal

**Agenda #:** 15  
**Type:** Resolution  
**File #:** 20-178  
**Agenda date:** 05/12/2020  
**Status:** Regular Calendar  
**Department:** Resource Management  
**Contact:** Nedzlene Ferrario  
**Final Action:**

**Title:** Conduct a noticed public hearing to consider the following three applications of Bill Morgan, regarding a 310.5-acre property located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated portion of Vacaville, APN: 105-110-070, 100, 440, 450; 105-160-130; 105-170-150, 010 (Application No.: GP-18-01, Z-18-01 and S-18-02): 1) Amend the General Plan land use designations on portions of the subject property from Specific Project Area to Agriculture and Rural Residential, and Rural Residential to Agriculture; 2) Rezone portions of the subject property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum (RR-10); and 3) Subdivide the subject property into 19 lots (Development is proposed in three (3) phases and the project is known as the Lands of Morgan Subdivision); and Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

**Governing body:**

**District:** All

**Attachments:** A - Location Map, B - Tentative Subdivision Map, C - Proposed Development Phasing Table, D - BOS Resolution Morgan GPA, E - Proposed GPA, F - Morgan Rezone Ordinance, G - Proposed Rezone, H - BOS Resolution Morgan Subdivision, I - CC Morgan Conditions of Approval, J - Mitigation Monitoring and Reporting Program, K - Initial Study Mitigated Negative Declaration, L - February 20, 2020 PC Minutes, M - CEQA Comment Letter, N - Water System Plan, O - Preliminary Detention Pond Plan, P - Public Hearing Notice, Q - Proposed Projects Table

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:

1. Waive the reading of the Rezone Ordinance;
2. Conduct a noticed public hearing to consider approving the following applications:
  - A. General Plan Amendment Application No. GP-18-01 amending the General Plan land use designations on a portion of the subject property from Specific Project Area and Rural Residential to Agriculture and Rural Residential 1-10 acres per dwelling unit subject to the findings in the attached Resolution;
  - B. Rezone Petition Application No. Z-18-01 rezoning portions of the subject property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum

- (RR-10) subject to attached Ordinance; and
- C. Tentative Subdivision Map Application No. S-18-02 to divide 310.5 acres into 19 lots, subject to the findings and conditions of approval in the attached resolution; and
3. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

### **SUMMARY:**

The Lands of Morgan project is a proposed 19-lot rural residential subdivision in the English Hills community, on property known as Pippo Ranch. The 310.5-acre project proposes a mix of lot sizes that range between 2.9 - 35.6 acres. More than half of the lots are 20 acres or larger and 1 lot is 2.9 acres in size. The remaining lots are between 6.6 - 11.7 acres in size. The mix of lot sizes and distribution over the property reflects the terrain constraints with the smaller lot sizes over the flatter areas, the 20 acre or larger lots located in areas of steeper terrain and an overall lot layout intended to protect the English Hills Ridgeline by minimizing mass grading and retaining natural landforms. Domestic water supply in a groundwater scarce area is addressed by the provision of public water service by the Rural North Vacaville Water District. The proposal is consistent with the allowable densities of the proposed Agriculture and Rural Residential designations and intent and purpose of the Specific Project Area designation of the 2008 General Plan.

The project is proposed in three phases, Phase 1 is anticipated in August 2020. Timing for Phase 2 and 3 is unknown. Public water service is proposed for all lots except for Lot 3 due to an existing well but conditioned to connect to public water if the pump test fails. Currently, the subdivider owns three water rights and has reserved 16 water rights through an agreement with the Rural North Vacaville Water District which expires August 14, 2020. Final map recordation or sale of lots is conditioned upon evidence of public water right for each lot, infrastructure installation such as public water lines, meters, roadway improvements, fire hydrants, and satisfying environmental mitigation measures, prior to each phase. Home construction, individual sewage disposal and detention ponds will be constructed by each individual lot owner.

The property is part of the highly prominent English Hills Ridgeline and in order to protect the view corridor, siting of future homesites are required to comply with the Hillside and Visually Sensitive Area design guidelines. The project is located within the State Responsibility Area (SRA) for fire safety regulations. Adequate infrastructure for fire suppression and access are proposed. The project is conditioned to meet Fire Safe Regulation improvements.

### **FINANCIAL IMPACT:**

The cost of processing the applications is paid by the applicant. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

### **DISCUSSION:**

#### **Background/Setting:**

The 310.5-acre property is characterized with rolling hills and steep hillsides. Approximately 184 acres is steep (more than 25% slope). English Creek runs along the north and western portion of the property. Twelve (12) seasonal streams run through the site, and two stock ponds are located on the north side. The property is primarily vegetated with grasslands and mixture of Oak Woodland, Oak Savannah and riparian forest. The Rural North Vacaville Water District water tank is located on the western portion of the site and high voltage PG&E overhead lines traverse the southeastern portion of the property. The property is developed with three residences and outbuildings that are proposed to remain (Lot 11, 12, 13 and 19).

#### **Project Description:**

The Lands of Morgan project is a 19 lot, single-family rural residential subdivision on 310.5 acres. The

applicant proposes to amend the General Plan land use designations and rezone portions of the property consistent with the proposed zoning and density. The attached table summarizes the proposed project.

Subdivision access will be restricted to the existing driveways, a new driveway off Gibson Canyon road and two new private roads, Turkey Hollow and Gibson Canyon Court paved with double chip seal. The property is located in a groundwater scarce area, Zone A, which reflects the lowest probability of success to develop domestic well water, therefore, public water service by the Rural North Vacaville Water District is proposed and required to ensure adequate domestic water supply. All of the lots except for Lot 3 will be connected to public water service. Lot 3 is proposed to utilize an existing well. Individual sewage disposal systems are proposed to treat wastewater and detention ponds are proposed to treat and detain stormwater runoff, constructed and maintained by the individual homeowners. The submitted Public Water System Plan and the Detention Pond Plans are attached to this report.

The subdivision is proposed in three (3) phases:

- Phase 1 - Total of 4 lots (Lot 11-13 and 19). Lot sizes range between 2.9 -21.5 acres.
- Phase 2 - Total of 10 lots (Lot1-5 and 14-18). Lot sizes range between 6.6 - 21.2 acres; and construction of Gibson Canyon Court, private road.
- Phase 3 - Total of 5 lots. (Lot 6-10). Lot sizes range between 20 - 35.6 acres; and construction of Turkey Hollow Court, private road.

Infrastructure such as roads, culverts, street signs, water lines and meters, and fire hydrants, will be installed per phase prior to each Final Map recordation. The lots will be sold to individuals and homes to be constructed at the individual owner's pace. Phase 1 is anticipated to be completed by August 2020 and the timeline for Phase 2 and 3 is unknown. The proposed phased development and zoning table is attached to this report.

#### General Plan Amendment:

The property contains multiple General Plan land use designations consisting of Agriculture, Rural Residential 1-10 acres/dwelling unit (ac/du) and Specific Project Area. The General Plan amendment, specifically, applies to the Specific Project Area (88.53 acres) and the Rural Residential land use designation (18.2 acres). The Specific Project Area is proposed to change to Rural Residential (64.1 acres) and Agriculture (24.43 acres) designations; and the 18.2 acres of Rural Residential land use designation to Agriculture. Two hundred (200.87) acres of Agriculture remain unchanged.

The Specific Project Area designation is a General Plan policy that provides for master planning land use densities and distribution in the context of a specific plan or completion of special plans and studies. The intent is to ensure a comprehensive approach in studying issues such as terrain constraints, water supply and infrastructure issues. The project proposal meets the intent by addressing domestic water supply with a public water service plan; and protects the English Hills Ridgeline views and watershed, by a design that allocates larger lots along the steep terrain and lot layouts that minimize mass grading and conforms to the natural contours. The proposal meets the allowable densities of the Rural Residential and Agriculture land use designations. Approval of the General Plan amendment includes updating the text and tables in the Land Use Chapter. No other General Plan policy conflicts have been identified.

#### Rezone:

The property is currently zoned Exclusive Agriculture "A-20" and the rezoning petition will establish RR-2.5, RR-5 and RR-10 zoning to allow development of the project as proposed. The project is consistent with the lot size and densities of the proposed zoning. The proposed lot sizes, zoning and densities are summarized in the project description and specifics are listed in the attached Development Phasing Tables. Surrounding developed properties are zoned RR-2.5, RR-5 and A-20, and similar to the rural residential and agricultural zoning of the surrounding properties. The project is compatible with surrounding zoning, and in keeping with

the rural character of the community.

Subdivision Regulations (Chapter 26, County Code):

Several tentative map designs were considered during application processing. Earlier versions were less sensitive to existing landforms and included building pads which could result in mass grading along the ridgeline and visual intrusions into the view corridor. Planning staff worked with the applicant in order to achieve a project that is sensitive to natural features and in conformance with Hillside and Visually Sensitive Area design guidelines of the Subdivision Ordinance. The proposed tentative subdivision map satisfies the design guidelines, however, in order to ensure proper siting of future development in this sensitive area, Planning staff recommends that the construction of individual homes comply with Hillside and Visually Sensitive Area design guidelines (Section 26-73) that restrict homesites atop knolls and ridgelines, on slopes less than 25% grade, contouring of graded areas that are sensitive to existing terrain.

Additionally, the site is susceptible to land sliding and approximate locations of debris flow or landslide are shown on the tentative map. Construction downslope of such areas are restricted as recommended by the Geotechnical Report and mitigation measures.

The project meets the standards pertaining access to public roads or approved private roads and minimum buildable area. However, several lots are irregular in shape and exceed the 3:1 lot depth to width ratio. The unusual size and shape of the lots are justified due to the steep terrain and hillside topography of the site.

Street lighting is not proposed for the subdivision. Due to the rural location, street lighting for the subdivision is not necessary and in keeping with the rural character. Section 26-112.5 requires underground utility lines; however, electric power supply lines may be above ground due to the large size lots and underground electrical lines would be unreasonable costly.

The site is located within the State Responsibility Area (SRA) for fire safety and was reviewed by the Vacaville Fire Protection District. The project is consistent with the Fire Safe Regulations in that adequate fire suppression and access requirements are proposed. The project is conditioned to meet Fire Safe Regulation improvement requirements.

*Domestic Water Supply:* The property is located within a groundwater scarce area, Zone A, the lowest probability of success to develop domestic well water. In order to ensure domestic public water service for future homeowners, public water service by Rural North Vacaville Water District is proposed by the applicant/property owner. The property owner has 1 water right, purchased 2 water rights and reserved 16 water rights from the District through an agreement which will expire August 14, 2020. Evidence of water rights for each lot shall be provided to the Planning Services Division prior to final map recordation of each phase. Well water usage may be allowed on Lot 3, if the existing well passes the pump test. If the water test fails, Lot 3 shall be connected to public water. If public water rights are not secured, the individual lots may not be recorded or sold.

*Septic Systems:* Site and Soil evaluation reports were submitted for each of the proposed lots and prior site and soil evaluations were prepared for the developed lots. The Environmental Health Services Division is satisfied that alternative septic systems will be required on the undeveloped lots. Compliance with Chapter 6.4 Sewage Standards of the County Code will reduce impacts to a less than significant impacts are anticipated.

Environmental Determination:

The Department of Resource Management completed an Initial Study/Mitigated Negative Declaration for the project which was released for a 30-day review and comment, on December 24, 2019 and ended on January 27, 2020. The Initial Study/Mitigated Negative Declaration concludes that there could be significant adverse environmental impacts in the areas of air quality, biological resources, cultural resources, geology and

hazards, hydrology/water quality, water supply, noise, and public services, but mitigation measures are proposed to reduce the impacts to less than significant levels. All mitigation measures, including the monitoring responsibilities, have been incorporated into the project as recommended conditions of approval and in the mitigation monitoring plan. Each of the conditions has been listed under the County divisions and other agencies responsible for their implementation.

Public comments received:

A letter opposing the project was received and expressed concerns regarding density, added traffic and accidents on to Gibson Canyon Road, water supply and preference for Exclusive Agriculture 20-acre or 40-acre zoning only. After discussion, the commenter is satisfied with the project as proposed. Comment letter is attached.

Planning Commission Recommendation:

On February 20, 2020, the Planning Commission reviewed the project and voted unanimously to recommend APPROVAL subject to the findings and conditions of approval contained in the Resolution and to ADOPT the Mitigated Negative Declaration and Mitigation Monitoring Plan. Community concerns expressed at the hearing were relative to slowing down traffic on Cantelow and Gibson Canyon Road, restricting water usage to public water service only (domestic and agriculture), construction noise and excessive outdoor lighting. Planning Commission minutes are attached this report.

Airport Land Use Commission:

On April 9, 2020, the Airport Land Use Commission reviewed the project and determined that the project is consistent with the Travis Air Force Base Land Use Compatibility Plan.

Public Notice:

The item was duly noticed to the property owners within half (1/2) mile radius of the site and, published in the Daily Republic and Vacaville Reporter 15 days prior to the public meeting, as required by County Code.

**ALTERNATIVES:**

The Board may choose to deny the applications; however, this is not recommended as multiple alternate designs have been considered, with the current design proposal was deemed by the Planning Commission as best meeting the intent of the General Plan and proposes lot layouts that minimize grading and land form modifications.

**OTHER AGENCY INVOLVEMENT:**

Rural North Vacaville Water District and Vacaville Fire Protection District were consulted during review of this proposal.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

# LOCATION MAP

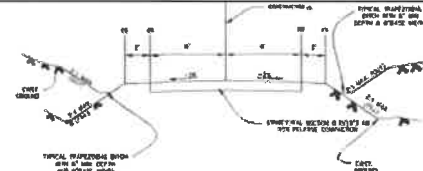
Cantelow Road

Gibson Canyon

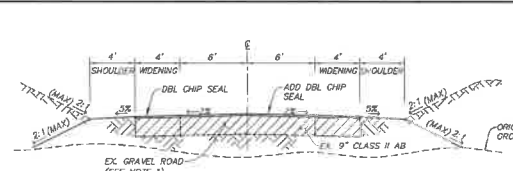
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EXISTING TURKEY HOLLOW COURT CROSS SECTION  
NOT TO SCALE



TURKEY HOLLOW COURT - PRIVATE ROAD (60' R/W) CROSS SECTION  
NOT TO SCALE

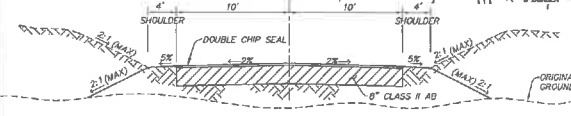


VICINITY MAP  
NOT TO SCALE

**ABBREVIATIONS**

AB	AGGREGATE BASE
AC	ACRE, ASPHALT CONCRETE
APN	ASSESSOR'S PARCEL NUMBER
B	POTENTIAL BUILDING SITE
BK	BOOK
BLDG	BUILDING
CL	CENTERLINE
CO	COUNTY
DBL	DOUBLE
ESMT	EASEMENT
EXIST/EX	EXISTING
FI	FIRE HYDRANT
MAX	MAXIMUM
MIN	MINIMUM
OR	OFFICIAL RECORDS
P	PADE
PG&E	PACIFIC GAS & ELECTRIC
PM	PARCEL MAP
PR	RURAL RESIDENTIAL
R/W	RIGHT-OF-WAY
SF	SQUARE FEET

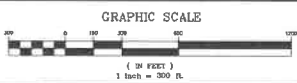
- NOTES**
- TURKEY HOLLOW COURT IS AN EXISTING 12 FOOT WIDE GRAVEL ROAD PER PLANS ENTITLED "ENGLISH HILLS ROAD WATER DISTRICT ACCESS ROAD TO WELL SITE 3" PREPARED BY THE SOLANO COUNTY TRANSPORTATION DEPARTMENT, DATE APPROVED MARCH 1, 2002. THE MAXIMUM SLOPE OF THIS ROAD IS 11.2% AND IS TO BE REDUCED TO 2% FEET AS SHOWN ON CROSS SECTION HEREON AS PART OF THIS SUBDIVISION.
  - GROSS LOT AREAS HEREON ARE TO THE CENTER OF EXISTING PUBLIC ROADS, PER RECORD, ON PROJECT FRONTAGES. NET AREAS HEREON ONLY EXCLUDE AREAS WITHIN EXISTING PUBLIC ROADS ON THE PROJECT FRONTAGES.
  - AERIAL TOPOGRAPHIC SURVEY SHOWN HEREON WAS PREPARED BY AERIO-GEODETIC AS PART OF THE RURAL NORTH VACAVILLE WATER SYSTEM CONSTRUCTION.
  - ALL PROPOSED LOTS WILL HAVE FRONTAGE ON AN EXISTING IMPROVED PUBLIC ROAD.
  - EXISTING RESIDENCE TO BE IMPROVED TO CODE OR REMOVED FROM PROPERTY. NO EXISTING DEFINED DRIVEWAY.
  - EXISTING APPROXIMATE 10' WIDE DRIVEWAY SLOPED UP TO 70% MAXIMUM TO BE WIDENED AND RE-GRADED AS REQUIRED.
  - EXISTING 10' WIDE (40') DRIVEWAY SLOPED UP TO 12% TO BE WIDENED AS REQUIRED.
  - THE INTENT OF THIS PLAN IS TO DEPICT POTENTIAL BUILDING AND DRIVEWAY LOCATIONS. ACTUAL BUILDING SITES AND DRIVEWAY ALIGNMENTS WILL BE DECIDED BY FUTURE LOT OWNERS. TREE REMOVALS MAY OR MAY NOT BE REQUIRED, DEPENDING ON WHERE LOT OWNERS CHOOSE BUILDING AND DRIVEWAY LOCATIONS.



GIBSON CANYON COURT PRIVATE ROAD (60' R/W) CROSS SECTION  
NOT TO SCALE

TL=4.5, R=12.0

DESIGNED BY: BDE  
DRAFTED BY: ALN/NRF  
CHECKED BY: BDE  
ISSUE DATE: 02/20/20



**FCE** FOUK CIVIL ENGINEERING, INC.  
Civil Engineering Land Surveying Planning  
4777 Mangala Blvd., Fairfield, CA 94534  
(707) 984-0794 fax (707) 984-0793 e-mail: foukce@gmail.com



REV.	DATE	DESCRIPTION	BY	APPROVED

PROJECT: LANDS OF MORGAN (S-18-02)  
SOLANO COUNTY, CA  
SHEET TITLE: TENTATIVE SUBDIVISION MAP  
SCALE: 1"=300'

OWNER/APPLICANT: BILL MORGAN  
7343 PLEASANT VALLEY ROAD  
VACAVILLE, CA 94556  
ASSESSOR'S PARCEL NUMBERS:  
105-110-070, 100, 440, 450,  
105-150-120,  
105-170-010, 150  
UTILITIES:  
WATER: RURAL NORTH VACAVILLE WATER  
DISTRICT OR ON-SITE WELL  
SEWER: ON-SITE LEACH FIELD  
ELECTRIC: PG&E  
PHONE: AT&T  
NUMBER OF PROPOSED LOTS:  
NUMBER OF PROPOSED A20 ZONED LOTS: 11  
NUMBER OF PROPOSED R10 ZONED LOTS: 4  
NUMBER OF PROPOSED R15 ZONED LOTS: 3  
NUMBER OF PROPOSED R12.5 ZONED LOTS: 1  
ZONING:  
EXISTING ZONING = A20  
PROPOSED ZONING = A20, R10, R15, R12.5  
THIS SUBDIVISION MAY BE DEVELOPED IN MULTIPLE PHASES.

SHEET 1  
OF 1



# LANDS OF MORGAN

## PROPOSED DEVELOPMENT PHASING TABLE

Phase	Lot Number	Acres	General Plan Land Use Designation	Zone
1	11	21.5	Agriculture	A-20
1	12	23.0	Agriculture	A-20
1	13	10.1	Rural Residential 1-10 acres/unit	RR-10
1	19	2.9	Rural Residential 1-10 acres/unit	RR-2.5

**PHASE I – TOTAL LOTS = 4; TOTAL ACREAGE = 57.5 acres**

2	1	10.2	Rural Residential 1-10 acres/unit	RR-10
2	2	11.7	Rural Residential 1-10 acres/unit	RR-10
2	3	21.2	Agriculture	A-20
2	4	20.6	Agriculture	A-20
2	5	20.1	Agriculture	A-20
2	14	10.9	Rural Residential 1-10 acres/unit	RR-10
2	15	20.3	Agriculture	A-20
2	16	6.6	Rural Residential 1-10 acres/unit	RR-5
2	17	7.1	Rural Residential 1-10 acres/unit	RR-5
2	18	7.5	Rural Residential 1-10 acres/unit	RR-5

**PHASE 2 – TOTAL LOTS = 10; TOTAL ACREAGE = 136.2 acres**

3	6	20.2	Agriculture	A-20
3	7	20.2	Agriculture	A-20
3	8	20.0	Agriculture	A-20
3	9	20.6	Agriculture	A-20
3	10	35.6	Agriculture	A-20

**PHASE 3 – TOTAL LOTS = 5; TOTAL ACREAGE = 116.6 acres**

LANDS OF MORGAN  
DEVELOPMENT TABLE  
PROPOSED GENERAL PLAN & ZONING LAND USE DESIGNATION

General Plan Land Use Designation	Zone	Phase	Lot Number	Acres
Agriculture	A-20	1	11	21.5
Agriculture	A-20	1	12	23.0
Agriculture	A-20	2	3	21.2
Agriculture	A-20	2	4	20.6
Agriculture	A-20	2	5	20.1
Agriculture	A-20	2	15	20.3
Agriculture	A-20	3	6	20.2
Agriculture	A-20	3	7	20.2
Agriculture	A-20	3	8	20.0
Agriculture	A-20	3	9	20.6
Agriculture	A-20	3	10	35.6
				<b>243.3</b>
<b>Total lots in A-20 zoning district = 11</b> <b>Density = 1 unit per 22 acres</b>				
Rural Residential	RR-10	1	13	10.1
Rural Residential	RR-10	2	1	10.2
Rural Residential	RR-10	2	2	11.7
Rural Residential	RR-10	2	14	10.9
				<b>42.9</b>
<b>Total lots in RR-10 zoning district = 4</b> <b>Density = 1 unit per 10.7 acres</b>				
Rural Residential	RR-5	2	16	6.6
Rural Residential	RR-5	2	17	7.1
Rural Residential	RR-5	3	18	7.5
				<b>21.2</b>
<b>Total lots in RR-5 zoning district = 3</b> <b>Density = 1 unit per 7.06 acres</b>				
Rural Residential	RR 2.5	1	19	<b>2.9</b>
<b>Total lots in RR 2.5-acre zoning district = 1</b> <b>Density = 1 unit per 2.9 acres</b>				

**RESOLUTION NO. 2020 - \_\_\_\_\_**

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS  
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE LANDS OF MORGAN  
PROJECT AND AMENDING THE SOLANO COUNTY GENERAL PLAN TO REMOVE  
THE SPECIFIC PROJECT AREA DESIGNATION FROM THE MORGAN PROPERTY  
AND REDESIGNATE PORTIONS OF THE PROPERTY TO RURAL RESIDENTIAL AND  
AGRICULTURE (APPLICATION NO. GP-18-01)**

**Whereas**, the Morgan Property is a 310.5-acre property located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated area north of Vacaville (APN: 105-110-070, -100, -440, & -450; 105-160-130; 105-170-150 & -010); and

**Whereas**, the Solano County General Plan has applied the following three land use designations to the Property: Agriculture (approx. 201 ac.), Rural Residential (approx. 21 ac.), and Specific Project Area (approx. 89 ac.); and

**Whereas**, the property owner, Bill Morgan, has proposed the Lands of Morgan Project, consisting of the following three applications: 1) amend the General Plan to redesignate the Specific Project Area portion of the Property as a combination of Agriculture and Rural Residential, and to redesignate a portion of the Rural Residential area of the Property to Agriculture, as shown on the figure attached hereto as Exhibit A (GP-18-01); 2) rezone portions of the Property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum (RR-10) (Z-18-01); and 3) subdivide the Property into 19 lots (S-18-02); and

**Whereas**, a Mitigated Negative Declaration reflecting the County's independent judgment and analysis has been prepared and circulated to evaluate the potential environmental impacts of the Lands of Morgan Project; and

**Whereas**, the Board of Supervisors has considered the Mitigated Negative Declaration, together with any comments received during the public review process and hearing, and finds that there is no substantial evidence the proposed project will have a significant effect on the environment, that all mitigation measures described in the Mitigated Negative Declaration have been incorporated into Project, and that monitoring compliance with those mitigation measures will be conducted as described in the Mitigation Monitoring and Reporting Program prepared for the Project; and

**Whereas**, approval of General Plan Amendment No. G-18-01, will be beneficial to the citizens of Solano County.

**Resolved**, the Solano County Board of Supervisors adopts the Mitigated Negative Declaration for the Lands of Morgan Project and designates the Department of Resource Management as the custodian of the County's record of proceedings for this project.

**Resolved**, the Solano County Board of Supervisors adopts General Plan Amendment No. G-18-01, consisting of the following amendments to Chapter 2 of the Solano County General Plan:

- Figure LU-1 is amended to incorporate the changes in land use designations for the Morgan Property as shown in Exhibit A;
- Tables LU-3, LU-4, and LU-6 are updated to reflect the changes in acres, dwelling units, population, and nonresidential square feet resulting from the above-described changes in land use designations on the Morgan Property;

- Table LU-5 is amended to delete the bullet point regarding Pippo Ranch in the description of the Specific Project Area land use designation; and
- The text at the top of page LU-26 is amended as follows (deletions in ~~strikeout~~; additions in underline):

~~Four~~ Three areas are designated as Specific Project Areas. These areas ~~were chosen for~~ have this designation because the County ~~anticipates using~~ will use a specific plan or policy plan to guide the type, location, and density of development in these areas. These ~~four~~ three areas are listed in Table LU-6, which shows ~~the current expected~~ an approximate estimated build-out of these areas. More specific information on the build-out level of these specific project areas is or will be available ~~when in~~ the specific plans ~~are completed~~ or policy plans prepared for these areas.

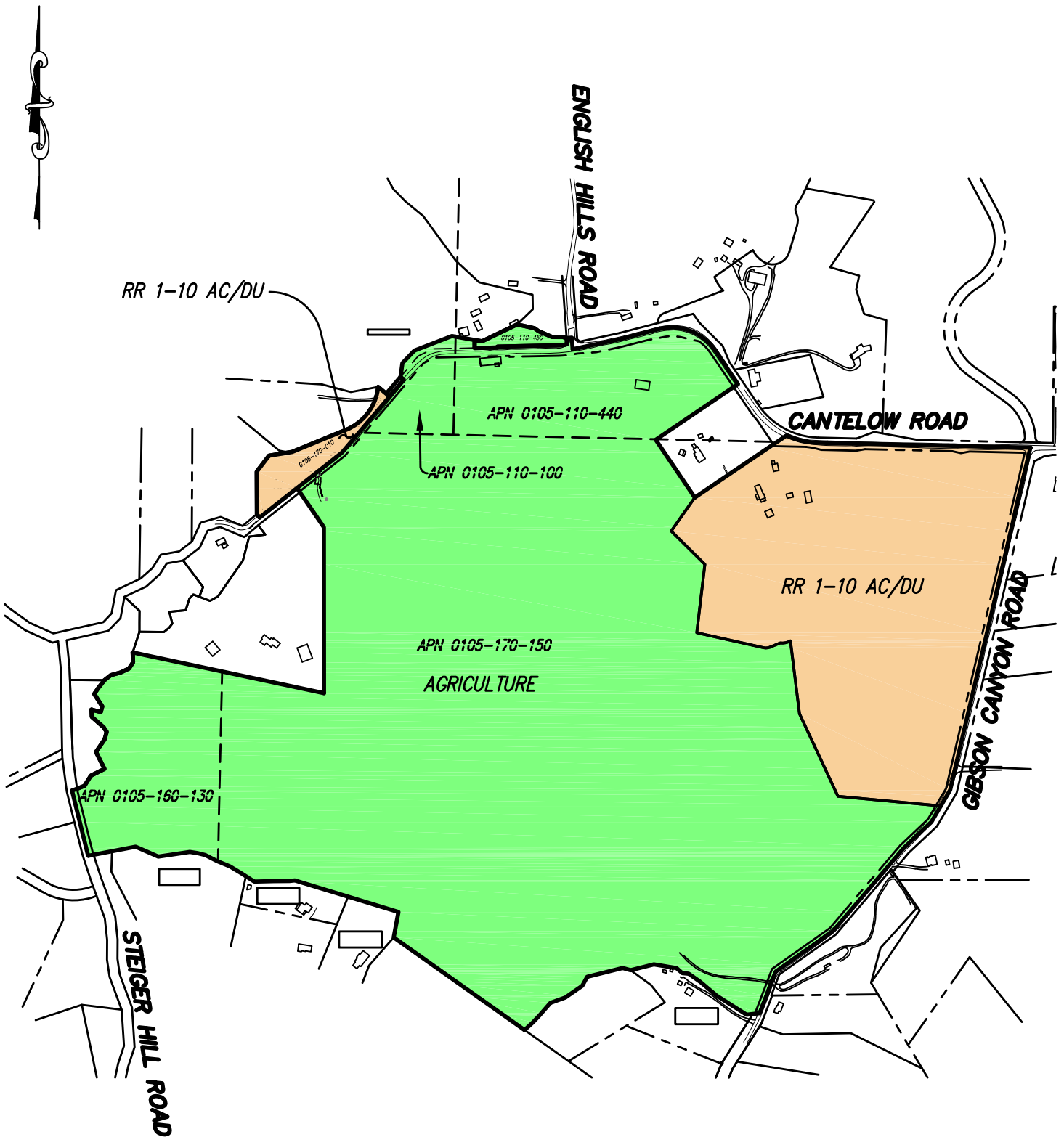
Passed and adopted by the Solano County Board of Supervisors at its regular meeting on May 12, 2020, by the following vote:

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



**FCE**

FOULK CIVIL ENGINEERING, INC.

Civil Engineering Land Surveying Planning

4777 Mangels Boulevard, Fairfield, CA 94534

(707)864-0784 fax (707)864-0793 e-mail: fouldce@gmail.com

**GENERAL PLAN AMENDMENT  
LANDS OF MORGAN  
SOLANO COUNTY**

SCALE: 1"=800'

DATE: 12/19/19

DWG: 07-045

JOB NO: 07-045

DRAWN BY: AJH/NRF

CHECKED BY: BDF

**ORDINANCE NO. 2020 - \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE,  
AMENDING ZONING MAPS 8-N TO REZONE 67± ACRES FROM THE EXCLUSIVE AGRICULTURE (A-20)  
DISTRICT TO THE RURAL RESIDENTIAL 2.5 (RR-2.5), RURAL RESIDENTIAL 5 (RR-5), AND RURAL  
RESIDENTIAL 10 (RR-10) DISTRICTS  
(LANDS OF MORGAN; Z-18-01)**

---

The Board of Supervisors of the County of Solano ordains as follows:

**Section 1.**

Zoning Maps 8-N, referenced in Chapter 28 of the Solano County Zoning Code, section 28.11, is amended as illustrated in Exhibit A attached to this ordinance.

**Section 2.**

All prior ordinances and parts of prior ordinances in conflict herewith are repealed.

**Section 3.**

The Board of Supervisors has made the following findings in regard to this zoning amendment, which changes the property shown in Exhibit A from one zoning district to another:

1. The zoning amendment is in conformity with the Solano County General Plan.
2. The zoning amendment will not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County or be detrimental to adjacent property or improvements in the neighborhood.
3. A Mitigated Negative Declaration has been prepared and circulated for the project of which this zoning amendment is a part. The Board of Supervisors has considered the Mitigated Negative Declaration, together with any comments received during the public review process and hearing. The Board of Supervisors finds on the basis of the Mitigated Negative Declaration and any comments received that there is no substantial evidence that the zoning amendment will have a significant effect on the environment. The Mitigated Negative Declaration reflects the County of Solano's independent judgment and analysis, and has been adopted by the Board of Supervisors through its Resolution No. 2020-\_\_\_\_\_. The Department of Resource Management is the custodian of the County's record of proceedings for this project.

**Section 4.**

This ordinance will be effective thirty (30) days after its adoption.

**Section 5.**

If any provision of this ordinance or the application thereof 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 this ordinance are hereby declared to be severable.

**Section 6.**

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 May 12, 2020, 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

**Introduced:**

**Adopted:**

**Effective:**

**Operative:**

**English Hills Road**

**CANELOW ROAD**

**GIBSON CANYON ROAD**

**STEIGER HILL ROAD**

**TURKEY HOLLOW CT.**

**GIBSON CANYON CT.**

**APN 0105-170-010 TO BE REZONED FROM A20 TO RR2.5**

**2.9 acres**

**APN 0105-110-440**

**42.9 acres**

**PTN OF APN 0105-170-150 TO BE REZONED FROM A20 TO RR10**

**APN 0105-170-150 A-20 TO REMAIN**

**243.3 acres**

**PTN OF APN 0105-170-150 TO BE REZONED FROM A20 TO RR5**

**21.2 acres**

**APN 0105-160-130**

**0105-110-070**

**0105-110-450**

**(NOT A PMR)**

**0105-110-130**

**0105-110-380**

**0105-160-090**

**0105-160-100**

**0105-160-110**

**0105-160-120**

**0105-200-010**

**0105-200-340**

**0105-200-300**

**0105-200-280**

**0105-200-290**

**0105-200-320**

**ONE**

**ONE**

CHECKED BY: BDF



**RESOLUTION NO. 2020 - \_\_\_\_\_**

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS  
APPROVING MAJOR SUBDIVISION APPLICATION S-18-02 OF  
BILL MORGAN FOR THE LANDS OF MORGAN PROJECT**

**Whereas**, the Solano County Board of Supervisors has duly considered, in public hearing, an application requesting approval of a Tentative Subdivision Map to subdivide approximately 310.5 gross acres of land into 19 lots consisting of one approximately 2.9-acre parcel, three lots ranging in size between 6.3 – 7.5 acres, four lots ranging in size between 10.1 – 11.7 acres, and eleven lots ranging in size between 20 - 35.6 acres; and

**Whereas**, a Mitigated Negative Declaration was prepared and made available for public review and the Board has conducted a public hearing on the Mitigated Negative Declaration and has read, considered, and adopted the Mitigated Negative Declaration; and

**Whereas**, the Board has reviewed the applicant's submittal and the staff report of the Department of Resource Management, read and considered the minutes and positive recommendation of the Planning Commission, and heard and considered all comments regarding the application at the public hearing held on May 12, 2020; and

**Whereas**, after due consideration, the Board has made the following findings in regard to the application and pursuant to the criteria described in the Subdivision Map Act and the Solano County Subdivision Ordinance:

**1. The proposed tentative map is consistent with the Solano County General Plan.**

- a. The proposed subdivision is consistent with the Agriculture and proposed Rural Residential land use designations, which allow residential development on lots of the sizes proposed in the tentative map. The design of the subdivision allocates appropriate densities consistent with proposed land use designations. As conditioned, the proposed map is consistent with all applicable policies of the General Plan.
- b. The proposed development is in scale and harmonious with existing and future development adjacent to the site and in the vicinity, and with the land forms, natural features and vegetation in the vicinity of the site. The applicant proposes to develop the site as a residential subdivision that is compatible with the surrounding residential development.

**2. The design and improvement of the proposed subdivision are consistent with the Solano County General Plan.**

- a. The property is designated by the General Plan for agricultural and rural residential development, which allows for single family residences and accessory uses. The design of the proposed subdivision, construction of new roads, provisions for domestic water supply and wastewater disposal, and the development density satisfy the intent of the General Plan.
- b. As proposed and conditioned, the design of the subdivision is in conformance with the provisions of Article VII (Design Requirements) of the Solano County Subdivision Ordinance.

**3. The site is physically suitable for the proposed type of development.**

The project as proposed can accommodate the proposed home sites, particularly regarding roadway development, grading, building pad development and installation of on-site sewage disposal systems. Additionally, the site is located in a groundwater scarce area and public water is to be provided by the Rural North Vacaville Water District, which would ensure adequate domestic water supply for 19 homes.

**4. The site is physically suitable for the proposed density of development.**

The project site can accommodate the proposed subdivision with 19 homes, resulting in a development density of one primary dwelling unit per 16.34 acres. The new parcels will utilize RNVWD water for domestic purposes. All residential parcels will utilize on-site sewage disposal systems meeting County standards. The new parcels meet the minimum lot size allowed by the proposed zoning.

**5. The design of the subdivision will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat.**

A Mitigated Negative Declaration was drafted and circulated for public review and comment. Mitigation measures recommended by the Mitigated Negative Declaration are implemented by and incorporated into Conditions of Approval attached hereto. With implementation of these recommended mitigation measures, the project will not cause significant adverse impacts to the environment.

**6. The design of the subdivision will not cause serious public health problems.**

The project is a new subdivision with nineteen (19) residential lots and as proposed is in compliance with the General Plan and Zoning Regulations, as proposed to be amended, and the Subdivision Ordinance. The Mitigated Negative Declaration reviewed the project for possible health or environmental problems and with mitigation as proposed the project will not cause serious public health problems.

**7. The design of the subdivision and the type of improvements will not conflict with any public easements.**

The project as conditioned and evident on the Tentative Subdivision Map will not conflict with any public easements.

**8. The proposed subdivision will not discharge waste into a community sewer system.**

**9. The property does not front on or along any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.**

**10. No portion of the parent parcel is subject to a contract entered into pursuant to the California Land Conservation Act of 1965.**

**11. The proposed subdivision is consistent with the County Hazardous Waste Management Plan.**

The Solano County Hazardous Waste Management Plan has no provisions applicable to residential subdivisions.

**12. The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act.**

13. The proposed subdivision comprises of steep topography and large lots; thereby, undergrounding of power lines would be unreasonably costly and not feasible. Overhead power lines are permitted for the subdivision.
14. The proposed subdivision is consistent with the State Board of Forestry and Fire Protection's SRA Fire Safe Regulations.
15. Structural fire protection and suppression services will be available for the subdivision through the Vacaville Fire Protection District.
16. The Mitigated Negative Declaration prepared by the Department of Resource Management is adequate and complete. Implementation of the mitigation measure described in the Mitigated Negative Declaration will mitigate all potentially significant impacts of the project to less than significant levels, and the adopted Mitigation Monitoring and Reporting Plan ensures that those mitigation measures will be implemented.

**Resolved**, the Solano County Board of Supervisors approves Major Subdivision Application No. S-18-02, subject to the conditions of approval described in Exhibit A, attached hereto and incorporated herein by reference.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on May 12, 2020 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

# **EXHIBIT A**

## **CONDITIONS OF APPROVAL MAJOR SUBDIVISION NO. S-18-02 LANDS OF MORGAN**

### General

1. Approval of this Tentative Map is contingent upon Board of Supervisor approval of General Plan Amendment Petition GP-18-01 and Rezoning Petition No. Z-18-01. Approval of the Tentative Map will not be effective until both General Plan amendment and zoning approvals become effective.
2. Pursuant to Section 26-98.1 of the Solano County Subdivision Ordinance, a Final Subdivision Map shall be recorded within twenty-four (24) months from the date of approval of the Tentative Subdivision Map. Failure to do so will result in the expiration of the approved Tentative Subdivision Map unless extended pursuant to Section 26-98.2 of the Solano County Subdivision Ordinance.
3. Phased final maps shall be permitted and shall be in substantial compliance with the phased Tentative Subdivision Map labeled "TENTATIVE SUBDIVISION MAP – LANDS OF MORGAN," prepared by FCE Foulk Civil Engineering, with a date of December 18, 2019 and received by the Solano County Planning Division on December 20, 2018, except as modified herein.
4. The design of the subdivision and construction of subdivision improvements shall be substantially consistent with the following:
  - a) Tentative Subdivision Map (S-18-02), prepared by FCE Foulk Civil Engineering, December 18, 2019,
  - b) Water System Plan, prepared by FCE Foulk Civil Engineering, December 18, 2019 as modified herein,
  - c) Preliminary Detention Pond Plan, prepared by FCE Foulk Civil Engineering, December 18, 2019,
  - d) Geotechnical Report, prepared by KC Engineering Company, February 16, 2018
  - e) Biological Resources Study Report, prepared by LSA, February 2019,
  - f) Cultural Resource Inventory Report, prepared by Solano Archeological Services, August 2018,
  - g) These conditions of approval.
5. Prior to filing each Phased Final Map, provide evidence to the Planning Services Division that water rights from the Rural North Vacaville Water District are secured for each lot.
6. Prior to filing each Phased Final Map, obtain improvement plan approval from the

Department of Resource Management and install public improvements such as drainage and erosion control, stormwater drainage improvements, public water supply infrastructure subject to the Rural North Vacaville Water District's approval, fire hydrants and gated or locked connections subject to the approval of the Vacaville Fire Protection District. The Subdivider shall incur the costs for improvement plan approval and installation of the improvements.

7. In order to maintain the rural character of the community, street lights are not permitted in this subdivision. Above ground electrical powerlines are permitted in this development.
8. The Final Map shall include a Supplemental Map Sheet that states: In order to protect the English Hills ridgeline and prevent excessive grading in the subdivision, siting of residences and accessory structures shall be consistent with the standards and design guidelines for Hillside and Visually Sensitive Areas, Section 26-73 of Chapter 26, Article VII of Solano County Code.

### **Public Works Division**

9. Prior to first Phase Final Map recordation, except for Lot 1 and 2, public road access serving the subdivision properties shall be limited to the driveway and private road connection locations shown on the Tentative Map dated 12/12/19. Lot 1 may be served by one additional driveway connection to Cantelow Road and Lot 2 may be served by one additional driveway connection to either Cantelow Road or Gibson Canyon Road. This condition shall be noted on the supplemental sheets for each Final Map.
10. Prior to the recordation of the Final Map or a First Phase Final Map, the Subdivider shall either construct public improvements or execute a Public Improvement Agreement with Solano County for the widening of Gibson Canyon Road from Cantelow Road to the southern subdivision limits. Deferral of the improvements in the Agreement will require that improvements be built within 3 years with bonding to cover the costs of the work if not completed within the terms. Gibson Canyon Road shall be constructed to provide four-foot (4') graded shoulder and drainage ditch realignment along the side of the Gibson Canyon Road that fronts the subdivision, in accordance with the Solano County Road Improvement and Land Development Requirements.
11. Prior to the recordation of each phased Final Map, the Subdivider shall construct private improvements including, but not limited to, construction of private roadways, street signs, roadside ditches and storm water detention ponds within the phase as shown on the Tentative Map dated 12/12/19. Private roadways shall be twenty feet (20') wide with a double chip seal surface and shall have four-foot (4') graded shoulders.
12. Public water lines and/or other underground utilities under roadways shall be constructed/installed prior to the final surfacing of the roads.
13. Subdivider shall apply for, secure and abide by the conditions of encroachment permits for all work within the Solano County rights-of-way including, but not limited to, access connections along Gibson Canyon Road and Cantelow Road, and Gibson Canyon Road shoulder improvements.
14. Subdivider shall apply for, secure and abide by the conditions of a grading permit for the

construction of the private roads, ditches, detention ponds and access improvements as shown on the Tentative Map, as well as any onsite grading.

15. Prior to the filing of each phased Final Map, a road maintenance agreement(s) shall be recorded that requires participation from owners of all lots within the subdivision phase as shown on Tentative Map. The maintenance agreement(s) shall include all roadway improvements, culverts, drainage ditches and storm water detention ponds within the subdivision phase. The agreement(s) shall be submitted and approved by Public Works Engineering prior to recordation. The agreement(s) shall be noted in a supplemental sheet on the Final Map for the subdivision.
16. Prior to filing of the first Final Map, the Subdivider shall offer right-of-way as an easement to the County of Solano, free of encumbrances, necessary for a thirty-foot (30') right-of-way radius on the southwest corner at the intersection of Gibson Canyon Road and Cantelow Road.
17. Prior to filing of the first Final Map, the Subdivider shall offer right-of-way as an easement to the County of Solano, free of encumbrances, necessary to provide a thirty-five (35') foot right-of-way half-width on any side of the road that fronts the subdivision, for the full length of the property within the subdivision boundary along Gibson Canyon Road, Cantelow Road, and Steiger Hill Road.
18. A Final Map, as defined in the State Subdivision Map Act and prepared by a licensed surveyor or civil engineer, showing all easements and parcels shall be filed with the Solano County Surveyor for each phase of the subdivision.
19. The Private Road Easements shown on the Tentative Map shall be widened as necessary to contain the road base, all cuts and fills, and the required roadside drainage.
20. The Final Map for each phase shall include supplemental map sheets that state: The property is subject to payment of the English Hills Transportation Impact Fee, Vacaville Unified School District Impact Fee and Vacaville Fire Protection District Impact Fee in accordance to Chapter 11, Solano County Code, prior to issuance of building permits.

#### **Rural North Vacaville Water District (District)**

21. The Subdivider has signed a Rural North Vacaville Water District Work Order for processing the subdivision map. The work order is the mechanism to which all fees and charges associated with District staff time and/or materials will be charged for reimbursement from the landowner(s). Prior to review of the improvement plans for each phase, the Subdivider must pay a plan review deposit to be determined by the Rural North Vacaville Water District. It is estimated that the plan review deposit will be \$300 per connection. The deposit will be due for the total number of planned connections and submitted with the approved Work Order.
  - a. Prior to approval of the improvement plans for each phase, the Subdivider must pay an inspection deposit for 7% of the Engineer's estimate.

22. Prior to approval of improvement plans for each phase, the Subdivider shall supply the following Bonds:
  - a. Performance Bond for 110% of the Engineer's estimate for the necessary water system improvements.
  - b. Maintenance Bond for 50% of the Engineer's estimate for the required warranty period of the new facilities.
23. The Subdivider shall secure Rural North Vacaville Water District review and approval of improvement plans shall for each phase:
  - a. The drainage along Turkey Hollow Court and the detention pond shall be designed to handle overflow from Tank 3 (Lot 8). The maximum flow is 700 gallons per minute, and may take four (4) hours to shut down. Developer shall connect existing tank overflow to the new drainage system.
  - b. The Subdivider must have its Engineer design the necessary system improvements to accommodate service to each newly created parcel. The design shall include, but is not limited to, new services, new water mains, upgrades of existing water mains, and/or upgrades to the District's pumping and storage facilities.
  - c. The Subdivider shall construct a new water service, including extending water mains, construct water service lateral(s), and setting meter boxes to each of the newly created parcels for each phase of the subdivision.
  - d. Water services shall be connected to water mains adjacent to property.
  - e. All new water mains shall be located within minimum 20-foot wide easements and depicted on each phase Final Map.
  - f. All new water mains serving fire hydrants within Gibson Canyon Court shall be minimum 8" diameter.
  - g. All water services shall be equipped with reduced pressure principal backflow preventers and pressure regulating valves.
  - h. For any work proposed in existing high voltage electric power easement (between lots 4 and 5), Subdivider shall submit copy of approval to work within said easement prior to approval of Improvement Plans. Any appurtenances within the PG&E high voltage power easement shall have separate grounding rods.
  - i. Fire flow shall meet Vacaville Fire Protection District requirements.
  - j. Subdivider shall submit to the District two (2) full size sets of improvement plans, and one electronic copy (PDF) for each review.

24. Rural North Vacaville Water District requirements regarding the Final Map:

- a. Each phased Final Map shall include the Rural North Vacaville Water District's Statement for District approval.
- b. Prior to recordation of the First Phase Final Map, where existing water facility easements are tied only to the pipeline (through lots 6, 7, 8, and 9) or do not exist (through lots 4 and 5), the Subdivider shall retain an underground facility locator to locate the water mains. Water mains shall be surveyed and new plat maps and legal descriptions that tie the easement to property boundaries shall be prepared and recorded as "amended accurate" or new easements as necessary to cover all existing water mains within the Project.
- c. Prior to recordation of the First Phase Final Map the Subdivider shall prepare plat maps and legal descriptions for the for Tank 3 Site and Access Road easements in which the access easement is contiguous with proposed private road easement and the existing north and west lines of the tank site remain the same and the south and east lines are contiguous with the proposed road easement. This easement shall be recorded as "amended accurate" Tank Site Station 3 easement.
- d. Prior to recordation of the phased Final Map (Phase 3), a drainage easement shall be provided to accommodate the drainage system designed to handle overflow from Tank 3 as detailed in COA no. 22 (c).
- e. No fences or other permanent or semi-permanent facilities shall be constructed in water facility easements.

25. Rural North Vacaville Water District requirements regarding construction for each phase of the subdivision:

- a. All improvements shall be constructed by the Subdivider and inspected by the District at the Subdivider's expense.
- b. The Subdivider shall secure a District Encroachment Permit prior to beginning any construction activities.
- c. The Subdivider shall secure a Solano County Encroachment Permit prior to working on any District facilities in existing County right-of-way.
- d. After approval of all plans and prior to construction, the Subdivider's engineer shall provide the District with two (2) full sized improvement plan sets, and one (1) PDF copy of the plan sets.
- e. A preconstruction field meeting must be held with the Subdivider, the Subdivider's contractor, and District staff prior to beginning any construction.
- f. The Subdivider shall submit material specification sheets for all materials required for the proposed improvements. The District must review and approve the material submittals prior to material procurement.



- g. The District will furnish, at the Subdivider's expense, the meter, pressure regulating valve, and backflow prevention device to be installed by the Subdivider.
- 26. All costs for project administration, design, review, construction, inspection, and other work related to the project shall at the Subdivider's expense.
- 27. Prior to approval of any plans or maps, the Subdivider must be paid current on all accounts and assessments.
- 28. District GIS files will be updated accordingly, by the District, and at the Subdivider's expense.
- 29. Electronic AutoCAD files are required upon the completion of the project showing "as-builts" for electronic archiving.

#### **Environmental Health Division**

- 30. Each of the undeveloped parcels shall have a declaration recorded with the phased Final Map, stating the soil testing to date will require the use of engineered, alternative type on-site sewage disposal systems, for each of the proposed parcels. Such systems must be operated, monitored, and maintained in accordance with Solano County Code, Chapter 6.4 Sewage Disposal Standards.

#### **Vacaville Fire Protection District (VFPD)**

- 31. Prior to recordation of each phased Final Map, Subdivider shall provide to the Solano County Department of Resource Management written verification from the Vacaville Fire Protection District that all required improvements have been installed pursuant to the Fire District's requirements and consistent with the State Responsibility Fire Safe Regulations.
- 32. Prior to recordation of each phased Final Map, the Subdivider shall comply with the following:
  - a. All roads shall be built and maintained to Public Road Standards as specified in the "Subdivision Ordinance". Sec. 26-75.2 and State Responsibility Fire Safe Regulations.
    - i. All roads and driveways shall be constructed prior to the issuance of any building permit. Section 8704.2, California Fire Code (CFC)
    - ii. If the interior roads are not publicly maintained, a road maintenance agreement that requires all lot owners in the subdivision to participate in the maintenance of the private roads shall be recorded. The maintenance agreement, which shall include a long-term maintenance program, funding mechanism, and budget, shall be approved by Public Works - Engineering prior to recordation of the Final Map. The maintenance agreement shall be incorporated into the project CC&Rs or a separately recorded road maintenance agreement prior to recordation of the Final Map.
    - iii. Cul-de-Sac - Wherever a dead-end road is permitted, an adequate turning area shall be provided. Sec 1-2.10 Road Improvement Standards and Land

Development & Subdivision Requirements.

33. Prior to the issuance of the residential building permits for the project, the Subdivider shall have completed all of the required improvements and road construction.
34. Street or road signs shall be identified with approved signs. 505.2 CFC
35. Vacaville Fire Protection District requirements regarding driveways:
  - a) Fire apparatus access shall be provided and maintained in accordance with the provisions of the California Fire Code (CFC) as adopted by the Vacaville Fire Protection District.
  - b) To provide year-round, all weather access for heavy fire engines and other emergency equipment to residential building sites that are not covered in the Solano County Road and Street Standards, these minimum access road specifications shall apply:
    - i. Plans for access shall be submitted to the District for review and approval prior to construction.
    - ii. Driveways shall extend from each building site to a public or private roadway and shall have an unobstructed width of not less than 20 feet (6096 mm) with suitable base material.
    - iii. The maximum gradient is 16 percent. 503.2.7 CFC
    - iv. Surface designed and maintained to support a 75,000 lb. Load.
    - v. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
    - vi. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end.
    - vii. Minimum centerline curve radius of 40 feet.
    - viii. Necessary drainage improvements.
    - ix. Turn-around facilities shall be provided at all building sites on driveways over 300 feet in length and shall be within 50 feet of the building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.
    - x. Any required culverts or bridges shall have a minimum load carrying capacity of 75, 000 lb. and certified by an engineer. Vehicle load limits shall be posted at both entrances to bridges.
    - xi. Overhead clearance of limbs, trees etc. shall be a minimum of 15 feet. Title 14 CCR Div. 1.5, Chapter 7, Subchapter 2, Articles 1-5

36. Vacaville Fire Protection District requirements regarding fire hydrants: Residences shall be no more than 1000 road feet from a fire hydrant. Hydrants shall be of approved type and contain two 2 ½" and one 4 ½" NHS external thread outlets.
- a. Fire hydrants shall be installed and operational prior to the issuance of any building permit. 8704.3 CFC
  - b. Hydrant fire flow shall conform to Fire District standards.
  - c. Fire hydrants shall be clearly identified in an approved manner to prevent obstruction by parking and other obstructions. 901.4.3 CFC.
  - d. Fire hydrants shall be identified by the installation of blue reflective markers located in the center of the roadway. 901.4.3 CFC
  - e. Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 CFC
  - f. A 3-foot (914.4 mm) clear space shall be maintained around the circumference of fire hydrants. 1001.7.2 CFC
  - g. The center of a hose outlet shall not be less than 18 in. (457 mm) above final grade. NFPA 24

#### **Environmental Mitigation Measures**

33. **Air Quality (MM AQ-1)** - Prior to issuance of a grading/improvement plan permit, the Subdivider shall require its construction contractor to prepare and implement a Dust Control and Construction Exhaust Mitigation Plan subject to the satisfaction of the Public Works Division and Yolo Solano Air Quality Management District.
34. **Biological Resources (MM Bio-1, American Badger)** - Prior to issuance of a grading/improvement plan permit, the Subdivider, shall hire a qualified biologist to survey the areas for development for the presence of the American Badger and develop a monitoring plan to keep the badgers out of the area during construction activities involving roads, driveways, residences or accessory structures including swimming pools. The survey shall be conducted no more than 30 days prior to construction. The biologist report and monitoring plan shall be submitted to the Department of Resource Management prior to issuance of a grading permit or building permit.
35. **Biological Resources (MM Bio – 2, Burrowing Owls)** - Prior to issuance of grading/improvement plan permit, pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to the California Department of Fish and Wildlife (CDFW) (1995) guidelines, shall be implemented by the Subdivider or individual lot owners, prior to construction. Pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to CDFW (1995) guidelines.
- i. No more than 30 days before construction, a habitat survey including documentation of burrows and burrowing owls shall be conducted by a qualified

wildlife biologist within 500 feet of the construction area in areas suitable for burrowing owls.

- ii. The survey shall conform to the protocol described by the California Burrowing Owl Consortium, which includes up to four surveys on different dates if there are suitable burrows present. The CDFW shall be consulted by the Subdivider prior to survey initiation to ensure the most current pre-construction survey methodologies are utilized.
  - iii. The CDFW defines impacts as disturbance within approximately 160 feet of occupied burrows during the non-breeding season of September 1 through January 31, or within approximately 250 feet during the breeding season of February 1 through August 31. Even when these buffer distances are maintained, the alteration of breeding and behavioral patterns of burrowing owls during construction activities shall be considered adverse disturbance to the owls, as determined by the Subdivider.
  - iv. The Subdivider shall avoid disturbing active burrowing owl nests and occupied nesting burrows and shall implement standard CDFW mitigation guidelines.
  - v. If, as determined by the qualified wildlife biologist, construction activities will not adversely affect occupied burrows or disrupt breeding behavior, construction may proceed without any restriction or mitigation measures for burrowing owls.
  - vi. If, as determined by the qualified wildlife biologist, in consultation with CDFW, construction could adversely affect occupied burrows during the September 1 through January 31 non-breeding season, the subject owls may be passively relocated from the occupied burrow(s) using one-way doors, according to CDFW guidelines, using the following measures:
    - vi. There shall be at least two unoccupied burrows suitable for burrowing owl within 300 feet of the occupied burrow before one-way doors are installed in the occupied burrow.
    - vii. The unoccupied burrows shall also be located at least 160 feet from construction activities and can be natural burrows or artificial burrows constructed according to current design specifications.
    - viii. If artificial burrows are created, these burrows shall be in place at least 1 week before one-way doors are installed on the currently occupied burrows.
    - ix. One-way doors must be in place for a minimum of 48 hours to ensure that owls have left the burrow before the burrow is excavated.
    - x. Mitigation for the loss of occupied habitat shall be based upon the recommendations of the qualified biologist in consultation with CDFW.
36. **Biological Resources (MM Bio – 3, Western Pond Turtle)** – Prior to issuance of grading/improvement plan permit and no more than 30 days prior to construction, a qualified biologist shall conduct surveys for western pond turtles within the creeks or

ponds. If nests or active basking sites are found, then the biologist shall implement a plan to relocate or protect the species, in consultation with California Department of Fish and Wildlife (CDFW). The biologist shall also conduct on-site training to the construction foreman and construction workers to educate them on identifying this species of turtle and location of potential basking, nesting and/or estivation sites that may be present during construction.

**37. Biological Resources (MM Bio – 4, Swainson Hawk & Preconstruction Foraging Habitat)**

- A. Prior to recordation of the Second Phase Final Map, the Subdivider shall compensate for the loss of 4.8 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).
- B. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson's hawk foraging habitat and as approved by the CDFW in Solano County. The purchase of Swainson's Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable. Submit evidence in the form of a Bill of Sale from the mitigation bank or Conservation Easement, for Swainson Hawk mitigation to the Planning Services Division, prior to Final Map recordation of each phase.

**38. Biological Resources (MM Bio – 5, Avoidance of avian nests and protected avian species):**

- A. If construction activities are scheduled to occur during the breeding season (February 1-August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 30 days prior to construction.
- B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of Resource Management, in consultation with a qualified biologist, United States Fish and Wildlife Service (USFWS) and CDFW as appropriate.

**39. Biological Resources (MM Bio – 6, Special Status Plants) -** Prior to issuance of grading/improvement plan permit, survey the site for special status plant species. The survey area should include staging areas, roadways (internal access and driveways), ponds and drainage corridors. A qualified biologist shall time the survey appropriately and submit a report to the Department of Resource Management. Special status plants shall be avoided and if removed or harmed, the qualified biologist shall recommend on-site mitigation measures.

40. **Biological Resources (MM Bio- 7, Aquatic Resource/Potential waters of the USA)**

- A. Prior to the issuance of any grading/improvement plan permit, obtain and comply with all necessary Clean Water Act 404 (United States Army Corp of Engineers), 401 (California Regional Water Quality Control Board) and California Fish and Game Section 1600 permits in advance of project construction. Submit evidence of final verification from the Army Corp of Engineers of the preliminary jurisdictional delineation to the Department of Resource Management.
- B. Avoid any impacts or loss to an aquatic resource/potential waters of the United States (seasonal wetlands or seasonal swale) by either:
  - i. Relocate Gibson Canyon Court, detention ponds, driveways, primary and accessory structures or septic systems/leachfields on the subject property, to avoid any alteration of an aquatic resource, or
  - ii. Compensate by purchasing wetland mitigation credit created for the permanent impacts related to the construction of Gibson Canyon Court, detention ponds as shown on the tentative subdivision map. The actual acreage shall be determined in consultation with the Army Corp of Engineers. The Subdivider shall submit evidence in the form of a sales agreement or receipt, of the purchase, prior to issuance of a grading/improvement plan and recordation of the phased Final Map.
- C. Construction staging areas shall be located 100 feet from any jurisdictional waters of the USA.
- D. Identify all aquatic resource and the 100-foot setback from the aquatic resource on the grading & improvement plans.
- E. Prior to construction activity or ground disturbance, stake or flag the boundaries of the seasonal and non-seasonal wetlands, and tributaries, as areas to be avoided. Exclusion flagging and signs that can be read 20 feet away shall be placed 100 feet away, to indicate clearly where areas must be avoided by construction activities. This task shall be under the direct supervision of a qualified biologist with 6 years of field experience.
- F. Record a declaration on the phased Final Map that each individual lot owner shall be responsible for implementing mitigation measure Bio - 7 C, D, and E, prior to issuance of any grading/improvement plan or building permit for construction of the driveways leading to the primary or accessory residence, and/or any accessory structures.

41. **Biological Resources (MM Bio- 8, Riparian Corridor)** - In order to protect the riparian corridor and the tributaries, delineate on the phased Final Map a 100-foot wide setback, measured from the centerline of the tributaries or creek. Development including any structures, sewage disposal areas, swimming pool, residences, patio or driveways, shall be prohibited within the setback.

42. **Biological Resources (MM Bio-9, Wildlife Migration)** - In order to allow wildlife migration and improve passage, record on the phased Final Map that perimeter fencing between the lots and along the drainage corridor English Creek and Gibson Canyon Creek, shall not harm wildlife or preclude passage. Solid fencing, barb wire or other sharp

material are prohibited. Fencing shall be open and made of materials that do not harm wildlife.

**43. Biological Resources (MM Bio-10, Oaks/Riparian Vegetation)**

- A. In order to protect and preserve Oak Woodlands and Heritage trees, prior to issuance of a grading permit/improvement plans or recordation of each phased Final Map, Subdivider shall comply with the following:
  - i. Prior to improvement plan approval for Lot 9 and 10, hire a qualified and certified Arborist to prepare a tree inventory/resources report. Identify all Oak species 6"dbh or greater, on the grading/improvement plan to be retained or removed. Identify heritage trees on the plans. Consistent with General Plan policy RS. I-3, heritage trees are defined as (a) trees with a trunk diameter of 15 inches or more measured at 54 inches above natural grade, (b) any oak tree native to California with a diameter of 10 inches above natural grade, or (c) any tree or group of trees special significance in consultation with the Department of Resource Management. The Arborist shall recommend and monitor specific measures to protect Oak trees 6" dbh or greater or heritage trees from construction impacts. If Oak trees or heritage trees are not identified by the Arborist, then Mitigation Measure Bio-10 shall not apply.
  - ii. Any loss of oak trees 6 inches or greater dbh shall be compensated on site subject to a mitigation and replanting plan prepared by the certified Arborist. Compensation shall be with in-kind species at ratio of recommended by the Arborist in consultation with the Department of Resource Management. The replanting shall be on-site and a landscape plan with irrigation shall be submitted to the Planning Services Division for review and approval

**44. Cultural Resources (CR-1, Cultural Resources)**

- A. Prior to issuance of grading permit/improvement plan approval, a qualified archeologist shall provide training to the construction personnel and periodic construction monitoring to identify artifacts.
- B. Prior to improvement plan approval/grading permit Lot 5, for any ground disturbances within 50 feet of the western portion of P-47-000167, a qualified archeologist shall conduct archeological testing and evaluation to properly assess the resource for CRHR eligibility criteria.
- C. Prior to issuance of building permit for modifications to the residence (SAS-004) at 4142 Cantelow Road/APN 0105170150), a researcher meeting the federal Secretary of the Interior's Professional Qualifications Standards in history/architectural history shall conduct a California Register of Historic Resources evaluation of the structure.
- D. In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all

work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the Subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.

**45 Geology/Hazards (MM Geo-1):**

- A. In order to protect property and persons from future landslides, delineate areas of debris flow or earthflow landslide identified by the Geotechnical Report prepared by KC Engineering Company, dated February 16, 2018, on each phased Final Map. Placement of structures (primary or accessory structures including swimming pools) and driveways shall not be located in the downslope of the currently mapped shallow land sliding, as recommended by the Geotechnical Report.
- B. In order to protect property and persons from the susceptibility of soil erosion and landslide susceptibility, record on each phased Final Map that grading on slopes of 25% or greater at natural grade shall be prohibited. Grading of roadway or driveway grading shall follow the natural topography. Cut and fill will require erosion control measures subject to the approval of the Public Works Division, Department of Resource Management prior to issuance of a grading/improvement plan or building permit.
- C. Prior to issuance of building permits or grading permits for primary or accessory structures including swimming pool and driveways, parcel specific geotechnical recommendations shall be prepared by a Geotechnical Engineer licensed in California, and submitted to the Building Division for approval.

**46. Stormwater run-off (MM HYDRO-1):**

- A. A storm water maintenance program for detention basins and drainage facilities shall be included in a Road Improvement Maintenance Agreement recorded on each lot within the subdivision. Responsibility for maintenance of storm water facilities shall reside with the property owner on which the storm water facility is located. Said facilities shall be periodically inspected to the satisfaction of Public Works Engineering. The Subdivider shall demonstrate, to the satisfaction of Public Works Engineering, that contractual agreements have been reached with all affected parties to implement said inspection prior to the performance of any grading work associated with the subdivision.
- B. Prior to issuance of a grading/improvement plan, the Subdivider shall develop a storm water maintenance program to the satisfaction of Solano County Public Works Engineering that shall include, at a minimum, the following requirements:
  - i. Periodic cleaning of the drainages, culverts, detention basins and related facilities.
  - ii. Periodic maintenance of the embankments, spillways and piping.



- iii. Contingencies for anticipated and unexpected repair and/or replacement of the above as applicable.
  - iv. Annual inspections by an independent engineer of the detention basins, embankments and spillways to verify that the facilities are in sound condition. A copy of the annual inspection report shall be furnished to Public Works Engineering upon completion.
- C. Subdivider or property owner must obtain a grading permit from Solano County Public Works Engineering prior to performance of any grading work associated with the subdivision improvements or individual lot improvements,
- D. Prior to recordation of each phased Final Map, Subdivider shall complete all storm water detention and discharge improvements relating to the phased development, subject to the final approval of Public Works Engineering.
- E. All watercourses where flows will be increased at final build out must have controls installed to retain sediment or restrict flows to predevelopment levels.
- F. All detention ponds must be maintained with emergency overflows that are lined with non-erosive materials.

**47. Water Supply (MM WS-1):**

- A. Prior to recordation of the Final Map for Phase 2, submit updated water quantity test results to the Environmental Health Division which demonstrates that ample water for domestic purposes is available for Lot 3, pursuant to Section 26-80 of the County Code. A minimum yield of 3 gallons per minute shall be deemed acceptable for domestic use provided that a note is included on the Final Map or parcel map that at least 500 gallons of water storage capacity will be required at the time of lot development. A yield of five gallons per minute shall be deemed acceptable for residential development with no additional storage requirements for drinking water supplies; however, additional storage may be required to meet the current fire code. If the water test fails, installation of public water service and connection is required for Lot 3. The recorded map shall indicate whether Lot 3 may be served by public water or well water service.
- B. Prior to the recordation of each phased Final Map, complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation is complete to the satisfaction of the Rural North Vacaville Water District.

**48. Noise (MM - Noise – 1) -** Construction shall only occur during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays.

**49. Public Services (MM PS-1) -** Prior to each phased Final Map recordation, install the fire hydrants and necessary infrastructure required by the Vacaville Fire Protection District. Submit evidence to the Department of Resource Management that installation of the infrastructure is completed to the satisfaction of the Vacaville Fire Protection District.

# **LANDS OF MORGAN SUBDIVISION APPLICATION NO. GP-18-01, Z-18-01 & S-18-02 MITIGATION MONITORING AND REPORTING PROGRAM**

When an agency makes a finding that potentially significant impacts have been mitigated to less than significant levels, the agency must also adopt a program for reporting on or monitoring the efficacy of the mitigation measures that were adopted (Public Resources Code 21081.6). This document consists of a proposed Mitigation Monitoring and Reporting Program for the Lands of Morgan Subdivision. The monitoring and reporting measures included in this program are the responsibility of the Project Sponsor, Bill Morgan or any subsequent subdivider.

The Mitigation Monitoring and Reporting Program includes the confirmation of, or review and approval of, the implementation of specific mitigation actions in the form of reports and plans. The mitigation measures included in this monitoring program will be completed at various stages of the Project, including future document submittals for Building and Grading Permit approvals, actions or approvals linked to other Responsible Agencies if applicable, as well as during project construction and implementation. Solano County will provide documentation that the Mitigation Monitoring and Reporting Program has been fully adhered to and completed. This Mitigation Monitoring and Reporting Program applies to all activities evaluated by the Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 and S-18-02 Initial Study.

Solano County remains responsible for ensuring that the implementation of these mitigation measures occurs to the extent noted in this Mitigation Monitoring and Reporting Program and, where it is noted, Solano County will be responsible for reviewing and monitoring the required mitigation measures to ensure compliance (CEQA Guidelines 15097).

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<b>Air Quality</b>				
<b>MM AQ-1:</b> Prior to issuance of a grading/improvement plan permit, the Subdivider shall require its construction contractor to prepare and implement a Dust Control and Construction Exhaust Mitigation Plan subject to the satisfaction of the Public Works Division and Yolo Solano Air Quality Management District.	Applicant/Subdivider	DRM	Prior to issuance of grading permit	Less than significant
<b>Biological Resources</b>				
<b>MM Bio-1, American Badger:</b> Prior to issuance of a grading/improvement plan permit, the Subdivider, shall hire a qualified biologist to survey the areas for development for the presence of the American Badger and develop a monitoring plan to keep the badgers out of the area during construction activities involving roads, driveways, residences or accessory structures including swimming pools. The survey shall be conducted no more than 30 days prior to construction. The biologist report and monitoring plan shall be submitted to the Department of Resource Management prior to issuance of a grading permit or building permit.	Applicant/Subdivider	DRM	Prior to issuance of grading permit	Less than significant
<b>MM Bio – 2, Burrowing Owls:</b> Prior to issuance of grading/improvement plan permit, pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to the California Department of Fish and Wildlife (CDFW) (1995) guidelines, shall be implemented by the Subdivider or individual lot owners, prior to construction. Pre-construction burrowing owl surveys	Applicant/Subdivider	DRM	Prior to issuance of grading /improvement plan permit	Less than significant

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>shall be conducted in all areas that may provide suitable nesting habitat according to CDFW (1995) guidelines.</p> <ul style="list-style-type: none"> <li>i. No more than 30 days before construction, a habitat survey including documentation of burrows and burrowing owls shall be conducted by a qualified wildlife biologist within 500 feet of the construction area in areas suitable for burrowing owls.</li> <li>ii. The survey shall conform to the protocol described by the California Burrowing Owl Consortium, which includes up to four surveys on different dates if there are suitable burrows present. The CDFW shall be consulted by the Subdivider prior to survey initiation to ensure the most current pre-construction survey methodologies are utilized.</li> <li>iii. The CDFW defines impacts as disturbance within approximately 160 feet of occupied burrows during the non-breeding season of September 1 through January 31, or within approximately 250 feet during the breeding season of February 1 through August 31. Even when these buffer distances are maintained, the alteration of breeding and behavioral patterns of burrowing owls during construction activities shall be considered adverse disturbance to the owls, as determined by the</li> </ul>				

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>Subdivider.</p> <p>iv. The Subdivider shall avoid disturbing active burrowing owl nests and occupied nesting burrows and shall implement standard CDFW mitigation guidelines.</p> <p>v. If, as determined by the qualified wildlife biologist, construction activities will not adversely affect occupied burrows or disrupt breeding behavior, construction may proceed without any restriction or mitigation measures for burrowing owls.</p> <p>vi. If, as determined by the qualified wildlife biologist, in consultation with CDFW, construction could adversely affect occupied burrows during the September 1 through January 31 non-breeding season, the subject owls may be passively relocated from the occupied burrow(s) using one-way doors, according to CDFW guidelines, using the following measures:</p> <p>vi. There shall be at least two unoccupied burrows suitable for burrowing owl within 300 feet of the occupied burrow before one-way doors are installed in the occupied burrow.</p> <p>vii. The unoccupied burrows shall also be located at least 160 feet from construction activities and</p>				

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>can be natural burrows or artificial burrows constructed according to current design specifications.</p> <p>viii. If artificial burrows are created, these burrows shall be in place at least 1 week before one-way doors are installed on the currently occupied burrows.</p> <p>ix. One-way doors must be in place for a minimum of 48 hours to ensure that owls have left the burrow before the burrow is excavated.</p> <p>x. Mitigation for the loss of occupied habitat shall be based upon the recommendations of the qualified biologist in consultation with CDFW.</p>				
<b>MM Bio – 3, Western Pond Turtle:</b> Prior to issuance of grading/improvement plan permit and no more than 30 days prior to construction, a qualified biologist shall conduct surveys for western pond turtles within the creeks or ponds. If nests or active basking sites are found, then the biologist shall implement a plan to relocate or protect the species, in consultation with California Department of Fish and Wildlife (CDFW). The biologist shall also conduct on-site training to the construction foreman and construction workers to educate them on identifying this species of turtle and location of potential basking, nesting and/or estivation	Applicant/Subdivider	DRM	Prior to issuance of grading/improvement plan permit	Less than significant

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
sites that may be present during construction.				
<b>MM Bio – 4, Swainson Hawk &amp; Preconstruction Foraging Habitat</b>  A. Prior to recordation of the Second phase Final Map, the Subdivider shall compensate for the loss of 4.8 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).  B. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson's hawk foraging habitat and as approved by the CDFW in Solano County. The purchase of Swainson's Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable.	Applicant/Subdivider	DRM	Prior to recordation of Second Phase Final Map	Less than significant
<b>MM Bio – 5, Avoidance of avian nests and protected avian species:</b>  A. If construction activities are scheduled to occur during the breeding season (February 1-August 31), a qualified wildlife biologist shall	Applicant/Subdivider	DRM	Prior to construction	Less than significant

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 30 days prior to construction.</p> <p>B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of Resource Management, in consultation with a qualified biologist, United States Fish and Wildlife Service (USFWS) and CDFW as appropriate.</p>				
<b>MM Bio – 6, Special Status Plants:</b> Prior to issuance of grading/improvement plan permit, survey the site for special status plant species. The survey area should include staging areas, roadways (internal access and driveways), ponds and drainage corridors. A qualified biologist shall time the survey appropriately and submit a report to the Department of Resource Management.	Applicant/Subdivider	DRM	Prior to issuance of grading /improvement plan approval	Less than significant



Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
Special status plants shall be avoided and if removed or harmed, the qualified biologist shall recommend on-site mitigation measures.				
<b>MM Bio- 7, Aquatic Resource/Potential waters of the USA</b>  A. Prior to the issuance of any grading/improvement plan permit, obtain and comply with all necessary Clean Water Act 404 (United States Army Corp of Engineers), 401 (California Regional Water Quality Control Board) and California Fish and Game Section 1600 permits in advance of project construction. Submit evidence of final verification from the Army Corp of Engineers of the preliminary jurisdictional delineation to the Department of Resource Management.  B. Avoid any impacts or loss to an aquatic resource/potential waters of the United States (seasonal wetlands or seasonal swale) by either: <ul style="list-style-type: none"> <li>i. Relocate Gibson Canyon Court, detention ponds, driveways, primary and accessory structures or septic systems/leachfields on the subject property, to avoid any alteration of an aquatic resource, or</li> <li>ii. Compensate by purchasing wetland mitigation credit created for the permanent</li> </ul>	Applicant/Subdivider	DRM	Prior to issuance of grading/improvement plan approval	Less than significant

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>impacts related to the construction of Gibson Canyon Court, detention ponds as shown on the tentative subdivision map. The actual acreage shall be determined in consultation with the Army Corp of Engineers. The Subdivider shall submit evidence in the form of a sales agreement or receipt, of the purchase, prior to issuance of a grading/improvement plan and recordation of the phased Final Map.</p> <p>C. Construction staging areas shall be located 100 feet from any jurisdictional waters of the USA.</p> <p>D. Identify all aquatic resource and the 100-foot setback from the aquatic resource on the grading &amp; improvement plans.</p> <p>E. Prior to construction activity or ground disturbance, stake or flag the boundaries of the seasonal and non-seasonal wetlands, and tributaries, as areas to be avoided. Exclusion flagging and signs that can be read 20 feet away shall be placed 100 feet away, to indicate clearly where areas must be avoided by construction activities. This task shall be under the direct supervision of a qualified biologist with 6 years of field experience.</p> <p>F. Record a declaration on the phased Final Map that each individual lot owner shall be responsible for implementing mitigation measure Bio - 7 C, D, and</p>				

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
E, prior to issuance of any grading/improvement plan or building permit for construction of the driveways leading to the primary or accessory residence, and/or any accessory structures.				
<b>MM Bio- 8, Riparian Corridor:</b> In order to protect the riparian corridor and the tributaries, delineate on the phased Final Map a 100-foot wide setback, measured from the centerline of the tributaries or creek. Development including any structures, sewage disposal areas, swimming pool, residences, patio or driveways, shall be prohibited within the setback.				
33. In order to allow wildlife migration and improve passage, record on the phased Final Map that perimeter fencing between the lots and along the drainage corridor English Creek and Gibson Canyon Creek, shall not harm wildlife or preclude passage. Solid fencing, barb wire or other sharp material are prohibited. Fencing shall be open and made of materials that do not harm wildlife.	Applicant/Subdivider	DRM	Prior to Final Map Recordation	Less than significant
<b>MM Bio-10, Oaks/Riparian Vegetation:</b> A. In order to protect and preserve Oak	Applicant/Subdivider	DRM	Prior to issuance of grading/improvement plan approval	Less than significant

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>Woodlands and Heritage trees, prior to issuance of a grading permit/improvement plans or recordation of each phased Final Map, Subdivider shall comply with the following:</p> <p>i. Prior to improvement plan approval for Lot 9 and 10, hire a qualified and certified Arborist to prepare a tree inventory/resources report. Identify all Oak species 6"dbh or greater, on the grading/improvement plan to be retained or removed. Identify heritage trees on the plans. Consistent with General Plan policy RS. I-3, heritage trees are defined as (a) trees with a trunk diameter of 15 inches or more measured at 54 inches above natural grade, (b) any oak tree native to California with a diameter of 10 inches above natural grade, or (c) any tree or group of trees special significance in consultation with the Department of Resource Management. The Arborist shall recommend and monitor specific measures to protect Oak trees 6" dbh or greater or heritage trees from construction impacts. If Oak trees or heritage trees are not identified by the Arborist, then Mitigation Measure Bio-10 shall not apply.</p> <p>ii. Any loss of oak trees 6 inches or greater dbh shall be compensated on site subject to a mitigation and replanting plan prepared by the certified Arborist. Compensation shall be with in-kind species at ratio of recommended by</p>				

Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 & S-18-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
the Arborist in consultation with the Department of Resource Management. The replanting shall be on-site and a landscape plan with irrigation shall be submitted to the Planning Services Division for review and approval				

Cultural Resources					
A.	Prior to issuance of grading permit/improvement plan approval, a qualified archeologist shall provide training to the construction personnel and periodic construction monitoring to identify artifacts.	Applicant/Subdivider	DRM	Prior to grading/improvement plan approval	Less than significant
B.	Prior to improvement plan approval/grading permit Lot 5, for any ground disturbances within 50 feet of the western portion of P-47-000167, a qualified archeologist shall conduct archeological testing and evaluation to properly assess the resource for CRHR eligibility criteria.				
C.	Prior to issuance of building permit for modifications to the residence (SAS-004) at 4142 Cantelow Road/APN 0105170150), a researcher meeting the federal Secretary of the Interior's Professional Qualifications Standards in history/architectural history shall conduct a California Register of Historic Resources evaluation of the structure.				
D.	In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and				

<p>Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the Subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.</p>				
<b>Geology/Hazards</b>				
<p><b>MM Geo-1:</b></p> <p>A. In order to protect property and persons from future landslides, delineate areas of debris flow or earthflow landslide identified by the Geotechnical Report prepared by KC Engineering Company, dated February 16, 2018, on each phased Final Map. Placement of structures (primary or accessory structures including swimming pools) and driveways shall not be located in the downslope of the currently mapped shallow land sliding, as recommended by the Geotechnical Report.</p> <p>B. In order to protect property and persons from the susceptibility of soil erosion and landslide susceptibility, record on each phased Final Map that grading on slopes of 25% or greater</p>	Applicant/Subdivider	DRM	Prior to Final Map recordation	Less than significant

<p>at natural grade shall be prohibited. Grading of roadway or driveway grading shall follow the natural topography. Cut and fill will require erosion control measures subject to the approval of the Public Works Division, Department of Resource Management prior to issuance of a grading/improvement plan or building permit.</p> <p>C. Prior to issuance of building permits or grading permits for primary or accessory structures including swimming pool and driveways, parcel specific geotechnical recommendations shall be prepared by a Geotechnical Engineer licensed in California, and submitted to the Building Division for approval.</p>				
<p><b>MM HYDRO-1:</b></p> <p>A. A storm water maintenance program for detention basins and drainage facilities shall be included in a Road Improvement Maintenance Agreement recorded on each lot within the subdivision. Responsibility for maintenance of storm water facilities shall reside with the property owner on which the storm water facility is located. Said facilities shall be periodically inspected to the satisfaction of Public Works Engineering. The Subdivider shall demonstrate, to the satisfaction of Public Works Engineering, that contractual agreements have been reached with all affected parties to implement said inspection prior to the performance of any grading work</p>	Applicant/Subdivider	DRM	Prior to grading/improvement plan approval	Less than significant



<p>associated with the subdivision.</p> <p>B. Prior to issuance of a grading/improvement plan, the Subdivider shall develop a storm water maintenance program to the satisfaction of Solano County Public Works Engineering that shall include, at a minimum, the following requirements:</p> <ul style="list-style-type: none"> <li>i. Periodic cleaning of the drainages, culverts, detention basins and related facilities.</li> <li>ii. Periodic maintenance of the embankments, spillways and piping.</li> <li>iii. Contingencies for anticipated and unexpected repair and/or replacement of the above as applicable.</li> <li>iv. Annual inspections by an independent engineer of the detention basins, embankments and spillways to verify that the facilities are in sound condition. A copy of the annual inspection report shall be furnished to Public Works Engineering upon completion.</li> </ul> <p>C. Subdivider or property owner must obtain a grading permit from Solano County Public Works Engineering prior to performance of any grading work associated with the subdivision improvements or individual lot improvements,</p> <p>D. Prior to recordation of each phased Final Map, Subdivider shall complete all storm water detention and discharge improvements relating</p>				
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<p>to the phased development, subject to the final approval of Public Works Engineering.</p> <p>E. All watercourses where flows will be increased at final build out must have controls installed to retain sediment or restrict flows to predevelopment levels.</p> <p>F. All detention ponds must be maintained with emergency overflows that are lined with non-erosive materials.</p>				
<b>Water Supply</b>				
<p><b>MM WS-1:</b></p> <p>A. Prior to recordation of the Final Map for Phase 2, submit updated water quantity test results to the Environmental Health Division which demonstrates that ample water for domestic purposes is available for Lot 3, pursuant to Section 26-80 of the County Code. A minimum yield of 3 gallons per minute shall be deemed acceptable for domestic use provided that a note is included on the Final Map or parcel map that at least 500 gallons of water storage capacity will be required at the time of lot development. A yield of five gallons per minute shall be deemed acceptable for residential development with no additional storage requirements for drinking water supplies; however, additional storage may be required to meet the current fire code. If the water test fails, installation of public water service and connection is required for Lot 3. The recorded map shall indicate whether Lot 3 may be served by public water or well water service.</p> <p>B. Prior to the recordation of each phased Final Map,</p>	Applicant/Subdivider	DRM	Prior to Final Map Recordation	Less than significant

complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation is complete to the satisfaction of the Rural North Vacaville Water District.				
<b>Noise</b>				
<b>MM - Noise – 1:</b> Construction shall only occur during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays	Applicant/Subdivider	DRM	On-going during construction	Less than significant
<b>Public Services</b>				
<b>MM PS-1</b> - Prior to each phased Final Map recordation, install the fire hydrants and necessary infrastructure required by the Vacaville Fire Protection District. Submit evidence to the Department of Resource Management that installation of the infrastructure is completed to the satisfaction of the Vacaville Fire Protection District.	Applicant/Subdivider	DRM	Prior to Final Map Recordation	Less than significant



**MITIGATED NEGATIVE DECLARATION  
OF THE  
SOLANO COUNTY DEPARTMENT OF RESOURCE MANAGEMENT**

**PROJECT TITLE:** LANDS OF MORGAN GENERAL PLAN AMENDMENT, REZONE & TENTATIVE SUBDIVISION MAP (GP-18-01, Z-18-01, S-18-02)

**PROJECT DESCRIPTION AND LOCATION:** The property is located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated portion of Vacaville.

The project proposes to amend the General Plan land use designations to Agriculture and Rural Residential, rezone portions of the property to Rural Residential 2.5 acre minimum (RR-2.5), Rural Residential 5 acre minimum (RR-5) and Rural Residential 10 acre minimum (RR-10) and; subdivide into 19 lots. Public water connections, 1 well water, private streets and individual sewage disposal are proposed. The development is proposed in three phases.

**FINDINGS:**

The Solano County Department of Resource Management has evaluated the Initial Study which was prepared in regard to the project. The County found no potentially significant adverse environmental impacts likely to occur. The County determined that the project qualifies for a Mitigated Negative Declaration. The Initial Study of Environmental Impact, including the project description, findings and disposition, are attached.

**MITIGATION MEASURES INCORPORATED INTO PROJECT DESCRIPTION:**

**AIR QUALITY**

**Mitigation Measure AQ-1:**

- A. Prior to issuance of a grading/improvement plan permit and phased Final Map recordation, the subdivider shall require its construction contractor to prepare and implement a Dust Control and Construction Exhaust Mitigation Plan subject to the satisfaction of the Public Works Division and Yolo Solano Air Quality Management District.

**BIOLOGICAL RESOURCES**

**Mitigation Measure Bio- 1 (American Badger)**

- A. Prior to issuance of a grading/improvement plan or recordation of a phased Final Map, the subdivider, shall hire a qualified biologist to survey the areas for development for the presence of the American Badger and develop a monitoring plan to keep the badgers out of the area during construction activities involving roads, driveways, residences or accessory structures including swimming pools. The survey shall be conducted no more than 30 days prior to construction. The biologist report and monitoring plan shall be submitted to the Department of Resource Management prior to issuance of a grading permit or building permit.

## **Mitigation Measure Bio – 2 (Burrowing Owls)**

- A. Prior to issuance of grading/improvement plan and recordation of a phased Final Map, pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to the California Department of Fish and Wildlife (CDFW) (1995) guidelines, shall be implemented by the subdivider or individual lot owners, prior to construction. Pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to CDFW (1995) guidelines.
- i. No more than 30 days before construction, a habitat survey including documentation of burrows and burrowing owls shall be conducted by a qualified wildlife biologist within 500 feet of the construction area in areas suitable for burrowing owls.
  - ii. The survey shall conform to the protocol described by the California Burrowing Owl Consortium, which includes up to four surveys on different dates if there are suitable burrows present. The CDFW shall be consulted by the subdivider prior to survey initiation to ensure the most current pre-construction survey methodologies are utilized.
  - iii. The CDFW defines impacts as disturbance within approximately 160 feet of occupied burrows during the non-breeding season of September 1 through January 31, or within approximately 250 feet during the breeding season of February 1 through August 31. Even when these buffer distances are maintained, the alteration of breeding and behavioral patterns of burrowing owls during construction activities shall be considered adverse disturbance to the owls, as determined by the subdivider.
- B. The subdivider shall avoid disturbing active burrowing owl nests and occupied nesting burrows and shall implement standard CDFW mitigation guidelines.
- C. If, as determined by the qualified wildlife biologist, construction activities will not adversely affect occupied burrows or disrupt breeding behavior, construction may proceed without any restriction or mitigation measures for burrowing owls.
- D. If, as determined by the qualified wildlife biologist, in consultation with CDFW, construction could adversely affect occupied burrows during the September 1 through January 31 non-breeding season, the subject owls may be passively relocated from the occupied burrow(s) using one-way doors, according to CDFW guidelines, using the following measures:
- i. There shall be at least two unoccupied burrows suitable for burrowing owl within 300 feet of the occupied burrow before one-way doors are installed in the occupied burrow.
  - ii. The unoccupied burrows shall also be located at least 160 feet from construction activities and can be natural burrows or artificial burrows constructed according to current design specifications.
  - iii. If artificial burrows are created, these burrows shall be in place at least 1 week before one-way doors are installed on the currently occupied burrows.
  - iv. One-way doors must be in place for a minimum of 48 hours to ensure that owls have

left the burrow before the burrow is excavated.

- v. Mitigation for the loss of occupied habitat shall be based upon the recommendations of the qualified biologist in consultation with CDFW.

**Mitigation Measure Bio - 3 (Western Pond Turtle)**

- A. No more than 30 days prior to construction, a qualified biologist shall conduct surveys for western pond turtles within the creeks or ponds. If nests or active basking sites are found, then the biologist shall implement a plan to relocate or protect the species, in consultation with CDFW. The biologist shall also conduct on-site training to the construction foreman and construction workers to educate them on identifying this species of turtle and location of potential basking, nesting and/or estivation sites that may be present during construction.

**Mitigation measure Bio - 4 (Swainson Hawk & Preconstruction Foraging Habitat)**

- A. Prior to recordation of the phased Final Map, the subdivider shall compensate for the loss of 4.8 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).
- B. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson's hawk foraging habitat and as approved by the CDFW in Solano County. The purchase of Swainson's Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable.

**Mitigation measure Bio - 5 (Avoidance of avian nests and protected avian species):**

- A. If construction activities are scheduled to occur during the breeding season (February 1-August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 30 days prior to construction.
- B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of Resource Management, in consultation with a qualified biologist, United States Fish and Wildlife Service (USFWS) and CDFW as appropriate.



### **Mitigation Measure Bio – 6 (Special Status Plants)**

- A. Prior to issuance of grading/improvement plan or recordation of a phased Final Map, survey the site for special status plant species. The survey area should include staging areas, roadways (internal access and driveways), ponds and drainage corridors. A qualified biologist shall time the survey appropriately and submit a report to the Department of Resource Management. Special status plants shall be avoided and if removed or harmed, the qualified biologist shall recommend on-site mitigation measures.

### **Mitigation measure Bio- 7: (Aquatic Resource/Potential waters of the USA)**

- A. Prior to the issuance of any grading/improvement plan permit or recordation of a phased Final Map, obtain and comply with all necessary Clean Water Act 404 (United States Army Corp of Engineers), 401 (California Regional Water Quality Control Board) and California Fish and Game Section 1600 permits in advance of project construction. Submit evidence of final verification from the Army Corp of Engineers of the preliminary jurisdictional delineation to the Department of Resource Management.
- B. Avoid any impacts or loss to an aquatic resource/potential waters of the United States (seasonal wetlands or seasonal swale) by either:
  - i. Relocate Gibson Canyon Court, detention ponds, driveways, primary and accessory structures or septic systems/leachfields on the subject property, to avoid any alteration of an aquatic resource, or
  - ii. Compensate by purchasing wetland mitigation credit created for the permanent impacts related to the construction of Gibson Canyon Court, detention ponds as shown on the tentative subdivision map. The actual acreage shall be determined in consultation with the Army Corp of Engineers. The subdivider shall submit evidence in the form of a sales agreement or receipt, of the purchase, prior to issuance of a grading/improvement plan and recordation of the phased Final Map.
- C. Construction staging areas shall be located 100 feet from any jurisdictional waters of the USA.
- D. Identify all aquatic resource and the 100-foot setback from the aquatic resource on the grading & improvement plans.
- E. Prior to construction activity or ground disturbance, stake or flag the boundaries of the seasonal and non-seasonal wetlands, and tributaries, as areas to be avoided. Exclusion flagging and signs that can be read 20 feet away shall be placed 100 feet away, to indicate clearly where areas must be avoided by construction activities. This task shall be under the direct supervision of a qualified biologist with 6 years of field experience.
- F. Record a declaration on the phased Final Map that each individual lot owner shall be responsible for implementing mitigation measure Bio- 7 C, D, and E, prior to issuance of any grading/improvement plan or building permit for construction of the driveways leading to the primary or accessory residence, and/or any accessory structures.



**Mitigation measure Bio- 8 (Riparian Corridor):**

- A. In order to protect the riparian corridor and the tributaries, delineate on the phased Final Map a 100-foot wide setback, measured from the centerline of the tributaries or creek. Development including any structures, sewage disposal areas, swimming pool, residences, patio or driveways, shall be prohibited within the setback.

**Mitigation Measure Bio-9 (Wildlife Migration):**

- A. In order to allow wildlife migration and improve passage, record on the phased Final Map that perimeter fencing between the lots and along the drainage corridor English Creek and Gibson Canyon Creek, shall not harm wildlife or preclude passage. Solid fencing, barb wire or other sharp material are prohibited. Fencing shall be open and made of materials that do not harm wildlife.

**Mitigation Measure Bio-10 (Oaks/Riparian Vegetation)**

- A. In order to protect and preserve Oak Woodlands and Heritage trees, prior to issuance of a grading permit/improvement plans or recordation of the phased Final Map, subdivider shall comply with the following:
  - i. Prior to improvement plan approval for Lot 9 and 10 and recordation of Phase 3, hire a qualified and certified Arborist to prepare a tree inventory/resources report. Identify all Oak species 6" dbh or greater, on the grading/improvement plan to be retained or removed. Identify heritage trees on the plans. Consistent with General Plan policy RS. I-3, heritage trees are defined as (a) trees with a trunk diameter of 15 inches or more measured at 54 inches above natural grade, (b) any oak tree native to California with a diameter of 10 inches above natural grade, or (c) any tree or group of trees special significance in consultation with the Department of Resource Management. The Arborist shall recommend and monitor specific measures to protect Oak trees 6" dbh or greater or heritage trees from construction impacts. If Oak trees or heritage trees are not identified by the Arborist, then Mitigation Measure Bio-10 shall not apply.
  - ii. Any loss of oak trees 6 inches or greater dbh shall be compensated on site subject to a mitigation and replanting plan prepared by the certified Arborist. Compensation shall be with in-kind species at ratio of recommended by the Arborist in consultation with the Department of Resource Management. The replanting shall be on-site and a landscape plan with irrigation shall be submitted to the Planning Services Division for review and approval.

## **CULTURAL RESOURCES**

### **Mitigation Measure CR-1 (Cultural Resources)**

- A. Prior to issuance of grading permit/improvement plan approval or phased Final Map recordation, a qualified archeologist shall provide training to the construction personnel and periodic construction monitoring to identify artifacts.
- B. Prior to improvement plan approval/grading permit or phased Final Map recordation for Lot 5, for any ground disturbances within 50 feet of the western portion of P-47-000167, a qualified archeologist shall conduct archeological testing and evaluation to properly assess the resource for CRHR eligibility criteria.
- C. Prior to issuance of building permit for modifications to the residence (SAS-004) at 4142 Cantelow Road/APN 0105170150), a researcher meeting the federal Secretary of the Interior's Professional Qualifications Standards in history/architectural history shall conduct a California Register of Historic Resources evaluation of the structure.
- D. In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.

## **GEOLOGY/HAZARDS**

### **Mitigation Measure Geo-1:**

- A. In order to protect property and persons from future landslides, delineate areas of debris flow or earthflow landslide identified by the Geotechnical Report prepared by KC Engineering Company, dated February 16, 2018, on the phased Final Map. Placement of structures (primary or accessory structures including swimming pools) and driveways shall not be located in the downslope of the currently mapped shallow land sliding, as recommended by the Geotechnical Report.
- B. In order to protect property and persons from the susceptibility of soil erosion and landslide susceptibility, record on the phased Final Map that grading on slopes of 25% or greater at natural grade shall be prohibited. Grading of roadway or driveway grading shall follow the natural topography. Cut and fill will require erosion control measures subject to the approval of the Public Works Division, Department of Resource Management prior to issuance of a

grading/improvement plan permit.

- C. Prior to issuance of building permits or grading permits for primary or accessory structures including swimming pool and driveways, parcel specific geotechnical recommendations shall be prepared by a Geotechnical Engineer licensed in California, and submitted to the Building Division for approval.

## **STORMWATER RUN-OFF**

### **Mitigation Measure HYDRO-1:**

- A. A storm water maintenance program for detention basins and drainage facilities shall be included in a Road Improvement Maintenance Agreement recorded on each lot within the subdivision. Responsibility for maintenance of storm water facilities shall reside with the property owner on which the storm water facility is located. Said facilities shall be periodically inspected to the satisfaction of Public Works Engineering. The subdivider shall demonstrate, to the satisfaction of Public Works Engineering, that contractual agreements have been reached with all affected parties to implement said inspection prior to the performance of any grading work associated with the subdivision.
- B. Prior to issuance of a grading/improvement plan permit and recordation of a phased Final Map, the subdivider shall develop a storm water maintenance program to the satisfaction of Solano County Public Works Engineering that shall include, at a minimum, the following requirements:
  - i. Periodic cleaning of the drainages, culverts, detention basins and related facilities.
  - ii. Periodic maintenance of the embankments, spillways and piping.
  - iii. Contingencies for anticipated and unexpected repair and/or replacement of the above as applicable.
  - iv. Annual inspections by an independent engineer of the detention basins, embankments and spillways to verify that the facilities are in sound condition. A copy of the annual inspection report shall be furnished to Public Works Engineering upon completion.
- C. Subdivider or property owner must obtain a grading permit from Solano County Public Works Engineering prior to performance of any grading work associated with the subdivision improvements or individual lot improvements,
- D. Prior to recordation of the phased Final Map, subdivider shall complete all storm water detention and discharge improvements relating to the phased development, subject to the final approval of Public Works Engineering.
- E. All watercourses where flows will be increased at final build out must have controls installed to retain sediment or restrict flows to predevelopment levels.
- F. All detention ponds must be maintained with emergency overflows that are lined with non-

erosive materials.

## **WATER SUPPLY**

### **Mitigation measure Water Supply-1:**

- A. Prior to recordation of the Final Map for Phase 2, submit updated water quantity test results to the Environmental Health Division which demonstrates that ample water for domestic purposes is available for Lot 3, pursuant to Section 26-80 of the County Code. A minimum yield of 3 gallons per minute shall be deemed acceptable for domestic use provided that a note is included on the Final Map or parcel map that at least 500 gallons of water storage capacity will be required at the time of lot development. A yield of five gallons per minute shall be deemed acceptable for residential development with no additional storage requirements for drinking water supplies; however, additional storage may be required to meet the current fire code. If the water test fails, installation of public water service and connection is required for Lot 3. The recorded map shall indicate whether Lot 3 may be served by public water or well water service.
- B. Prior to the recordation of the phased Final Map, complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation is complete to the satisfaction of the Rural North Vacaville Water District.

## **NOISE**

### **Mitigation measure Noise – 1:**

- a. Construction shall only occur during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays.

## **PUBLIC SERVICES**

### **Mitigation Measure PS-1:**

- A. Prior to phased Final Map recordation, install the fire hydrants and necessary infrastructure on the engineering improvement plans required by the Vacaville Fire Protection District. Submit evidence to the Department of Resource Management that installation of the infrastructure is completed to the satisfaction of the Vacaville Fire Protection District, prior to the phased Final Map recordation.

**PREPARATION:**

This Mitigated Negative Declaration was prepared by the Solano County Department of Resource Management. Copies may be obtained at the address listed below or at [www.solanocounty.com](http://www.solanocounty.com) under Departments, Resource Management, Documents, Departmental Reports.

A handwritten signature in blue ink, appearing to read "Terry Schmidtbauer", is written over a horizontal line.

Terry Schmidtbauer, Assistant Director  
Solano County Dept. of Resource Management  
675 Texas Street, Suite 5500, Fairfield, CA 94533  
(707) 784-6765



**Lands of Morgan**  
**Application No.: G-18-01, Z-18-01 & S-18-02**

**Public Draft Initial Study and  
Mitigated Negative Declaration**



**December 2019**

**Prepared By  
Department of Resource Management  
County of Solano**

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## DEPARTMENT OF RESOURCE MANAGEMENT PART II OF INITIAL STUDY OF ENVIRONMENTAL IMPACTS

### Introduction

The following analysis is provided by the Solano County Department of Resource Management as a review of and supplement to the applicant's completed "Part I of Initial Study". These two documents, Part I and II, comprise the Initial Study prepared in accordance with the State CEQA Guidelines, Section 15063.

<b>Project Title:</b>	LANDS OF MORGAN
<b>Application Number:</b>	GP 18-01, Z-18-01 and S-18-02
<b>Project Location:</b>	Southwest corner of Gibson Canyon and Cantelow Road
<b>Assessor Parcel No.(s):</b>	105-110-070, 100, 440, 450; 105-160-130; 105-170-150,010
<b>Project Sponsor's Name and Address:</b>	Bill Morgan 7545 Pleasant Valley Road, Vacaville, CA 95688

### General Information

This document discusses the proposed project, the environmental setting for the proposed project, and the impacts on the environment from the proposed project and any measures incorporated which will minimize, avoid and/or provide mitigation measures for the impacts of the proposed project on the environment.

- ☐ Please review this Initial Study. You may order additional copies of this document from the Planning Services Division, Resource Management Department, County of Solano County at 675 Texas Street, Fairfield, CA, 94533.
- ☐ We welcome your comments. If you have any comments regarding the proposed project, please send your written comments to this Department by the deadline listed below.
- ☐ Submit comments via postal mail to

Planning Services Division  
Resource Management Department  
Attn: Nedzlene Ferrario, Senior Planner  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

- ☐ Submit comments via fax to: (707) 784-4805
- ☐ Submit comments via email to: [nferrario@solanocounty.com](mailto:nferrario@solanocounty.com)
- ☐ **Submit comments by the deadline of: January 27, 2020**

### Next Steps

After comments are received from the public and any reviewing agencies, the Department may recommend that the environmental review is adequate and that a Mitigated Negative Declaration be adopted, or that the environmental review is not adequate and that further environmental review is required.

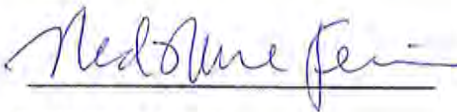
## ENVIRONMENTAL DETERMINATION

On the basis of this initial study:

- ☐ I find the proposed project could not have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find the proposed project could have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT (EIR)** is required.
- ☐ I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
- ☐ I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are included in the project, and further analysis is not required.

Date

12/19/2019



Nedzlene Ferrario  
Senior Planner

## INCORPORATION OF MITIGATION MEASURES INTO THE PROPOSED PROJECT

By signature of this document, the project proponent amends the project description to include the mitigation measures as set forth in Section 2.

Date

12/19/19



Bill Morgan  
Applicant and owner

## **1.0 ENVIRONMENTAL SETTING and PROJECT DESCRIPTION**

### **1.1 ENVIRONMENTAL SETTING:**

The property is located north of Vacaville, California, bordered by Cantelow Road to the north and Gibson Canyon Road to the east. Portions of the property are located on the northside of Cantelow adjacent to English Creek. Refer to Location Map on the next page.

The property is characterized with rolling hills and steep hillsides, approximately 184 acres is steep (more than 25% slope). The steep hillside is a part of the English Hills ridgeline which is a highly prominent feature of the community. Elevations ranging from 190 feet to 612 feet at the highest peak. Twelve (12) ephemeral streams run through the site, and two stock ponds are located on the north side. The property is primarily vegetated with grasslands and mixture of Oak Woodland, Oak Savannah and riparian forest. The Rural North Vacaville Water District water tank is located on the western portion of the site and high voltage PG&E overhead lines traverse the southeastern portion of the property. The mobile home unit on Lot 12 was evaluated as an office in 2007 but permits were never obtained. This structure is proposed to be removed or improved to current code standards. The 1,432 sq. ft residence on Lot 13 was permitted as farm labor housing (U-01-30) is occupied and proposed to remain. The existing barn on lot 11 is proposed to remain.

The remaining property, on the northside of Cantelow Road, bordered on the north by English Creek is approximately 2.9 acres (lot 19). There site is developed with a mobile home permitted for employee housing in 2004. The property is relatively flat and vegetated with riparian forest. The structures are proposed to remain.

### **1.2 PROJECT DESCRIPTION:**

The proposal consists of three parts:

- A. Amend the General Plan Land Use Designation from Specific Project area to Rural Residential 1-10 acres per dwelling unit (portions of APN 0105-170-150 & 440), totaling 64.1 acres and Agriculture, 24.43 acres; and Rural Residential 1-10 acres per dwelling unit to Agriculture (portions of 0105-170-150), totaling 18.2 acres.
- B. Tentative Subdivision Map to divide 310.5 gross acres in to 19 lots consisting of one (1) 2.9-acre parcel (Lot 19), three (3) lots ranging in size between 6.3 – 7.5 acres, four (4) lots ranging in size between 10.1 – 11.7 acres in size and eleven (11) lots ranging in size between 20 - 35.6 acres. The residences located on Lot 12, 13 and 19 are proposed to remain. Access for this subdivision is proposed off two new private roadways, named Gibson Canyon Court and Turkey Hollow Road, and private access driveways via Cantelow or Gibson Canyon Road. Individual septic systems for sewage disposal, and public water service by the Rural North Vacaville Water District is proposed except for Lot 3. Lot 3 is proposed to be served by the existing well on the property.

The subdivision is proposed in three phases:

- Phase 1 - Lots 11-13 and 19
  - Phase 2 – Lots 1-5 and 14-18 and construction of Gibson Canyon Court.
  - Phase 3 - Lots 6-10 and construction of Turkey Hollow Court.
- C. Rezoning a total of 67 acres from Exclusive Agriculture 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR 2.5) zoning district (Lot 19) on APN 0105-170-010; to RR-5 (Lots 16-18) and RR-10 (lots 1,2,13,14) on portions of APN 0105-170-150.

The applicant intends to build the infrastructure only, record the Final Map and sell the lots to individuals. Homes are to be custom built and constructed at the individual owner's pace. Phase 1 is anticipated to be completed by August 2020 and the timeline for Phase 2 and 3 is unknown.



## PROJECT LOCATION MAP



### 1.2.1 ADDITIONAL DATA:

NRCS Soil Classification:	Clay (38%), Clay Loam (8%), Millshom Loan (54%)
Agricultural Preserve Status/Contract No.:	Not applicable
Non-renewal Filed (date):	Not applicable
Airport Land Use Referral Area:	Not applicable
Alquist-Priolo Special Study Zone:	Not applicable
Primary or Secondary Management Area of the Suisun Marsh:	Not applicable
Primary or Secondary Zone identified in the Delta Protection Act of 1992:	Not applicable
Other:	Not applicable

### 1.2.2 Surrounding General Plan, Zoning and Land Uses

	General Plan	Zoning	Land Use
<b>Property</b>	<b>Agriculture/Specific Project Area</b>	<b>A-20</b>	<b>Residential</b>
North	Agriculture/Rural Residential	RR 2.5/A-20	Residential
South	Rural Residential	RR 2.5/RR-5/A-20	Residential
East	Rural Residential	RR-5/A-20	Residential
West	Rural Residential	RR-2.5/A-20	Residential

## 1.3 CONSISTENCY WITH EXISTING GENERAL PLAN, ZONING, AND OTHER APPLICABLE LAND USE CONTROLS:

### 1.3.1 General Plan

The property has multiple General Plan Land Use Designations - Specific Project Area, Agriculture and Rural Residential. The applicant proposes to amend portions of APN 0105-170-150 from Specific Project Area to Rural Residential 1-10 acres per dwelling unit and Rural Residential 1-10 acres per dwelling unit per acre to Agriculture. Areas currently designated Agriculture will remain Agriculture. Refer to the Land Use Section for the discussion.

### 1.3.2 Zoning

The property is zoned Exclusive Agriculture 20-acre minimum (A-20) and the project proposed to establish RR-10, RR-5 and RR-2.5 zoning districts. Portions of the property will remain Exclusive Agriculture 20-acre minimums (A-20).

## 1.4 Permits and Approvals Required from Other Agencies (Responsible, Trustee and Agencies with Jurisdiction):

- A. Army Corp of Engineers
- B. CA Regional Water Quality Board
- C. California Department of Fish and Wildlife
- D. Vacaville Fire Protection District
- E. Rural North Vacaville Water District

#### **1.41 Agencies that May Have Jurisdiction over the Project:**

Unknown

### **2.0 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES AND AVOIDANCE, MINIMIZATION AND/OR PROTECTION MEASURES**

This chapter discusses the potential for adverse impacts on the environment. Where the potential for adverse impacts exist, the report discusses the affected environment, the level of potential impact on the affected environment and methods to avoid, minimize or mitigate for potential impacts to the affected environment.

#### **Findings of SIGNIFICANT IMPACT**

Based on the Initial Study, Part I as well as other information reviewed by the Department of Resource Management, the project does not have the potential for significant impacts to any environmental resources.

#### **Findings of LESS THAN SIGNIFICANT IMPACT Due to Mitigation Measures Incorporated Into the Project**

Based on the Initial Study, Part I as well as other information reviewed by the Department of Resource Management, the following environmental resources were considered and the potential for significant impacts was reduced to less than significant due to mitigation measures incorporated into the project. A detailed discussion of the potential adverse effects on environmental resources is provided below:

\

- |   |   |
|---|---|
| <input type="checkbox"/> Air Quality          | <input type="checkbox"/> Geology & Soils              |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Hydrology & Water            |
| <input type="checkbox"/> Cultural Resources   | <input type="checkbox"/> Utilities and Service System |
| <input type="checkbox"/> Noise                | <input type="checkbox"/> Public Services              |

#### **Findings of LESS THAN SIGNIFICANT IMPACT**

Based on the Initial Study, Part I as well as the review of the proposed project by the Department of Resource Management, the following environmental resources were considered and the potential for impact is considered to be less than significant. A detailed discussion of the potential adverse effects on environmental resources is provided below:

- |  |   |
|--|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Air Quality              |
| <input type="checkbox"/> Greenhouse gas emissions        | <input type="checkbox"/> Transportation & Traffic |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Population and Housing   |
|  | <input type="checkbox"/> Recreation               |

#### **Findings of NO IMPACT**

Based on the Initial Study, Part I as well as the review of the proposed project by the Department of Resource Management, the following environmental resources were considered but no potential for

adverse impacts to these resources were identified. A discussion of the no impact finding on environmental resources is provided below:

- ☐ Agriculture Resources
- ☐ Land Use and Planning

- ☐ Mineral Resources



## 2.1 Aesthetics

Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, c: The property is part of the English Hills ridgeline, a highly distinctive natural feature of the rural Vacaville community and contributes to the scenic quality of the area. The grassland hillside is vegetated with scattered oaks and clusters of oak woodlands are located on the hillside and ridgeline. The highest peak on the property is approximately 612 feet above sea level. The grassy, vegetated hillside and ridgeline creates an aesthetically pleasing backdrop when viewed from Gibson Canyon and Cantelow Road. A photo of this view is attached to this report.

Protection of the scenic qualities of the hillside and ridgeline are specified in General Plan policy RS.1-20. Subdivision Ordinance Design Guidelines (Section 26-73.1) standards which protect the scenic quality of the hillsides state that building pads should avoid atop ridgelines and knolls, and on gradients exceeding 25%, and by reducing mass and bulk. Stepped or terracing is preferred. Slope restrictions are recommended due to the landslide susceptibility. There are vast areas on the property that exceed 25% natural grade, multiple knolls on the lower ridgeline, highly visible along Gibson Canyon and Cantelow Road. Compliance with Section 26-73.1 will minimize visual impacts. **Less than significant impacts are anticipated.**

b & e: The property is not located within a Scenic Highway or has the potential to increase the amount of shading on public open space. **No impacts are anticipated.**

d: Additional residential units proposed on the property have the potential to create glare and additional nighttime lighting. Compliance with Zoning Regulations 28.70.10 (B)(1)(c) requires prevention of glint or glare beyond the property line will reduce the impacts to **less than significant.**

## 2.2 Agricultural Resources

Checklist Items: Would the project

	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c: According to the Department of Farmland Mapping and Monitoring Program, the property is designated Grazing Land. The project will not convert lands of Prime, Statewide Importance or Unique classification. In addition, no conflict with Williamson Act Contract as the property is not encumbered by a Williamson Act Contract. **No impacts are anticipated.**

## 2.3 Air Quality

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a, c-e: The project would generate emissions during construction and normal residential use. However, the proposed residential development does not have the potential to violate ambient air quality standards. The proposed residential subdivision is consistent with the densities assumed in current zoning and the additional household trips generated would not substantially increase criteria pollutants. The project is not anticipated to expose sensitive receptors to substantial pollutants or create objectionable odors. **Less than significant impacts are anticipated.**

b. However, short term air quality impacts due to construction of the new roadways and infrastructure have the potential to increase fugitive dust which can vary depending on the wind conditions, and local weather conditions. Control measures such as watering, stockpile cover, reducing wind speed with windbreaks or chemical stabilization are common methods to mitigate dust. Construction equipment exhaust which are sources of Nox, ROG and PM10 emissions can be mitigated by strategies such as unnecessary vehicle idling, utilizing cleaner repower fleet and newer engines by the construction contractor.

In order to reduce air quality impacts to less than significant level, implement the following mitigation measure:

### Mitigation Measure AQ-1:

- A. Prior to issuance of a grading/improvement plan permit and phased Final Map recordation, the subdivider shall require its construction contractor to prepare and implement a Dust Control and Construction Exhaust Mitigation Plan subject to the satisfaction of the Public Works Division and Yolo Solano Air Quality Management District.

## 2.4 Biological Resources

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A Biological Resource Assessment prepared by LSA dated February 2018 was submitted for review. The Report included preliminary wetland delineation, and evaluation of existing and potential flora and fauna species. A copy of the report is attached.

The following impacts and mitigation measures are recommended according to the presence and potential presence of species identified in the Biological Assessment Report.

### **American Badger:**

The Biological Assessment identified the potential for the presence of the American Badger due to presence of sandy soils which consists about 43% of the property. The report recommends that areas proposed for development be surveyed prior to construction.

### **Mitigation Measure Bio- 1 (American Badger)**

- A. Prior to issuance of a grading/improvement plan or recordation of a phased Final Map, the subdivider, shall hire a qualified biologist to survey the areas for development for the presence of the American Badger and develop a monitoring plan to keep the badgers out of the area during construction activities involving roads, driveways, residences or accessory structures including swimming pools. The survey shall be conducted no more than 30 days prior to construction. The biologist report and monitoring plan shall be submitted to the Department of Resource Management prior to issuance of a grading permit or building permit.

### **Burrowing Owls:**

The Biological Assessment Report states that the site has California ground squirrels' burrows in multiple locations which could provide suitable nesting burrows for burrowing owl. The following mitigation measure is recommended:

### **Mitigation Measure Bio – 2 (Burrowing Owls)**

- A. Prior to issuance of grading/improvement plan and recordation of a phased Final Map, pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to CDFW (1995) guidelines, shall be implemented by the subdivider or individual lot owners, prior to construction. Pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to CDFW (1995) guidelines.
  - i. No more than 30 days before construction, a habitat survey including documentation of burrows and burrowing owls shall be conducted by a qualified wildlife biologist within 500 feet of the construction area in areas suitable for burrowing owls.
  - ii. The survey shall conform to the protocol described by the California Burrowing Owl Consortium, which includes up to four surveys on different dates if there are suitable burrows present. The CDFW shall be consulted by the subdivider prior to survey initiation to ensure the most current pre-construction survey methodologies are utilized.
  - iii. The CDFW defines impacts as disturbance within approximately 160 feet of occupied burrows during the non-breeding season of September 1 through January 31, or within approximately 250 feet during the breeding season of February 1 through August 31. Even when these buffer distances are maintained, the alteration of breeding and behavioral patterns of burrowing owls during construction activities shall be considered adverse disturbance to the owls, as determined by the subdivider.
- B. The subdivider shall avoid disturbing active burrowing owl nests and occupied nesting burrows and shall implement standard CDFW mitigation guidelines.
- C. If, as determined by the qualified wildlife biologist, construction activities will not adversely affect occupied burrows or disrupt breeding behavior, construction may proceed without any restriction or mitigation measures for burrowing owls.
- D. If, as determined by the qualified wildlife biologist, in consultation with CDFW, construction could adversely affect occupied burrows during the September 1 through January 31 non-breeding season, the subject owls may be passively relocated from the occupied burrow(s)

using one-way doors, according to CDFW guidelines, using the following measures:

- i. There shall be at least two unoccupied burrows suitable for burrowing owl within 300 feet of the occupied burrow before one-way doors are installed in the occupied burrow.
- ii. The unoccupied burrows shall also be located at least 160 feet from construction activities and can be natural burrows or artificial burrows constructed according to current design specifications.
- iii. If artificial burrows are created, these burrows shall be in place at least 1 week before one-way doors are installed on the currently occupied burrows.
- iv. One-way doors must be in place for a minimum of 48 hours to ensure that owls have left the burrow before the burrow is excavated.
- v. Mitigation for the loss of occupied habitat, shall be based upon the recommendations of the qualified biologist in consultation with CDFW.

#### **Western Pond Turtle:**

The ponds and creeks provide suitable habitat for western pond turtle aquatic habitat while the adjacent grasslands provide suitable habitat for breeding. While western pond turtles were not observed by the biologist, the following mitigation measure is recommended:

#### **Mitigation Measure Bio - 3 (Western Pond Turtle)**

- A. No more than 30 days prior to construction, a qualified biologist shall conduct surveys for western pond turtles within the creeks or ponds. If nests or active basking sites are found, then the biologist shall implement a plan to relocate or protect the species, in consultation with CDFW. The biologist shall also conduct on-site training to the construction foreman and construction workers to educate them on identifying this species of turtle and location of potential basking, nesting and/or estivation sites that may be present during construction.

#### **Swainson Hawk Foraging Habitat:**

According to the Biological Assessment report, the presence of rodents, trees and ground squirrels, and proximity to reported nests nearby indicates that the property provides foraging habitat for raptors and Swainson Hawk. The proposed homesites, roadways and detention ponds are considered unsuitable for foraging habitat and the loss shall be mitigated. The total acreage of potential loss is 4.8 acres. The following mitigation is recommended to minimize impacts to a less than significant level:

#### **Mitigation measure Bio - 4 (Swainson Hawk & Preconstruction Foraging Habitat)**

- A. Prior to recordation of the phased Final Map, the subdivider shall compensate for the loss of 4.8 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).
- B. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson's hawk foraging habitat and as approved by the CDFW in Solano County. The purchase of Swainson's Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable.

The presence of mature trees indicates the potential for avian nests and other protected species: The following mitigation measure shall apply to the subdivider and any individual lot owner seeking construction permits:

**Mitigation measure Bio - 5 (Avoidance of avian nests and protected avian species):**

- A. If construction activities are scheduled to occur during the breeding season (February 1-August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 30 days prior to construction.
- B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of Resource Management, in consultation with a qualified biologist, USFWS and CDFW as appropriate.

**Plants**

According to the report, no special status species plants were identified during the reconnaissance survey; however, timing of the survey was late for most species. Therefore, the following is recommended:

**Mitigation Measure Bio – 6 (Special Status Plants)**

- A. Prior to issuance of grading/improvement plan or recordation of a phased Final Map, survey the site for special status plant species. The survey area should include staging areas, roadways (internal access and driveways), ponds and drainage corridors. A qualified biologist shall time the survey appropriately and submit a report to the Department of Resource Management. Special status plants shall be avoided and if removed or harmed, the qualified biologist shall recommend on-site mitigation measures.

**(b and c) Potential for jurisdictional Waters of the USA/Aquatic Resource.**

The Biological Assessment identified 0.94 acres of tributaries, 2.1 acres of impoundments/ponds and 2.60 acres of seasonal wetland or swale, totaling 5.70 acres of jurisdictional area. The potential jurisdictional features are shown on Figure 5 of the Biological Assessment Report. Construction of roadways, driveways, residences and accessory structures due to grading and trenching could impact the sensitive resource areas to significant level.

Construction of Gibson Canyon Court as proposed will cause permanent impacts to the aquatic resource (generally in proximity to lot 1, 2, 13-15), and the loss of aquatic resources are potentially significant. Approximate area of impact is estimated to be approximately 0.06 acres; however, the actual area of impact should be verified with the US Army Corp of Engineers. Relocation of the proposed road could avoid impacts. Alternatively, compensation at 1:1 ratio may minimize the impacts. Implementation of the Bio-7 is recommended to minimize impacts to aquatic resources to a less than significant level.

**Mitigation measure Bio- 7: (Aquatic Resource/Potential waters of the USA)**

- A. Prior to the issuance of any grading/improvement plan permit or recordation of a phased Final Map, obtain and comply with all necessary Clean Water Act 404 (USACE), 401 (RWCB) and California Fish and Game Section 1600 permits in advance of project construction. Submit evidence of final verification from the Army Corp of Engineers of the preliminary jurisdictional delineation to the Department of Resource Management.
- B. Avoid any impacts or loss to an aquatic resource/potential waters of the United States (seasonal wetlands or seasonal swale) by either:
  - i. Relocate Gibson Canyon Court, detention ponds, driveways, primary and accessory structures or septic systems/leachfields on the subject property, to avoid any alteration of an aquatic resource, or
  - ii. Compensate by purchasing wetland mitigation credit created for the permanent impacts related to the construction of Gibson Canyon Court, detention ponds as shown on the tentative subdivision map. The actual acreage shall be determined in consultation with the Army Corp of Engineers. The subdivider shall submit evidence in the form of a sales agreement or receipt, of the purchase, prior to issuance of a grading/improvement plan and recordation of the phased Final Map.
- C. Construction staging areas shall be located 100 feet from any jurisdictional waters of the USA.
- D. Identify all aquatic resource and the 100-foot setback from the aquatic resource on the grading & improvement plans.
- E. Prior to construction activity or ground disturbance, stake or flag the boundaries of the seasonal and non-seasonal wetlands, and tributaries, as areas to be avoided. Exclusion flagging and signs that can be read 20 feet away shall be placed 100 feet away, to indicate clearly where areas must be avoided by construction activities. This task shall be under the direct supervision of a qualified biologist with 6 years of field experience.
- F. Record a declaration on the phased Final Map that each individual lot owner shall be responsible for implementing mitigation measure Bio- 7 C, D, and E, prior to issuance of any grading/improvement plan or building permit for construction of the driveways leading to the primary or accessory residence, and/or any accessory structures.

**Mitigation measure Bio- 8 (Riparian Corridor):**

- A. In order to protect the riparian corridor and the tributaries, delineate on the phased Final Map a 100-foot wide setback, measured from the centerline of the tributaries or creek. Development including any structures, sewage disposal areas, swimming pool, residences, patio or driveways, shall be prohibited within the setback.

**d: Wildlife movement**

Due to the presence of two major creek corridors, and the relatively large size of the project, makes the property suitable for migration habitat for species moving along existing migration corridors. These drainages are used by deer, coyote, raccoon and turkey; have been observed at the site. Subdivision of the property could impact the movement of these species and be reduced by additional buildings, pets and general disturbance. Solid fencing or barb wire would preclude or harm wildlife movement. In order to mitigate to a less than significant level, compliance with Bio-7 would allow



space and movement along the drainage corridor and the following mitigation measure is recommended along the perimeter of the lots:

**Mitigation Measure Bio-9:**

- A. In order to allow wildlife migration and improve passage, record on the phased Final Map that perimeter fencing between the lots and along the drainage corridor English Creek and Gibson Canyon Creek, shall not harm wildlife or preclude passage. Solid fencing, barb wire or other sharp material are prohibited. Fencing shall be open and made of materials that do not harm wildlife.

**e: Trees**

General Plan policy RS. P-6 states that the County shall protect Oak Woodlands and Heritage Trees and encourage the planting of native trees species in new development and along road right of way. The Biological Assessment Report identifies locations of Oak Woodlands, Oak Savannah and Riparian Forest on the property. The potential impact to Oak Woodlands and Savannah appears to be in the vicinity of Lot 9 and 10 due to potential ground disturbances due to the proposed construction of a driveway and water service lines for Lot 10. The Subdivision Ordinance requires that all oak species 6 inches or more at dbh, shall be identified on a tentative map. An Oak Woodland and Heritage Tree ordinance has yet to be adopted; however, implementation of the General Plan policies is recommended to mitigate to less than significant level.

**Mitigation Measure Bio-10 (Oaks/Riparian Vegetation)**

- A. In order to protect and preserve Oak Woodlands and Heritage trees, prior to issuance of a grading permit/improvement plans or recordation of the phased Final Map, subdivider shall comply with the following:
  - i. Prior to improvement plan approval for Lot 9 and 10 and recordation of Phase 3, hire a qualified and certified Arborist to prepare a tree inventory/resources report. Identify all Oak species 6" dbh or greater, on the grading/improvement plan to be retained or removed. Identify heritage trees on the plans. Consistent with General Plan policy RS. I-3, heritage trees are defined as (a) trees with a trunk diameter of 15 inches or more measured at 54 inches above natural grade, (b) any oak tree native to California with a diameter of 10 inches above natural grade, or (c) any tree or group of trees special significance in consultation with the Department of Resource Management. The Arborist shall recommend and monitor specific measures to protect Oak trees 6" dbh or greater or heritage trees from construction impacts. If Oak trees or heritage trees are not identified by the Arborist, then Mitigation Measure Bio-10 shall not apply.
  - ii. Any loss of oak trees 6 inches or greater dbh shall be compensated on site subject to a mitigation and replanting plan prepared by the certified Arborist. Compensation shall be with in-kind species at ratio of recommended by the Arborist in consultation with the Department of Resource Management. The replanting shall be on-site and a landscape plan with irrigation shall be submitted to the Planning Services Division for review and approval.

f: The County has not adopted a Habitat Conservation Plan; therefore, the project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

## 2.5 Cultural Resources

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a-d: The applicant submitted a Cultural Resources Inventory Report prepared by Solano Archeological Services. Several resources were identified on site; however, recommendations were specific to the residence on Lot 13 (4142 Cantelow Road) and P48-00167 site, located in lot 5, is potentially eligible for California Register of Historic Resources (CRHR) listing. The Cultural Resource Report made the following recommendations for the specific resources:

### Mitigation Measure CR-1 (Cultural Resources)

- A. Prior to issuance of grading permit/improvement plan approval or phased Final Map recordation, a qualified archeologist shall provide training to the construction personnel and periodic construction monitoring to identify artifacts.
- B. Prior to improvement plan approval/grading permit or phased Final Map recordation for Lot 5, for any ground disturbances within 50 feet of the western portion of P-47-000167, a qualified archeologist shall conduct archeological testing and evaluation to properly assess the resource for CRHR eligibility criteria.
- C. Prior to issuance of building permit for modifications to the residence (SAS-004) at 4142 Cantelow Road/APN 0105170150), a researcher meeting the federal Secretary of the Interior's Professional Qualifications Standards in history/architectural history shall conduct a CRHR evaluation of the structure.
- D. In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the subdivider and a qualified archeologist to determine the proper treatment

of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.

The Native American Heritage Commission was contacted in a timely manner and appropriate Tribes were informed of the project; however, none of the Tribes requested consultation.

## 2.6 Geology and Soils

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.					
1)	Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4)	Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, differential settlement, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-d: The property is not located within the Alquist-Priolo Earthquake Fault Zone or identified with Liquefaction potential. However, is identified as General and Most Susceptible to Land sliding (Figure HS – 8 of the Public Health and Safety Chapter, General Plan). A geotechnical report was submitted and states that the property has the potential to be unstable and is susceptible to expansive soils, presence of debris-flow and earthflow slides are confirmed (Figure 2 of the Geotechnical Report) and the hillside areas are susceptible to land sliding. Placement of structures shall avoid the downslope of the areas identified as debris-flow and site-specific geotechnical evaluation for the proposed home sites or any additional structures shall be required prior to issuance of a building permit, as recommended by the geotechnical report.

Development on this property has the potential to cause significant impacts due to the steep slopes, and susceptibility to erosion and land sliding. In order to protect the integrity of the hillside and the English Hills Ridgeline, development (dwellings, driveways, accessory structures including swimming pools) shall prohibited on natural grades of 25% or greater. Implementation of the following mitigation measure shall preclude siting homes or structures on vulnerable areas of the property.

**Mitigation Measure Geo-1:**

- A. In order to protect property and persons from future landslides, delineate areas of debris flow or earthflow landslide identified by the Geotechnical Report prepared by KC Engineering Company, dated February 16, 2018, on the phased Final Map. Placement of structures (primary or accessory structures including swimming pools) and driveways shall not be located in the downslope of the currently mapped shallow land sliding, as recommended by the Geotechnical Report.
- B. In order to protect property and persons from the susceptibility of soil erosion and landslide susceptibility, record on the phased Final Map that grading on slopes of 25% or greater at natural grade shall be prohibited. Grading of roadway or driveway grading shall follow the natural topography. Cut and fill will require erosion control measures subject to the approval of the Public Works Division, Department of Resource Management prior to issuance of a grading/improvement plan permit.
- C. Prior to issuance of building permits or grading permits for primary or accessory structures including swimming pool, and driveways, parcel specific geotechnical recommendations shall be prepared by a Geotechnical Engineer licensed in California, and submitted to the Building Division for approval.
- e: Site and Soil evaluation reports were submitted for the undeveloped lots and prior site and soil evaluations were prepared for the developed lots. The Environmental Health Division is satisfied that alternative septic systems will be required on the undeveloped lots. Compliance with Chapter 6.4 Sewage Standards of the County Code will reduce impacts to a less than significant impacts are anticipated.

## 2.7 Greenhouse Gas Emissions

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-b: Vehicle emissions are the main source of greenhouse gases in residential development. However, as discussed in the Traffic Section of the Initial Study, the trip generation for 16 new households is not significant, therefore, the additional trips for this project is not expected to significantly increase vehicle emissions or greenhouse gas emissions. The project does not conflict with County's Climate Action Plan. **Less than significant impacts are anticipated.**

## 2.8 Hazards and Hazardous Materials

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a – g: The proposed project is a residential development and will not create the potential be a significant hazard to the transport or disposal of hazardous materials and conditions involving release of hazardous materials. The site is not located within ¼ mile of an existing or proposed school and not located within a proximity of an airstrip. **No impacts are anticipated.**

h: The property is located in a State Responsibility Area and designated as Moderate Severity Fire Zone. Nevertheless, additional housing has the potential to increase the risk of loss to people or structure with regard to fires. The subdivider shall be responsible for installing roads, accessible by the Vacaville Fire Protection District, fire hydrants and other infrastructure as required by the Vacaville



Fire Protection District prior to recordation of the Final Map and sale of the lots. As the lots are sold and built, each homeowner or builder shall be responsible for compliance with driveway width and paving standards and preventative measures which include maintaining a 100-foot wide defensible space around the residence. Compliance with the Vacaville Fire Protection District rules and regulations will minimize risk to a **less than significant level**.

**Powerlines:**

There are 230 kV overhead PG&E powerlines contained within a 150 wide easement located in the proximity of proposed Lot 3-5, 17 and 18 adjacent to Gibson Canyon Road. PG&E review and comment regarding the project has not been received.

Concerns regarding electromagnetic frequency (EMF) and possible health effects adjacent to residential development are usually a topic of concern. EMF is an invisible force field that comes from electric voltage and current, known as magnetic fields. Electromagnetic fields occur where a flow of energy is present.

The California Public Utilities Commission (CPUC) and the California Department of Health Services (DHS) have not concluded that exposure to magnetic fields from utility electric facilities poses health risks. There are no health-related standards for long term exposure to EMF because there are no reported adverse health effects.

The proposed building pads are located 100 feet or more from the edge of the easement. Due to the large lot sizes, more than adequate buildable area is located on the property should a buyer choose to build further away from the existing powerlines in order to reduce risk of exposure. Adverse impacts are not anticipated.

## 2.9 Hydrology and Water

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j.	Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Water Quality and Storm Water Run-off:**

a: Water quality is regulated by both state and federal agencies under the authority of the Clean Water Act (CWA). Projects that have the potential to degrade water quality are subject to the regulations of those agencies. Operational activities may involve common urban pollutants such as surface litter, oil, gasoline, grease, paint, fertilizers, pesticides, and herbicides. Construction activities involving soil disturbances such as excavation, demolition, stockpiling, and grading activities could result in increased erosion and sedimentation to surface waters, and could produce contaminated storm water runoff, a major contribution to the degradation of water quality. These activities could result in the discharge of pollutants into the surface water resources that could degrade water quality.

Site development and grading activities will be required to implement Best Management Practices (BMP's) to address construction related surface runoff and vehicle and construction equipment clean out areas. With an approved grading/drainage and erosion control plan utilizing the latest BMP technologies and compliance with the recommended riparian corridor mitigation measures, impacts to on-site and off-site water quality should be reduced to a less than significant level. **Less than significant impacts are anticipated.**

c – f: A hydrology report and detention basin plan were prepared in June 2019 by Foulk Civil Engineering, Inc. and reviewed by the Department of Resource Management (attached to this report). The report concludes that the storm run-off quantity difference in the pre-development and post-development condition without mitigation would result in a runoff increase of approximately 2.3-2.6%. The increased runoff will be mitigated with on-site detention basins and drainage facilities. The total impervious surface for the project will be approximately 4.8 acres, including the common roads, private driveways, houses and hardscape. The run-off flow increases from 0.350 (existing) to 0.359 (developed) will be controlled so it does not exceed the pre-developed conditions following the construction of roads, houses and hardscape. There is sufficient capacity in each pond to mitigate the increased run-off due to construction of impervious surfaces for the development. The storm water will then be released with a flow rate equivalent to or less than the flow rate the site generates in its present undeveloped condition. The Division of Public Works recommends that further storm water improvements, which mitigate increases in storm water runoff, be evaluated for each lot prior to any new building development, and that any proposed improvements shall be included in all building and grading permit applications.

The following mitigation measures will ensure that the development will result in a less than significant impact:

#### **Mitigation Measure HYDRO-1:**

- A. A storm water maintenance program for detention basins and drainage facilities shall be included in a Road Improvement Maintenance Agreement recorded on each lot within the subdivision. Responsibility for maintenance of storm water facilities shall reside with the property owner on which the storm water facility is located. Said facilities shall be periodically inspected to the satisfaction of Public Works Engineering. The subdivider shall demonstrate, to the satisfaction of Public Works Engineering, that contractual agreements have been reached with all affected parties to implement said inspection prior to the performance of any grading work associated with the subdivision.
- B. Prior to issuance of a grading/improvement plan permit and recordation of a phased Final Map, the subdivider shall develop a storm water maintenance program to the satisfaction of Solano County Public Works Engineering that shall include, at a minimum, the following requirements:

- i. Periodic cleaning of the drainages, culverts, detention basins and related facilities.
  - ii. Periodic maintenance of the embankments, spillways and piping.
  - iii. Contingencies for anticipated and unexpected repair and/or replacement of the above as applicable.
  - iv. Annual inspections by an independent engineer of the detention basins, embankments and spillways to verify that the facilities are in sound condition. A copy of the annual inspection report shall be furnished to Public Works Engineering upon completion.
- C. Subdivider or property owner must obtain a grading permit from Solano County Public Works Engineering prior to performance of any grading work associated with the subdivision improvements or individual lot improvements,
- D. Prior to recordation of the phased Final Map, subdivider shall complete all storm water detention and discharge improvements relating to the phased development, subject to the final approval of Public Works Engineering.
- E. All watercourses where flows will be increased at final build out must have controls installed to retain sediment or restrict flows to predevelopment levels.
- F. All detention ponds must be maintained with emergency overflows that are lined with non-erosive materials.

## **Water Supply**

b. According to the Environmental Health Division, the property is located within a groundwater scarce area. The entire property is designated as an "A" zone for water bearing rocks in the San Francisco Bay Area by D.A. Webster 1972 - US Department of Interior of Geological Survey. The "A" water zone has the lowest probability of success when attempting to develop a domestic drinking water well with a minimum sustained yield of 3 gallons per minute, when compared to water bearing rock zones with higher probability such as "B, C and D".

The Subdivision Ordinance allows well water to serve as the water supply for lots 5 acres or more; however, the low probability of success raises the risk of water availability and concern for domestic use feasibility for project approval. The applicant has proposed public water service connections by the Rural North Vacaville Water District for 18 lots and well water service for Lot 3 due to an existing well located on-site, permitted in 2004 for residential use (W-04-69). The proposed public water system plan is attached.

Public water service connection will ensure adequate water supply for the project in a groundwater scarce area. The Rural North Vacaville Water District has issued a Will Serve Letter for the project. The property owner has 1 water right, purchased 2 water rights and reserved 16 water rights from the District through an "Option Agreement, totaling 19 water rights. The District letter is attached. Infrastructure installation for the public water system is required prior to the phased Final Map recordation and prior to the sale of each lot. The Option Agreement expires August 14, 2020 and Rural North Vacaville Water District Board approval is required to extend the agreement if the subdivider is unable to purchase 16 water rights before expiration.

With regard to Lot 3 and use of well water, updated pump and yield tests subject to Section 26-80 of the County Code is required prior to Final Map recordation. However, if the pump and yield

tests fail, then Lot 3 shall be serviced by public water. The Final Map shall indicate the type water supply service for Lot 3. The applicant has adequate water rights reserved with the District and infrastructure installation will be required prior to recording Phase 2.

Individual well water usage for 18 additional lots in a groundwater scarce area has the potential to cause a significant impact; therefore, the following mitigation measure is recommended to minimize impacts to a **less than significant level**:

**Mitigation measure WS-1:**

- A. Prior to recordation of the Final Map for Phase 2, submit updated water quantity test results to the Environmental Health Division which demonstrates that ample water for domestic purposes is available for Lot 3, pursuant to Section 26-80 of the County Code. A minimum yield of 3 gallons per minute shall be deemed acceptable for domestic use provided that a note is included on the Final Map or parcel map that at least 500 gallons of water storage capacity will be required at the time of lot development. A yield of five gallons per minute shall be deemed acceptable for residential development with no additional storage requirements for drinking water supplies; however, additional storage may be required to meet the current fire code. If the water test fails, installation of public water service and connection is required for Lot 3. The recorded map shall indicate whether Lot 3 may be served by public water or well water service.
- B. Prior to the recordation of the phased Final Map, complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation is complete to the satisfaction of the Rural North Vacaville Water District.

g – h: According to FEMA flood maps, the project site is not located within the Federal Emergency Management Agency's (FEMA) Flood Zone A (100-year flood zone). The site lies within FEMA Flood Zone X according to Firm Panels 06095C 0161F and C0695C 0150E. Zone X is defined as an area of minimal flood hazard. Therefore, there would be **no impact** and no further discussion is required.

i, j: The project site is inland and is not threatened by potential seiche or tsunamis. Therefore, **no impact** would occur and no further discussion on this issue is required.

## 2.10 Land Use and Planning

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The project will not physically divide an established community. **No impacts are anticipated.**
- b. Portions of the property is designated Specific Project Area, Agriculture and Rural Residential 1-10 acre per dwelling unit. The project proposes to amend the Specific Project Area designation to Rural Residential & Agriculture and Rural Residential designation to Agriculture. Refer to the attached General Plan Amendment exhibit.

The Specific Project Area land use designation (Table LU-5, Land Use Chapter, General Plan) applies to the north east portion of the site, is a land use policy that provides for future development after adoption of a specific plan, policy plan or completion of special plans and studies. This designation is applied to areas where future development and conservation objectives have not been fully defined and will be subject to future planning studies. Planned densities and intensities for each area are assumed for purposes of evaluation the environmental impacts associated with future development pursuant to implementation of the General Plan. Within the County, the Specific Project Area applies to Middle Green Valley, Lambie Industrial Park, North Vacaville Limited Industrial Area and the subject property – Pippo Ranch. Rural residential is assumed for the development of the property and any future subdivision is subject to completion of a master circulation plan and water service plan.

The Specific Project Area totals 88.53 acres. The project proposes 7 lots within 64.1 acres of the Specific Project Area at a density of 1 unit/9.16 acres, consistent with the proposed Rural Residential 1-10 acres per dwelling unit. The remaining 24.43 acres is proposed to be developed with 1 dwelling unit, consistent with the Agriculture land use designation. **No impacts are anticipated as proposed.**

Portions of the property (APN 0105-170-150) is designated Rural Residential 1-10 acres per dwelling unit and the project proposes to amend to Agriculture in order to allow 20-acre lot sizes. The proposed density is 1 unit per 18.26 acres. **No impacts are anticipated.**

The applicant submitted a public water service plan for the project. The public water service plan which includes fire hydrants were reviewed by the Rural North Vacaville Water District and Vacaville Fire Protection District. Public water service is required for the subdivision due its location within a groundwater scarce zone (Refer to Section 2.9). With regard to a master circulation, access and circulation were evaluated via the tentative subdivision map process.

Access is proposed off existing driveway locations or limited to new private streets (Gibson Ca Canyon Court and Turkey Hollow Court), as shown on the tentative subdivision map. **No impacts are anticipated.**

**Rezone/Refer to rezone exhibit attached to this report.**

Portions of APN 0105-170-150 are proposed to be rezoned Exclusive Agriculture 20-acre minimum to RR-5 for lot 16-18 and RR-10 for lot 1-2, 13, 14, respectively. No policy conflicts have identified with regard to the rezone. **No impacts are anticipated.**

APN 0105-170-010: The project includes rezoning 2.9 acres from A-20 to RR 2.5 consistent with the Rural Residential Land Use Designation. **No impacts are anticipated.**

- c. Solano County has not adopted a habitat conservation or natural community conservation plan; therefore, the project does not conflict with such plans. **No impacts are anticipated.**

## 2.11 Mineral Resources

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a - b: The project would not result in the loss of availability of know mineral resources of value to the state or locally important. The property is not designated as a known site of importance per Figure RS-4 of the Mineral Resource Chapter of the General Plan. **No impacts are anticipated.**



## 2.12 Noise

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Exposure of persons to or generation of, excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, c-d: The project has the potential to increase the ambient noise levels during construction and post construction. Short-term noise levels will increase due to construction activities and long-term noise levels will increase due to normal residential and road noises. The anticipated noise increases would be typical for residential development, including new roadways, and would be consistent with that anticipated under the General Plan. As such, these impacts are expected to be **less than significant**.

Short-term noise level will increase due to the construction activities, which will primarily include construction of the infrastructure such as Turkey Hollow and Gibson Canyon Court and underground utilities, and drainage improvements within the project, and individual homes over time. The noise levels during construction have the potential to exceed maximum noise levels. In order to mitigate to a less than significant level the following measure is recommended:

### Mitigation measure Noise – 1:

- a. Construction shall only occur during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays.

Long-term noise will increase due to the addition of new residential activities. However, noise levels associated with normal residential use is less than significant.

- b. Persons could be exposed to excessive groundborne vibration or groundborne noise levels during grading phases of construction, but the amount and duration of this groundborne vibration will be minimal and short-term. Therefore, the exposure of persons to groundborne vibrations is anticipated to be **less than significant**.
- e – f: The property is not located within an airport land use plan or the vicinity of a private airstrip. **No impacts are anticipated.** However, the project is located within the Travis Air Force Base Sphere of Influence and the Airport Land Use Committee (ALUC) review is required prior to the Board of Supervisors action.

## 2.13 Population and Housing

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a: Given that the average household size in Solano County is 2.88 (2013-2017 Census Data), 55 additional persons are anticipated. The project will not induce substantial population growth and <b>less than significant impacts are anticipated.</b>					
b,c: The project involves the addition of residential homes, not the displacement of homes or people. Therefore, <b>no impacts are anticipated.</b>					

## 2.14 Public Services

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire Protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 1) The project is located within the Vacaville Fire Protection District and located across from an existing Fire Station (Number 67, 4135 Cantelow Road). According to the District, the project will not create a need for a new fire station facility. However, additional fire hydrants will be required to be constructed by the subdivider prior to phased Final Map recordation. There are 3 existing fire hydrants in the vicinity and 4 proposed. Compliance with the Vacaville Fire Protection rules and regulations will reduce impacts to a **less than significant impacts are anticipated**. The following mitigation measure is recommended:

### Mitigation Measure Public Services (PS-1):

- A. Prior phased Final Map recordation, install the fire hydrants and necessary infrastructure on the engineering improvement plans required by the Vacaville Fire Protection District. Submit evidence to the Department of Resource Management that installation of the infrastructure is completed to the satisfaction of the Vacaville Fire Protection District, prior to the phased Final Map recordation.
- 2) The project proposes 16 additional homesites, in an existing service area of the Sheriff's Department and the relatively small number of new parcels being created would not typically require additional staffing resources by the Sheriff. **Less than significant impacts are anticipated.**
- 3) Individual property owners will pay fees prior to issuance of building permits which will help pay for new schools or additional facilities, in the Vacaville Unified School District. **Less than significant impacts are anticipated.**
- 4) The project is not anticipated to generate the need or impact for additional recreational facilities. **Less than significant impacts are anticipated.**

- 5) The project will utilize public water service by the Rural North Vacaville Water District. The project proponent will be required to install public water infrastructure lines within the proposed streets prior to recordation of the phased Final Map and prior to the sale of each individual lots. Each individual lot owner will be responsible for installation to the home. Installation of the infrastructure will be subject to the rules and regulations of the Rural North Vacaville Water District. **Less than significant impacts are anticipated.**

## 2.15 Recreation

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a -c: Additional households are anticipated as mentioned in the Population and Housing Section, however, the project is not anticipated to substantially cause the physical deterioration of existing parks or increase the demand for recreational facilities. **Less than significant impacts** are anticipated.

## 2.16 Transportation and Traffic

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a – b: As part of the County's General Plan process, a Traffic and Circulation Master Plan was prepared in 2008. This study examined the existing traffic conditions and future buildout conditions under the General Plan to the year 2030. Subsequently, the Solano Transportation Authority updated the Solano-Napa Travel Demand Model analyzing current (20150 and future (2040) traffic conditions within Solano County. The proposed project site was included in the land use plan for the General Plan as well as the Solano-Napa Travel Demand Model.

The County uses the level of service (LOS) standards at key intersections and roadway segments to analyze a project's potential impact on the overall vehicle operation. Levels that are considered acceptable range from LOS A to LOS D. Unacceptable levels include LOS E and LOS F. If a project would cause a currently acceptable LOS to drop to an unacceptable LOS, it would be considered a significant impact.

The project site would be accessed by two public roads, namely Cantelow Road and Gibson Canyon Road. Figure TC-1 of the 2008 Solano County General Plan classifies these roads as collector roads. The Solano-Napa Travel Demand Model shows that Cantelow Road and Gibson Canyon Road currently operate at LOS A and are expected to continue to operate at LOS A in 2040. The daily trip generation rate for a single-family residence is 9.6 vehicles per day according to the Institute of Transportation Engineers Trip Generation Manual. This proposed project includes creation of 16

residential lots including three lots with existing residential homes. Using the ITE trip generation rate it is expected that 16 new single-family residences would generate 154 daily trips. Access to 10 of the new residential lots is provided from Gibson Canyon Road and access for the remaining new residential lots is provided from Cantelow Road. The increase in traffic caused by these 16 new residential lots would not have a significant impact on the existing traffic load and capacity of the street system and **impacts will be considered less than significant.**

c: Three international airports are located within 60 miles from the project site: San Francisco International, Oakland International and Sacramento International Airports. Three airports operate in Solano County. The Nut Tree Airport is located approximately 3.1 miles from the project site. Rio Vista Airport (Baumann Field) are public use facilities and Travis Air Force Base (AFB) is a military field. Rio Vista Airport is located approximately 22 miles from the project site. Travis Air Force Base is located approximately 11 miles from the project site. The proposed project will not alter or change existing air traffic patterns. Therefore, implementation of the project would result in a less than significant impact from the safety risks associated with air traffic patterns. **No impacts are anticipated.** However, the project is located within the Travis Air Force Base Sphere of Influence and Airport Land Use Committee (ALUC) review is required prior to the Board of Supervisors action.

d – e: The County's Subdivision Ordinance and Road Improvement Standards requires the subdivider to make reasonable improvements to adjacent public roads, the proposed private roads, private driveways and secondary emergency access. The private driveways will be extended from public or private roads to each lot and improved to Public Works and fire safety standards. All new road construction and grading will be subject to a grading permit issued by the Department of Resource Management, which will ensure that no hazards result from the design. Therefore, **impacts are considered less than significant.**

f – g: The future residential units on the proposed lots will be required to meet County zoning regulations for parking. Parking on the private drives will not be allowed due to fire safety regulations and proposed private road widths. The proposed project does not conflict with adopted policies or programs supporting alternative modes of transportation; therefore, **no impacts are anticipated.**



## 2.16 Utilities and Service Systems

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a: The project will not exceed the Regional Water Quality Control Board requirements if recommended mitigation measures are adopted as discussed in the Hydrology Section of this report. **Less than significant impacts are anticipated.**

b & e: Individual sewage system disposal is proposed, and approved sewage disposal plans by the Environmental Health Division consistent with Chapter 6.4 Sewage Standards of the County Code prior to issuance of a building permit, will minimize impacts to **less than significant**.

c: The project proposes detention ponds and drainage facilities as discussed in the Hydrology Section of this report. Compliance with the recommended mitigation measures will reduce the impacts to **less than significant level**.

d: As indicated in the Hydrology and Water Section, installation of public water infrastructure will be required prior to the phased Final Map recordation and sale of each lot serviced with public water. Will Serve letters will be required prior to issuance of the building permit for each lot under public water service. Well water usage is available for Lot 3 and updated pump and yield results will be required prior to Final Map recordation. If the test fails, public water connection is required prior to

Final Map recordation. The Rural North Vacaville Water District issued a Will Serve Letter for the project. As such, sufficient water supplies are available to serve the project site and the impact is considered to be **less than significant**.

f - g: Solid waste will be disposed at the Recology Hay Road landfill which has adequate capacity. **Less than significant impacts are anticipated.**

## 2.17 Mandatory Findings of Significance

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a.	Compliance with the recommended mitigation measures will not cause an adverse impact to the quality of the environment, reduce habitat or harm endangered species or eliminate important examples of major periods of California history.				
b.	The project will not cause significant and adverse cumulative impacts as the proposal is to develop the site is consistent with zoning requirements.				
c.	The project will not cause substantial adverse effects on human beings directly or indirectly if the recommended mitigation measures are adopted.				

### **3.0 Agency Coordination and Public Involvement**

#### **3.1 Consultation and Coordination with Public Agencies**

The Initial Study is being circulated for public comment and referred to the State Clearinghouse for coordinated review by state agencies. In addition, it will be sent to the Department of Conservation and the Solano County Agriculture Commissioner and other local agencies for review and comment. (See Section 5.0 Distribution List)

#### **3.2 Public Participation Methods**

The Initial Study is available at the Solano County Department of Resource Management and online at the Department's Planning Services Division website at:

<http://www.solanocounty.com/depts/rm/documents/eir/default.asp>

Interested parties may contact the planner assigned to this project at the contact points provided below:

Nedzlene Ferrario, Senior Planner

Planning Services Division  
Resource Management Department  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

PHONE: (707) 784-6765  
FAX: (707) 784-4805  
EMAIL: [nnferrario@solanocounty.com](mailto:nnferrario@solanocounty.com)

#### **4.0 List of Preparers**

This Initial Study was prepared by the Solano County Department of Resource Management. The following staff and consultants contributed to the preparation of this Initial Study:

##### **Solano County Department of Resource Management**

Nedzlene Ferrario, Planning Services

Jason Riley, Public Works Division

#### **5.0 Distribution List**

See Notice of Completion

Army Corp of Engineers-Sacramento

City of Vacaville

PG&E

Vacaville Fire Protection District

Rural North Vacaville Water District

Solano Irrigation District

Vacaville Unified School District

Yolo Solano Air Quality Management District

#### **6.0 Appendices**

6.1 Application Form and Part 1 Initial Study

6.2 Tentative Subdivision Map – 12/18/2019

6.3 General Plan Amendment & Rezone Exhibits

6.4 Water System Plan

6.5 Preliminary Detention Pond Plan

6.6 Biological Resources Assessment Report

6.7 Geotechnical Report- February 2018

6.8 Cultural Resource Study

6.9 Vacaville Fire Department Comment Letter

7.0 Rural North Vacaville Water District Will Serve Letter

7.1 English Hills Ridgeline View – looking southwest from Cantelow and Gibson Canyon Road

# ***MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION***

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## **Meeting of February 20, 2020**

The regular meeting of the Solano County Planning Commission was held in the Solano County Administration Center, Board of Supervisors' Chambers (1<sup>st</sup> floor), 675 Texas Street, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Cayler, Hollingsworth, Bauer and Chairman Walker

EXCUSED:

STAFF PRESENT: Bill Emlen, Director of Resource Management  
Jim Laughlin, Deputy County Counsel  
Nedzlene Ferrario, Senior Planner  
Matt Tuggle, Public Works  
Jamielynn Harrison, Planning Commission Clerk  
Teresa Schow, Office Assistant II

Chairman Walker called the meeting to order at 7:00 p.m. with a salute to the flag. Roll call was taken and a quorum was present.

### Approval of the Agenda

The Agenda was approved with no additions or deletions.

### Approval of the Minutes

The minutes of the regular meeting of January 16, 2020 were unanimously approved as prepared. Chairman Walker abstained from the vote to approve due to absence on January 16, 2020.

### Items from the Public

There was no one from the public wishing to speak.

### Regular Calendar

Item No. 1:

**Public hearing** to consider and make a recommendation to the Board of Supervisors on the following three applications of Bill Morgan: 1) to amend the General Plan land use designations on a portion of the subject property from Specific Project Area to Agriculture and Rural Residential; 2) to rezone portions of the subject property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum (RR-10); and 3) to subdivide the subject property into 19 lots. The project is known as Lands of Morgan and development is proposed in three (3) phases. The 310.5-acre property is located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated portion of Vacaville.

Senior Planner Nedzlene Ferrario provided a brief presentation of the three applications with modified conditions of approval provided in a memorandum. The subject property is known as Pippo Ranch. English Creek is on the westside of the property along with several intermittent streams which run on the property as well. Two stock ponds, a PG&E overhead transmission line and a rural North Vacaville water tank is on the property. There are three residences and most notably, this property has rolling hills and steep hillsides, with more than half of the slopes at a 25% grade or more. This is part of the English Hills Ridgeline. [Memo](#)

The applicant is proposing the general plan land use designations and rezone portions of the property consistent with the agricultural and rural residential one-unit for one-to-ten land use designation. Eleven out the 19 lots are proposed to be zoned A-20 equaling 243 acres. The remaining property is proposed to be zoned rural residential. Four lots from the RR-10 Zone within 42.9 acres and three lots within the RR-5 Zone at 21.2 acres. There is one lot zoned rural residential at 2.9 acres.

The first modification pertains to No. 9. Originally, the access rights on Cantelow Road and Gibson Canyon Road were to be granted to the county except for driveways and private roads. The applicant has asked for an exception for Lot 1 and 2. Public Works has recommended the modifications.

The second item is the proposed water line for Lot 10 within the private road easement through Lot 9. The Rural North Vacaville District had preferred water lines to be extended from Cantelow Road to Lot 10. But due to the steep slopes on Cantelow Road, the water line for Lot 10 may be placed with the access easement. Staff is proposing to strike out the last sentence in Condition No. 23d.

The third item indicates that prior to the issuance of the residential building permits for the project, the Subdivider shall have completed all of the required improvements and road construction.

The applicant requested to defer mitigation to the Second Phase in order to obtain enough cash flow to purchase mitigation credits. The request was approved.

Chairman Walker opened the public hearing.

The applicant, Bill Morgan, spoke. He indicated that it has taken more than two years to bring this matter before the commission. They have tried to address all the issues. Mr. Morgan was available to answer any questions.

Chairman Walker ask if there were any questions for the applicant. Since there were none, the next speaker was called.

Maryann Moran spoke as a neutral party. She resides at 4257 Independence Lane in Vacaville. They have a private road off of Gibson Canyon Road. Mrs. Moran requested prior to approval of the project that the following be considered:

1. The installation of a traffic mitigation measure to safely slow traffic in the form of additional stop signs on both or either Cantelow and Gibson Canyon;

2. Allow a lot size of 2.9 acres referring to Lot 19, suggesting consideration as an A-20 and revert the lot back to an agricultural lot.
3. That the approval of the project be contingent on the following:
  - a. Prior to issuance of the building permit, to consider an executed agreement for the provision of water solely from Rural North Vacaville Water District or another provider be included and designed specifically to state “no form of an individual property owner well be installed due to the scarcity of the water;” and
  - b. No planting within the powerline easements. The proposal is specific to above-ground power lines and it presents a future fire hazard.

Eileen Uthe-Smith spoke. She resides at 4108 Pippo Lane in Vacaville. She is in opposition to the project due to the noise and construction. She also mentioned that the neighboring lights are “ruining” the night sky. She asked that someone take into consideration the lighting and development of the project. Also, the abundance of propane tanks in a 2.5-acre space are potentially a fire hazard.

Chairman Walker closed the public hearing.

Chairman Walker stated that it is not often that the commission addresses land use designation project areas. Referring to the General Plan and the Instrumentation Strategy LUI-6, this project was contemplated when the General Plan was updated into the current configurations as part of that process. The project was held in a special category with the contemplation of that it would become a subdivision. If the options are due to expire in August 2020, in the conditions of approval, Item No. 5, it cannot go forward.

The Planner indicated that the developer would have to purchase all the water rights before it expires per phase. In Phase I, there are four lots and the developer owns three. He will need to purchase the remaining one. In Phase II, he would then need to purchase those water rights which are not secured. If there are no water rights, the lots do not get recorded and they cannot be sold.

Chairman Walker asked about the easement and water traversing into another parcel. As indicated in Condition No. 24, there are water lines on the property that were installed by the original owner. The issue is to locate those lines and record the lines as easements which is a requirement of the water district. Those easements will run with the land, requiring that stipulation in the first Phase recordation. It has to be done upfront.

Commissioner Bauer asked if traffic mitigation measures had been considered in this project?

Matt Tuggle, Engineering Manager of Public Works, indicted that there are several layers in traffic to consider, including the underlying zoning and the current condition of the roads. A Transportation Impact Fee is collected with each residential development paid by the developers



and used to improve the road throughout English Hills. This was planned 20 years ago, in anticipation of the traffic. Growth is the next level regarding traffic issues and we anticipate and plan for a certain amount of improvement. He described the various traffic improvements.

Commissioner Bauer asked for clarification whether there is a preclusion for a well or if all water must come from Vacaville Water District.

The Planner indicated that there is a requirement for domestic water supply be from the Rural Northern Vacaville Water District. If they wanted to drop an agricultural well, it would be permitted with the stipulation that they could pass pump test for water. All the residences on the property will be connected to public water.

Commissioner Bauer asked if there were restrictions on construction times. The planner added a mitigation measure in the final document that construction shall occur Monday thru Saturday 8:00 a.m. thru 5:00 p.m. Monday thru Friday, and 9:00 a.m. to 4:00 p.m. on Saturdays; and no work should occur on Sundays and federal holidays. The public can call Resource Management Code Enforcement Division to enforce this measure.

Commissioner Cayler stated that citizens in her city lobbied for a stop sign and after a long while, the request was granted. "Squeaky wheel gets the oil." If lobbied for often enough and long enough, it will happen.

Commissioner Rhoads-Poston inquired as to whether there were any biplanes to be added in the traffic study.

Mr. Tuggle indicated that the developer is required to widen the shoulder of Gibson Canyon Road to a graded shoulder standard. Generally, on the basis of biplanes, we do not typically require a developer to put in a bike lane as we do to make sure shoulders are safe for traffic use. A bike lane will be implemented on Timm Road.

Commissioner Rhoads-Poston moved to forward recommendation of approval to the Board of Supervisors of the General Plan GP 1801 and rezone Z1801 subject to the draft resolution; forward recommendation of approval to the Board of Supervisors of the tentative Subdivision Map S1802 subject to the findings and conditions of contained in this report along with the amendments and as modified. It was seconded by Commissioner Cayler.

Item No. 2:

**NOMINATION and ELECTION** of Chairperson and Vice Chairperson for the ensuing year.

It was motioned and seconded to nominate Commissioner Bauer and Commissioner Hollingsworth as Chairperson and Vice-Chairperson, respectively. The motion passed unanimously.

## **ANNOUNCEMENTS and REPORTS**

Chairman Walker confirmed with Director Emlen the date of the next regular Planning

Commission Meeting.

Director Emlen indicated that tentatively a meeting has not been scheduled for March 5, 2020. He also mentioned the referral of a case from the Zoning Administrator's Meeting of February 20<sup>th</sup> regarding a short-term vacation rental proposal for a future meeting.

Commissioner Rhoads-Poston indicated that she will be out the first meeting in June.

Since there was no further business, the meeting was **adjourned**.

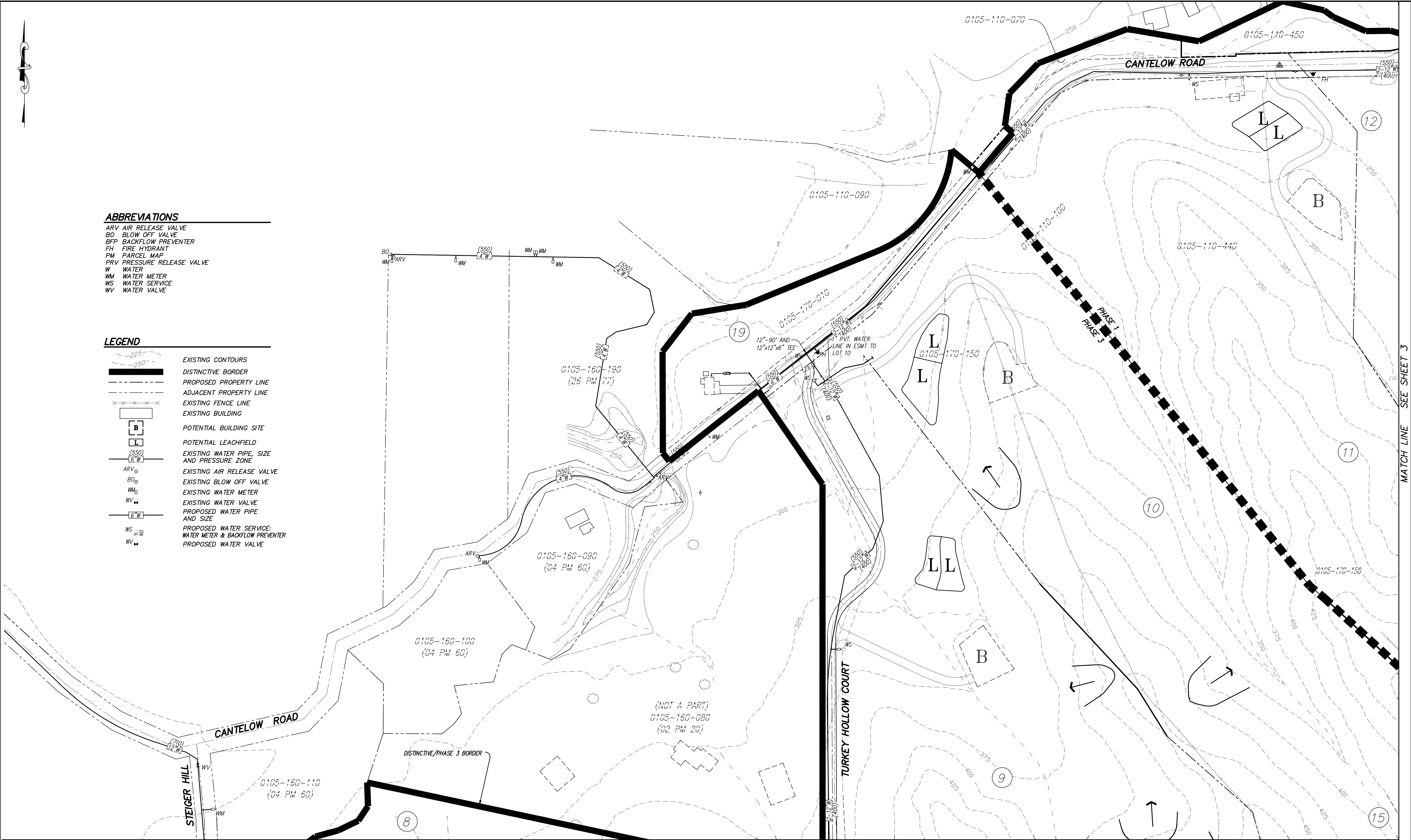
Dear Salinas County

We do not agree with the parcel split, This Land was  
Zone Ag. This would put a huge strain on Traffic off  
Gibson Canyon. I live on Gibson and cars crash  
in my yard 3 to 4 times a year with property  
damage. As well as the water table for wells  
has gone down to neg 10 feet. I would agree  
to 20~~AC~~<sup>40AC</sup> parcel splits. 2.5 is too dense.

Not only is Traffic & Water a concern,  
Septic & Electric is another concern,  
PGE main lines cross over this parcel.

Ag 20 RIR or Ag 40 MR should be  
considered only.  
Construction Impact as well as ROW off  
and erosion control. Also Noctua Vaca  
Line's ROW threw that parcel which I  
get my water.  
This parcel will negatively  
effect All people on Gibson Canyon RD.

Dhy  
707 689 3849



**ABBREVIATIONS**

ARV AIR RELEASE VALVE  
BO BLOW OFF VALVE  
BFP BACKFLOW PREVENTER  
FH FIRE HYDRANT  
PM PARCEL MAP  
PRV PRESSURE RELEASE VALVE  
W WATER  
WM WATER METER  
WS WATER SERVICE  
WV WATER VALVE

**LEGEND**

--- EXISTING CONTOURS  
--- DISTINCTIVE BORDER  
--- PROPOSED PROPERTY LINE  
--- ADJACENT PROPERTY LINE  
--- EXISTING FENCE LINE  
--- EXISTING BUILDING  
[B] POTENTIAL BUILDING SITE  
[L] POTENTIAL LEACHFIELD  
--- (550) 6" W --- EXISTING WATER PIPE, SIZE AND PRESSURE ZONE  
ARV --- EXISTING AIR RELEASE VALVE  
BO --- EXISTING BLOW OFF VALVE  
WM --- EXISTING WATER METER  
WV --- EXISTING WATER VALVE  
--- (6" W) --- PROPOSED WATER PIPE AND SIZE  
WS --- PROPOSED WATER SERVICE  
WV --- PROPOSED WATER VALVE

DESIGNED BY: BDF  
DRAFTED BY: AJH/NRF  
CHECKED BY: BDF  
ISSUE DATE: 12/18/19

GRAPHIC SCALE  
100 0 50 100 200 400  
( IN FEET )  
1 inch = 100 ft.

**FCE**  
FOULK CIVIL ENGINEERING, INC.  
Civil Engineering Land Surveying Planning  
4777 Mangels Boulevard, Fairfield, CA 94534  
(707)864-0784 fax (707)864-0793 e-mail: foulkce@gmail.com

REV.	DATE	DESCRIPTION	BY	APPROVED

PROJECT: LANDS OF MORGAN  
SOLANO COUNTY (S-18-02)  
SHEET TITLE: WATER SYSTEM PLAN  
SCALE: 1"=100' DWG: 07-045 JOB NO: 07-045 XREF:

SHEET 1 OF 4





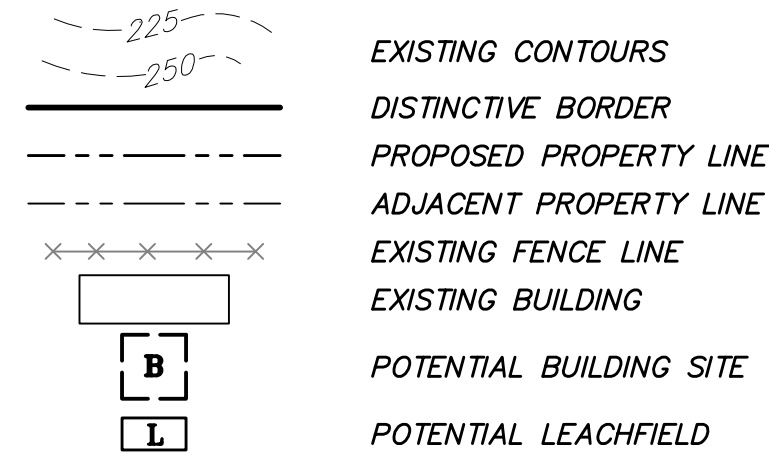






Lot Number	Estimated Impervious Area (SF)	Required Detention Volume (CF)
1	7,500	1,125
2	7,500	1,125
3	7,500	1,125
4	7,500	1,125
5	7,500	1,125
6	7,500	1,125
7	7,500	1,125
8	7,500	1,125
9	7,500	1,125
10	14,000	2,100
11	10,500	1,575
12	Existing Home Site	
13	Existing Home Site	
14	7,500	1,125
15	7,500	1,125
16	7,500	1,125
17	7,500	1,125
18	7,500	1,125
19	Existing Home Site	
Turkey Ct.	48,000	7,200
Gibson Ct.	30,500	4,575
SUMS	208,000	31,200
Detention Vol. Shown		32,500

**LEGEND**



NOTES

1. IT IS INTENDED FOR THE TWO DETENTION PONDS SHOWN HEREON TO MITIGATE INCREASED RUNOFF FROM THE ENTIRE PROJECT AREA.
2. DETENTION POND VOLUME CALCULATIONS HAVE BEEN ESTIMATED BASED ON THE SOLANO COUNTY "POLICY FOR MITIGATING INCREASED RUNOFF", DATED MARCH 11, 2011.
3. MINIMUM IMPERVIOUS AREA OF 7,500 SQUARE FEET ASSUMED FOR EACH HOME SITE INCLUDING HOUSE, GARAGE, AND PATIOS, DRIVEWAYS HAVING SLOPES LESS THAN 12% ARE ASSUMED TO BE (PERVIOUS) GRAVEL.

## ABBREVIATIONS

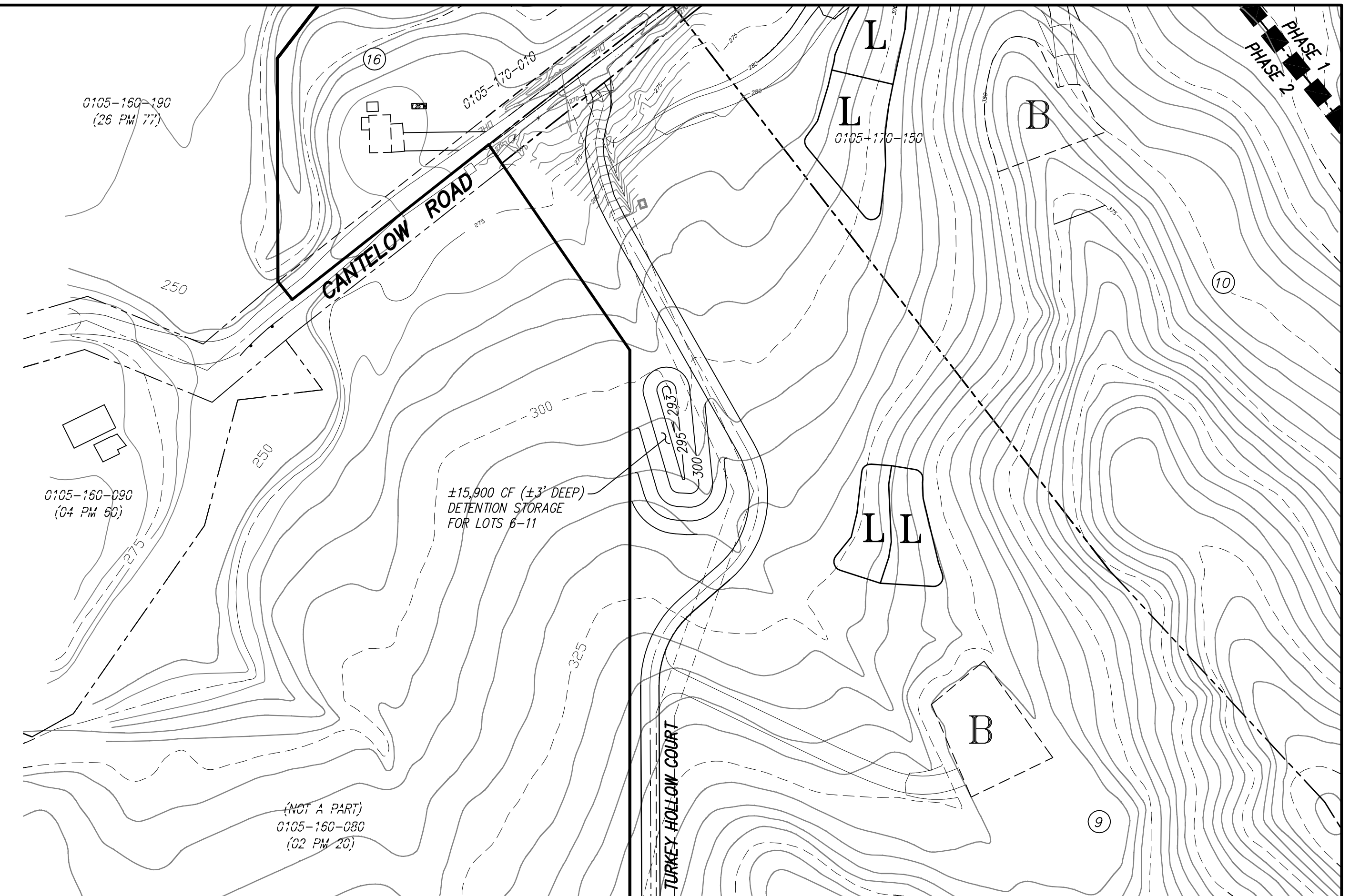
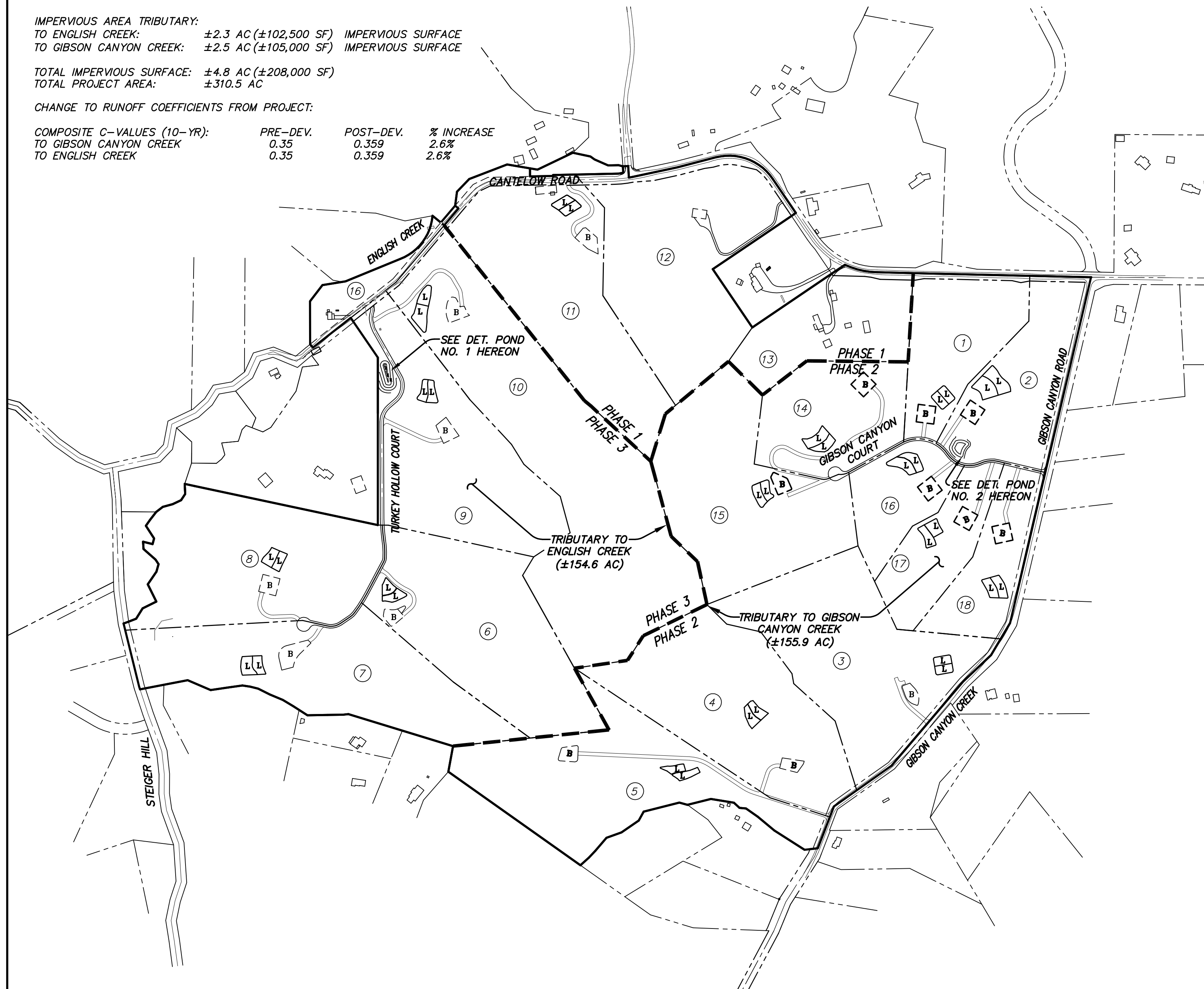
ARV AIR RELEASE VALVE  
BO BLOW OF VALVE  
BFP BACKFLOW PREVENTER  
FH FIRE HYDRANT  
PM PARCEL MAP  
PRV PRESSURE RELEASE VALVE  
W WATER  
WM WATER METER  
WS WATER SERVICE  
WV WATER VALVE

IMPERVIOUS AREA TRIBUTARY:  
TO ENGLISH CREEK: ±2.3 AC (±102,500 SF) IMPERVIOUS SURFACE  
TO GIBSON CANYON CREEK: ±2.5 AC (±105,000 SF) IMPERVIOUS SURFACE

TOTAL IMPERVIOUS SURFACE: ±4.8 AC (±208,000 SF)  
TOTAL PROJECT AREA: ±310.5 AC

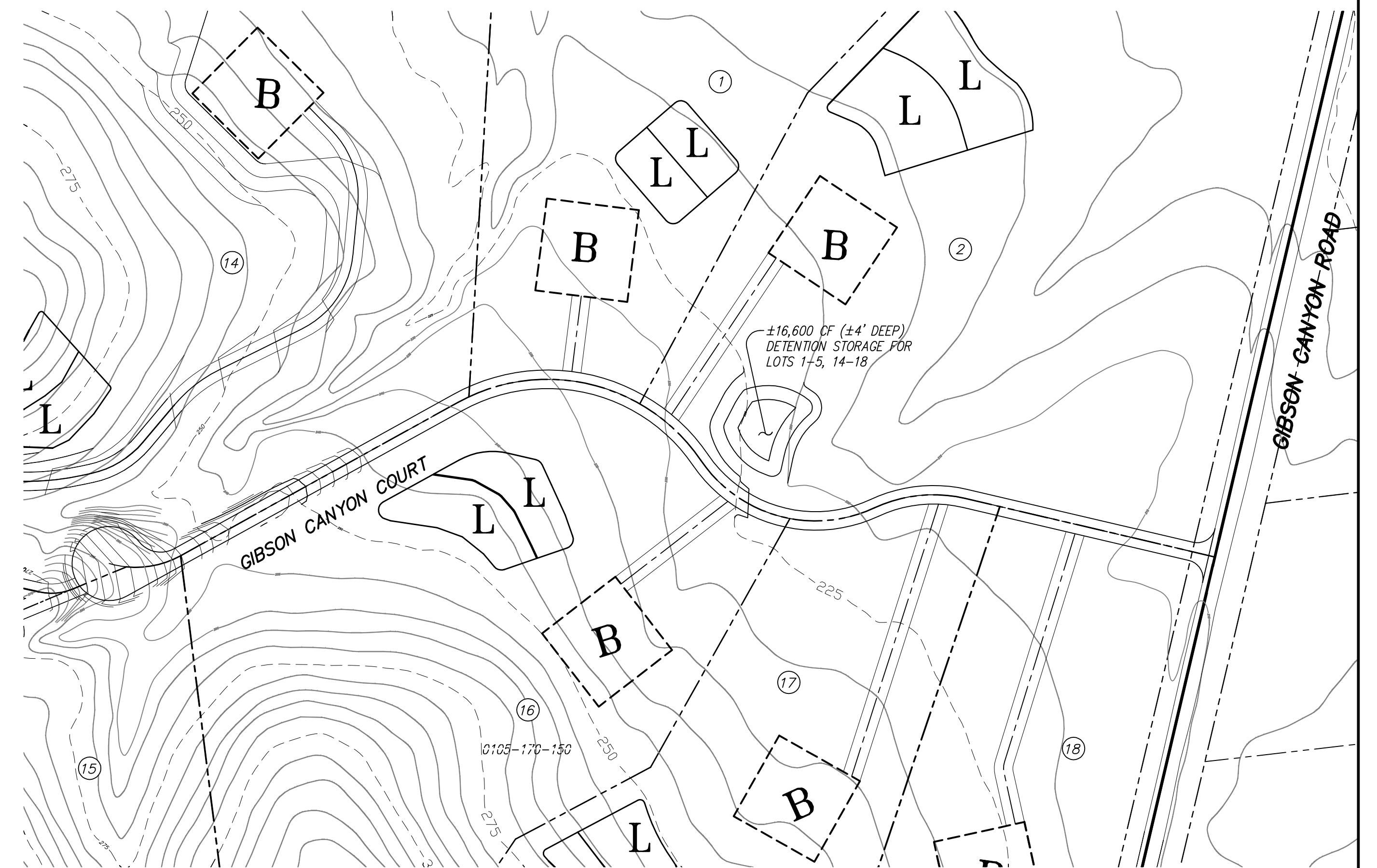
CHANGE TO RUNOFF COEFFICIENTS FROM PROJECT:

COMPOSITE C-VALUES (10-YR):	PRE-DEV.	POST-DEV.	% INCREASE
TO GIBSON CANYON CREEK	0.35	0.359	2.6%
TO ENGLISH CREEK	0.35	0.359	2.6%



DETENTION POND LOCATION NO. 1

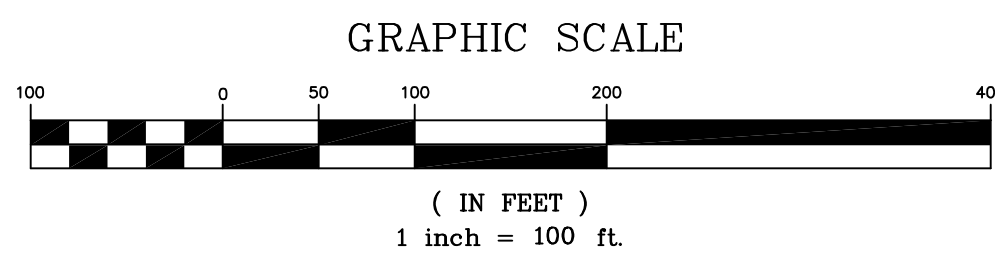
SCALE: 1"=100'



DETENTION POND LOCATION NO. 2

**SCALE: 1"=100'**

DESIGNED BY: AJH  
DRAFTED BY: AJH/NRF  
CHECKED BY: BDF  
ISSUE DATE: 12/18/19



**FCE** FOULK CIVIL ENGINEERING, INC.  
*Civil Engineering Land Surveying Planning*  
 4777 Mangels Boulevard, Fairfield, CA 94534  
 (707)864-0784 fax (707)864-0793 e-mail: foulkce@gmail.com



REV.	DATE	DESCRIPTION	BY	APPROVED	PROJECT: <b>LANDS OF MORGAN</b>				SHEET  <b>1</b>  OF <u>1</u>
					<b>SOLANO COUNTY (S-18-02)</b>				
					SHEET TITLE: <b>PRELIMINARY DETENTION POND PLAN</b>				
					SCALE: 1"=400' or 100'		DWG: 07-045	JOB NO: 07-045	
					XREF:				



DEPARTMENT OF RESOURCE MANAGEMENT



Planning Services Division

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS

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**NOTICE IS GIVEN** that the Board of Supervisors will hold a PUBLIC HEARING to consider the following three applications of **Bill Morgan**: 1) amend the General Plan land use designations on a portion of the subject property from Specific Project Area to Agriculture and Rural Residential and; Rural Residential to Agriculture; 2) rezone portions of the subject property from Exclusive Agricultural 20-acre minimum (A-20) to Rural Residential 2.5-acre minimum (RR-2.5), Rural Residential 5-acre minimum (RR-5), and Rural Residential 10-acre minimum (RR-10); and 3) subdivide the subject property into 19 lots. Development is proposed in three (3) phases and the project is known as **the Lands of Morgan Subdivision**. The 310.5 - acre property is located at the southwest corner of Cantelow and Gibson Canyon Road, within the unincorporated portion of Vacaville. APN: 105-110-070, 100, 440, 450; 105-160-130; 105-170-150, 010. (Application No.: GP-18-01, Z-18-01 and S-18-02; Project Planner: Nedzlene Ferrario)

On February 20, 2020, the Planning Commission recommended approval of the project subject to findings and conditions. The Board of Supervisors will consider adoption of the Mitigated Negative Declaration recommended by the Planning Commission and prepared by the Department of Resource Management, pursuant to the California Environmental Quality Act (CEQA).

The hearing will be held on **May 12, 2020, at 9:00 a.m. in the Board of Supervisors' Chambers, County Administration Center, 1<sup>st</sup> Floor, 675 Texas Street, Fairfield, California.**

Due to COVID-19 and to protect County staff and members of the public, the Board Chambers will be closed to the public during Board of Supervisors meetings. This precaution is being taken pursuant to the authority conferred by Governor Newsom's Executive Order N-29-20. All or some of the Board members will attend the meeting telephonically and participate in the meeting to the same extent as if they were present.

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, 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 will be emailed to you upon request. You may request materials by emailing [clerk@solanocounty.com](mailto:clerk@solanocounty.com).

The meeting will be live-streamed and available to view at:

<http://www.solanocounty.com/depts/bos/meetings/videos.asp>.

PUBLIC COMMENTS: To submit public comments, please see the options below.

Email/Mail:

If you wish to address this item by written comment, please submit comments in writing to the Clerk of the Board by U.S. Mail or by email. Written comments must be received no later than 8:30 A.M. on the day of the meeting. The email address for the clerk is: [clerk@solanocounty.com](mailto:clerk@solanocounty.com). The mailing address is: Clerk of the Board of Supervisors, 675 Texas Street, Suite 6500, Fairfield, CA 94533. Copies of comments received will be provided to the Board and will become a part of the official record but will not be read aloud at the meeting.

Phone:

To submit comments verbally from your phone, you may do so by dialing: 1-415-655-0001 and using Access Code 285-699-156 on your phone. No attendee ID number is required. Once entered in the meeting, you will be able to hear the meeting and will be called upon to speak during the public speaking period.

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.

BIRGITTA E. CORSELLO  
Clerk of the Board of Supervisors  
County of Solano, State of California

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**The Daily Republic - legal ad/one time – Monday, April 27, 2020**

**Vacaville Reporter – legal ad/one time – Monday, April 27, 2020**

<b>Proposed General Plan/Zoning</b>	<b>Total Lots</b>	<b>Acres</b>	<b>Density</b>
Agriculture/A-20	11	243.3	1 unit/22 acres
Rural Residential/RR-10	4	42.9	1 unit/10.7 acres
Rural Residential/RR-5	3	21.2	1 unit/7.06 acres
Rural Residential/RR-2.5	1	2.9	1 unit/2.9 acres
<b>Total</b>	<b>19</b>	<b>310.5</b>	



# Solano County

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

## Agenda Submittal

**Agenda #:** 16  
**Type:** Report  
**File #:** 20-371  
**Agenda date:** 05/12/2020  
**Title:** Receive a verbal update on the status of the 2020 Census outreach effort  
**Governing body:** Board of Supervisors  
**District:** All  
**Attachments:**

**Status:** Regular Calendar  
**Department:** Resource Management  
**Contact:** Matt Walsh, 784-6765  
**Final Action:**

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 Department of Resource Management recommends that the Board of Supervisors receive a verbal update on the status of the 2020 Census outreach effort.

### SUMMARY:

The State of California Government Operations Agency (GovOps) allocated \$145,572 in 2019 to Solano County to provide community outreach for the upcoming 2020 Census in order to better reach the local "hard to count" (HTC) population. In February 2020, GovOps allocated an additional \$30,550 to the County for outreach, for a total allocation of \$176,122. The County has contracted with Solano EDC to assist with this effort and work with the cities and community groups to facilitate maximum participation in the census. Significant progress has been made based on response rates to date. This report provides a status update of efforts to date and the county-wide strategy as efforts continue to ensure all residents are counted.

### FINANCIAL IMPACT:

The costs associated with conducting the Census 2020 outreach will be recovered through the \$176,122 total allocated funding from the state. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

### DISCUSSION:

As previously presented to the Board, the state originally budgeted \$90.3 million to be allocated for statewide outreach and media campaigns, in an effort to reach the HTC areas and communities. Specifically, GovOps allocated \$145,572 to Solano County to utilize toward local marketing and outreach efforts. The Standard Agreement between the State and the County was executed on March 25, 2019. Due to staffing work load, Solano County has contracted with Solano EDC to take the lead in the community outreach effort and reporting. This contract was executed on April 2, 2019.

In early February 2020, the State of California authorized an additional \$110,550 to Solano's efforts. Our recommendation was to forward \$80,000 to be utilized by the United Way Bay Area (UWBA), the designated Bay Area regional marketing organization, to be utilized for programs in progress and "mini-grants" targeting Solano County with an emphasis on Vallejo. The remaining \$30,550 was to be utilized by the Solano EDC for additional media support, electronic media campaigns, direct advertising and marketing materials.

Throughout the contract period, the Solano EDC created both a Strategy and Implementation Plan, assembled and coordinated monthly Complete Count Committee meetings reaching over 40 members, guided direct marketing efforts, created a web page and social media campaign with a consistent pulse of information, participated at the regional and state level sharing information, best practices and metrics, and helped to drive dozens of outreach events throughout the region.

#### Summary of Outreach Strategy

There are a number of reasons why getting an accurate census count is important, but a critical one is that data from the Census provides important information for policy-makers to make critical future decisions on infrastructure, social program funding, development, education, etc. It is estimated that for every person not counted, the local and state government loses roughly \$1,900 per person per year in revenue. This directly effects a local, state and federal agencies' ability to provide much needed services.

Utilizing SwORD, a State developed mapping and data tool that identifies hard to count areas, the EDC was able to identify 21 Census Tracts in three jurisdictions that scored above the State median of the HTC Index of 37. These census tracts were located in three jurisdictions, Vallejo, Fairfield and Dixon. Their score ranged from 41 to 115. These 21 census tracts included 11 in Vallejo, 9 in Fairfield and 1 in Dixon. These tracts will be the priority areas to disseminate information.

SwORD identifies the top three key factors driving the HTC Index status. For each tract the EDC identified and tabulated these critical factors. In total, there were 13 factors within the targeted tracts. The top 5 in frequency included: unemployment, moved recently, households on public assistance, non-family households, and households below 150% of the poverty line.

Social media provides a strong marketing platform across demographics. The Solano EDC has contracted with a specialist that has a proven track record in both multi-media campaigns and long-term marketing efforts. Distinct social media content will be distributed on Facebook, Twitter, and Instagram to provide content as well as a platform for discussion.

Hard copy marketing materials have been distributed to strategic access points, events, and locations that have high visibility with hard to reach population pools. Content and design work have been a mix of those provided by Federal and State sources, as well as those created by our design theme following similar design standards and messaging.

The Solano EDC and the County of Solano have coordinated and implemented the Solano Complete Count Committee. Because the budget limits the efforts and ability to bring staff on to provide distribution in the field, outreach objectives and tactics have been implemented by members of the Committee. Members were strategically selected to be in position to distribute information reaching target audiences identified as HTC. Through the larger partnership of educators, faith-based organizations, local leaders, and other organizations, information has been distributed at local events, especially those that host communities that are known to be under-served and HTC.

The EDC utilized content, language translation, and materials already developed by the Census, State, and other organizations and jurisdictions shared to avoid redundancy and duplication of effort. It should be noted that counties and community-based organizations are actively sharing information, strategies, and ideas because everyone wins with a successful campaign.

### Marketing Update

With the onset of Covid-19 and the following “stay at home” orders, like all of the other Census regions throughout California, the Solano EDC had to pivot its activities to reach the hard-to-count community. All sixteen designated Questionnaire Assistance Centers and Kiosks were temporarily closed, canvassing halted, and all Census-related events were postponed or cancelled. In effect, all promotional activities involving personal contact have been put on hold.

The Solano EDC immediately reached out to KUIC in Vacaville, to create a media campaign. The Solano EDC purchased ad space consisting of sets of four small commercials that were aired on a regular “rotation”, and Robert Burris performed one in-studio, and three on-phone interviews airing live during the early morning. These activities continue to occur.

In addition, the EDC contracted with an electronic media company to start direct emails carrying Census information to over half of the population of Solano County. As a follow up, we will be using geo-fencing technology to text Census instructions to people residing in low-performing census tracts.

U.S. Census Bureau and California Complete Count marketing efforts have already been initiated in multiple languages. These include television commercials, on-line posts, banners and signage, and other methods.

Because Vallejo and Fairfield continue to lag behind the County in response rate, even if only moderately lag, we have reached out to our regional partner UWBA, the Cities and organizations for more focused efforts including phone-banking, phone-“bots”, banners, and direct mailing.

### Results to Date (updated 4/29/2020)

Solano County is performing very well regarding its self-response rate, that is the percentage of households responding voluntarily via on-line, phone or hard copy after notification.

Solano now ranks 9th in California for response rate, now at 60.4%. This is greater than both the U.S. and California rate, currently at 54.3% and 55.7%, respectively. While all cities are above both the U.S. and California rate, their performances vary:

Benicia	70.8%
Dixon	63.2%
Fairfield	59.0%
Rio Vista	63.6%
Suisun City	62.9%
Vacaville	63.7%
Vallejo	56.7%

With our regional partners, we are now focused on specific census tracts where responses remain low. This will continue as long as resources allow, as nearly all marketing budget will likely be expended by mid-June.

During April, the Federal government made the decision to postpone several due dates for the Census due to the Covid-19 pandemic. The reporting date of the final tally will now occur by April 30, 2021, as opposed to 12/31/2020. The due date of responses has been moved from June 30, 2020 to October 31, 2020. All field offices have been temporarily closed, and earliest possible opening date would be June 1, 2020. If possible, enumeration would be initiated at this time.

### ALTERNATIVES:

The Board could choose not to receive this update on Census outreach. This is not recommended as the Board has previously expressed its interest in obtaining greater public participation in the 2020 Census, and this update will inform the Board on the status of the effort.

**OTHER AGENCY INVOLVEMENT:**

The 2020 Census is conducted by the US Census Bureau. California GovOps contracts with the County to disperse the funding allocation. Solano EDC is administering the outreach effort through a contract with the County. Each city in the County provides staff assistance to the County's efforts to form and manage a Complete Count Committee, which also includes support from local non-profit organizations. We have engaged the cities at various levels and have all supported this process.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	17	<b>Status:</b>	Regular Calendar
<b>Type:</b>	Resolution	<b>Department:</b>	Information Technology - Registrar of Voters
<b>File #:</b>	20-344	<b>Contact:</b>	John Gardner, 784-3366
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Receive a presentation from the Registrar of Voters' Office on preparations for the 2020 General Elections, with contingencies; Consider adopting a resolution supporting AB 860 allowing county elections officials to conduct the November 3, 2020 election as an all-mail ballot election with traditional polling places; and Consider adopting an updated stipend schedule for pollworkers and poll places for contingency measures identified by the Registrar of Voters.		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - Resolution, B - SB860 Letter of Support, C - AB860 Bill Text, D - Alternate Resolution, E - Alternate Letter to the Governor, F - Alternate Executive Order, G - Proposed Poll Worker Stipend, H - Presentation		

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 Registrar of Voters (ROV) recommends the Board of Supervisors:

1. Receive a presentation from the Registrar of Voters' Office on preparations for the 2020 General Elections with contingencies;
2. Adopt a resolution (Attachment A) supporting AB860 allowing county elections officials to conduct the November 3, 2020 election as an all-mail ballot election with traditional polling places; and
3. Adopt the updated stipend schedule for pollworkers and poll places for contingency measures identified by the Registrar of Voters.

### SUMMARY:

The Registrar of Voters (ROV) supports providing the maximum amount of voting opportunities for the upcoming Presidential General Election while ensuring compliance with County health orders to protect the public, our volunteers, and the employees administering the election. Maintaining low wait-times for voter services, while ensuring the election is conducted in a transparent, secure and accurate manner are key goals for the ROV.

Voting opportunities in November include options to all voters for voting by mail, in-person services at the ROV office for the normal 30-day voting period, and at assigned in-person election day polling places. ROV will provide additional mailings to ensure voters are aware of the voting options, while promoting early voting via mail or in-person, at the ROV office. This process would require an executive order by the Governor of



California, or an update to California Elections Code by the State legislature, to allow Solano County to execute this plan. A resolution and letter to support AB860 by Assembly Member Berman is attached for consideration. Alternatively, a draft Executive Order to the Governor is attached supported by the California Association of Clerks and Election Officials (CACEO).

As part of normal contingency planning, ROV has reviewed the possibility that polling places may not be available or large enough to accommodate social distancing or meeting the goals for maintaining public health standards. In most cases voters can be redirected to a nearby existing polling location. As the number of unavailable locations approach 30%, additional measures must be taken to maintain a high level of service. ROV is prepared to provide full service locations (i.e. Satellite offices) which would provide service to any voter not just those affected by poll place closures. These locations would operate for a minimum of 5 days instead of just Election Day. To facilitate payment to the facility being used for multiple voting days, and provide a stipend for pollworkers, the ROV has presented an updated pollworker stipend chart for consideration.

### **FINANCIAL IMPACT:**

The ROV is fully funded in the FY20/21 requested budget for the following plan:

- Normal Execution of the November 3, 2020 Presidential General Election;
- Increase sending vote by mail ballots to 100% of Solano County Voters (a 20% increase to vote by mail volume);
- Increase 5-day curbside drop-off locations to 7 (increase of 4 more than March Primary).
- Provide Personal Protective Equipment (PPE) to all staff, pollworkers plus hand sanitizer to voters entering and exiting all voting locations.

The ROV is proposing a multi-tiered contingency plan which includes providing additional full service satellite locations for 4 days. The ROV does anticipate additional costs associated with each of these levels as follows:

- Level 1 - Loss of 20-40 polling places, additional 3 satellite offices - estimated \$56,000 increase.
- Level 2 - Loss of 50-70 polling places, additional 6 satellite offices - estimated \$158,000 increase.
- Level 3 - Loss of 80-100 polling places, additional 12 satellite offices - estimated \$358,000 increase.

Costs associated with the contingency plan include additional ROV staffing, supplies, logistics, and notices to voters.

If additional costs are experienced, ROV would present these findings to the Board and would request a midyear budget adjustment after the election has been conducted.

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

### **DISCUSSION:**

Since the start of the Coronavirus pandemic, ROV has been discussing best practices with colleagues around the country for ensuring public and staff safety for the upcoming November 3, 2020 Presidential General Election.

The takeaway from the Department's research is to increase remote voting opportunities, while attempting to maintain the high level of in-person voting that the community expects from our office. The ROV's proposal

includes:

- Ensuring every voter receives a ballot in the mail to use if desired;
- Increasing visibility of remote accessible ballots currently provided to disabled and military voters;
- Increasing visibility of “curbside” voting at all in-person polling places;
- Increasing vote by mail return options (drop-off locations) prior to election day;
- Maintaining same level of in-person polling places as the March Primary Election;
- Sending additional notices to voters informing them of the different voting options available.
- Increasing Personal Protective Equipment (PPE) for all staff and pollworkers;
- Providing Hand Sanitizer to all voting locations, including for voters entering and leaving voting location; and
- Monitoring changes by County health order or Governor’s Executive Order ensuring all locations comply with current orders.

To achieve these goals, ROV needs variance from existing law which requires voters to request a vote by mail ballot before being sent one. ROV would like to receive this relief in the form of a Legislative addition for the November 3, 2020 election to be conducted by mail. State Assembly Member Berman has drafted AB860 and has gained support by 14 additional co-authors. The ROV would also like to formally support this legislative change.

Alternatively, ROV has prepared an executive order from Governor Newsom. Several California counties have already submitted a similar draft executive order, and this also has the support of the CACEO.

The Department’s goals have been standard for over 20 years of elections but continue to be reviewed and updated with contingency plans as various emergencies and issues change over time. The Department has reached a point where it’s now necessary to consider plans that include wide-spread loss of polling places. This could be from a pandemic/health emergency or natural disaster such as those experienced by neighboring counties in 2018.

In reviewing a more wide-spread loss of polling places throughout the county, staff discovered the need for varying levels of contingency which is presented for consideration. As the loss of polling places increases, it becomes difficult to relocate voters to an alternate site. Rather, ROV would implement a full-service satellite office at established, well-known locations not currently serving as shelter locations. These locations would also operate for 4 voting days to include weekend voting. By operating these locations for multiple voting days, ROV wants to ensure that pollworkers and the locations have a method for receiving a stipend for each of the days that the location will be used.

#### **ALTERNATIVES:**

The Board could choose to not approve the resolution showing support of AB860 to conduct the November 3, 2020 election as an all-mail ballot election with traditional polling places. This is not recommended because ROV believes it is in the best interest of the County and the community to increase options for voters in November to ensure all voters will have access to a ballot even if the county is still under stay at home orders.

The ROV has provided an alternative option to supporting AB860 in a resolution requesting the Governor of California to support the proposed executive order directing county elections officials to conduct the November 3, 2020 election as an all-mail ballot election with traditional polling places. The ROV recommends supporting one of the two options to allow for the most options for voters in the event of an extended stay at home order in October or November.

The Board could choose to not approve modifying the pollworker stipend chart. This is not recommended

because ROV needs flexibility in ensuring pollworkers and poll places receive stipends for multiple days of voting which may be necessary to execute the contingency models identified above.

**OTHER AGENCY INVOLVEMENT:**

The Registrar of Voters consulted with the County Auditor-Controller on the proposed modifications to the pollworker stipend.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

RESOLUTION NO. 2020 - \_\_\_\_\_

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS  
SUPPORTING AB860 TO SEND ALL VOTERS A MAIL IN BALLOT IN NOVEMBER 3,  
2020 PRESIDENTIAL GENERAL ELECTION**

**Whereas**, on March 19<sup>th</sup>, the State of California issued a statewide shelter-in-place order in response to COVID-19; and

**Whereas**, on June 8, 2020, the Governor of the State of California will proclaim a Presidential General Election to be held on November 3, 2020; and

**Whereas**, social distancing and other health directives may be in place during the public voting period of October 5 to November 3, 2020; and

**Whereas**, Solano County desires to provide more voting options to voters than is currently allowed in Elections Code; and

**Whereas**, the Solano County Registrar of Voters is making preparations now to meet the many deadlines for the November 3, 2020 Presidential General Election; and

**Whereas**, Solano County Elections must be accessible, secure and safe; and

**Whereas**, California's existing vote-by-mail procedures can be used to allow this election to go forward with contingency planning for in-person voting to ensure the election is accessible, secure and safe.

**Resolved** that the Solano County Board of Supervisors supports AB860 to ensure:

- 1) Solano county will send all voters a vote-by-mail ballot to be used in the November 3, 2020 Presidential General Election; and
- 2) Solano County will provide in-person voting opportunities on or before election day to all voters in a manner consistent with public health and safety.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on May 12, 2020 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

## REGISTRAR OF VOTERS

**TIMOTHY P. FLANAGAN**

Chief Information Officer  
Registrar of Voters  
TPFlanagan@solanocounty.com  
(707) 784-6675

**JOHN H. GARDNER**

Assistant Registrar of Voters  
JHGardner@solanocounty.com  
(707) 784-3366

May 12, 2020

The Honorable Marc Berman  
Room 6011  
State Capital Building  
Sacramento, CA 95814

Re: AB860 Support

Honorable Assembly Member Berman:

With the understanding that the current coronavirus outbreak has greatly changed everyday life for all Americans and the citizens of the State of California, the Solano County Registrar of Voters supports AB860 to achieve the best possible success for the November 3, 2020 Presidential Election.

Very simply, AB860 allows the Registrar to send a vote by mail ballot to all voters ensuring access to the ballot for all voters and providing voters with the option to vote while under a possible shelter-at-home order. This additional step for about 20% of the voters in Solano County will avoid last-minute adjustments based on potential changes in health orders.

Solano County will begin planning most election processes in early June, and we need direction and support from the legislature to be successful.

Passing AB860 will ensure that every voter in California will have the best, safest, opportunity to cast a ballot in the November Election while also ensuring the safety and health of the Registrar of Voters staff and volunteer pollworkers.

Sincerely,

Timothy P. Flanagan  
Solano County Registrar of Voters

CC: Honorable Cecilia Aguiar-Curry, Assembly Member District 4  
Honorable Jim Frazier, Assembly Member District 11  
Honorable Timothy Grayson, Assembly Member District 14

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AMENDED IN SENATE APRIL 24, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 860**

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**Introduced by Assembly ~~Member Berman~~ Members *Berman, Cervantes, and Gonzalez***

**(Coauthors: Assembly Members *Bauer-Kahan, Boerner Horvath, Bonta, Carrillo, Chiu, Friedman, Cristina Garcia, Levine, Reyes, Robert Rivas, Smith, Wicks*)**

**(Coauthor: Senator Wiener)**

February 20, 2019

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An act to ~~amend Section 25503.24 of the Business and Professions Code, relating to alcoholic beverages;~~ *add Section 3000.5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 860, as amended, Berman. ~~Alcoholic beverages: tied-house restrictions.~~ *Elections: vote by mail ballots.*

*Under existing law, a registered voter may vote by mail by requesting a vote by mail ballot for a specific election or by becoming a permanent vote by mail voter. County elections officials must begin mailing ballots and other required materials to these voters no later than 29 days before the day of the election. Existing law, the California Voter's Choice Act, authorizes any county to conduct any election occurring on or after January 1, 2020, as an all-mailed ballot election if specified conditions are met. In an all-mailed ballot election held under the act, the county elections official must mail a ballot to every registered voter, regardless of whether the voter requested a vote by mail ballot or is a permanent vote by mail voter.*

*This bill would require county elections officials to mail a ballot to every registered voter for the November 3, 2020 statewide general election.*

*By requiring county elections officials to mail a ballot to every registered voter, this bill would impose a state-mandated local program.*

*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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law, the Alcoholic Beverage Control Act, prohibits specified holders of alcoholic beverage licenses from having specified relationships with an on-sale alcoholic beverage licensee, with limited exceptions. Existing law permits a manufacturer, winegrower, rectifier, distiller, distilled spirits wholesaler, or any agent of those licensees, to conduct market research and, in connection with that research, to purchase from licensed off-sale retailers data, regarding purchases and sales of alcoholic beverage products, at the customary rates that those retailers sell similar data for nonalcoholic beverage products, provided that no licensed retailer shall be obligated to purchase or sell the alcoholic beverages of the manufacturer, winegrower, rectifier, or distiller. A violation of the Alcoholic Beverage Control Act is a misdemeanor, unless another penalty or punishment is specified.~~

~~This bill would additionally include a distilled spirits wholesaler in the provision prohibiting a licensed retailer from being obligated to purchase or sell the alcoholic beverages of the licensee conducting the market research.~~

~~Because the violation of this provision would be punishable as a misdemeanor, the bill would impose a state-mandated local program.~~

~~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.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. *The Legislature finds and declares all of the*  
2 *following:*

3     (a) *To maintain a healthy democracy in California, it is*  
4 *important to encourage eligible voters to vote and to ensure that*  
5 *residents of the state have the tools needed to participate in every*  
6 *election.*

7     (b) *Vote by mail voting has become the means by which most*  
8 *Californians exercise their right to vote. In the most recent*  
9 *statewide general election, held in November 2018, 65.31 percent*  
10 *of voters used a vote by mail ballot. Just 10 years ago, in the*  
11 *November 2010 statewide general election, only 48.44 percent of*  
12 *voters used a vote by mail ballot.*

13     (c) *Preliminary data indicates that for the March 2020 statewide*  
14 *primary election, approximately 78 percent of registered voters*  
15 *received a ballot in the mail.*

16     (d) *Shortly after the March 2020 statewide primary election,*  
17 *the Governor and local governments declared states of emergency*  
18 *and took steps to reduce the spread of COVID-19. One of the early*  
19 *steps taken by the Governor was to order that three pending special*  
20 *elections be conducted as all-mailed ballot elections. This order*  
21 *was issued based on concerns that widespread in-person voting*  
22 *would conflict with public health officials' guidance on COVID-19.*

23     (e) *Since California held its statewide primary election in March*  
24 *2020, at least 16 states have either postponed their scheduled*  
25 *primary elections, or switched them to vote by mail elections, due*  
26 *to concerns that conducting in-person voting during the spread of*  
27 *COVID-19 would threaten the health and safety of voters, election*  
28 *workers, and the general public.*

29     (f) *In Wisconsin's statewide primary election conducted on April*  
30 *7, 2020, during which millions of voters had no choice but to vote*  
31 *in person, elections officials were forced to significantly reduce*  
32 *the number of polling locations because of COVID-19. In*  
33 *Milwaukee, the number of polling locations open on election day*  
34 *was reduced by more than 97 percent.*



1     (g) A statewide general election will be held in California on  
2     November 3, 2020, and it is uncertain whether by that date the  
3     COVID-19 pandemic will have subsided and what social distancing  
4     guidelines will remain in place. Even if the pandemic has subsided  
5     by the time of the election, many voters may nonetheless be  
6     uncomfortable with in-person voting because of health concerns.

7     (h) Broadening the ability of California residents to engage in  
8     the democratic process will yield more representative election  
9     results and will ensure that the voices of more California residents  
10    are heard.

11    (i) Mailing every voter a ballot for the November 2020 statewide  
12    general election is an important step in promoting resilience in  
13    the state's elections and ensuring that every California voter will  
14    have the opportunity to fill out their ballot in a safe manner.

15    SEC. 2. Section 3000.5 is added to the Elections Code, to read:

16    3000.5. (a) Notwithstanding any other law, for the statewide  
17    general election to be held on November 3, 2020, the county  
18    elections official shall, no later than 29 days before the day of the  
19    election, begin mailing the materials specified in Section 3010 to  
20    every registered voter in the county. The county elections official  
21    shall have five days to mail a ballot to each person who is  
22    registered to vote on the 29th day before the day of the election  
23    and five days to mail a ballot to each person who is subsequently  
24    registered to vote. The county elections official shall not  
25    discriminate against any region or precinct in the county in  
26    choosing which ballots to mail first within the prescribed five-day  
27    mailing period.

28    (b) The distribution of vote by mail ballots to all registered  
29    voters does not prevent a voter from voting in person at a polling  
30    place, vote center, or other authorized location.

31    SEC. 3. If the Commission on State Mandates determines that  
32    this act contains costs mandated by the state, reimbursement to  
33    local agencies and school districts for those costs shall be made  
34    pursuant to Part 7 (commencing with Section 17500) of Division  
35    4 of Title 2 of the Government Code.

36    SEC. 4. This act is an urgency statute necessary for the  
37    immediate preservation of the public peace, health, or safety within  
38    the meaning of Article IV of the California Constitution and shall  
39    go into immediate effect. The facts constituting the necessity are:

1     *To ensure that county elections officials have sufficient time to*  
2     *prepare and mail a ballot to every registered voter in advance of*  
3     *the November 3, 2020 statewide general election.*

4     SECTION 1. Section 25503.24 of the Business and Professions  
5     Code is amended to read:

6     25503.24. ~~(a) Notwithstanding any other provision of this~~  
7     ~~chapter, any manufacturer, winegrower, rectifier, distiller, distilled~~  
8     ~~spirits wholesaler, or any officer, director, agent, or representative~~  
9     ~~of any of those entities, may conduct market research and, in~~  
10    ~~connection with that research, the entity conducting the market~~  
11    ~~research may purchase from licensed off-sale retailers data~~  
12    ~~regarding purchases and sales of alcoholic beverage products at~~  
13    ~~the customary rates that those retailers sell similar data for~~  
14    ~~nonalcoholic beverage products subject to the following limitations:~~

15    ~~(1) No licensed retailer shall be obligated to purchase or sell~~  
16    ~~the alcoholic beverage products of that manufacturer, winegrower,~~  
17    ~~rectifier, distiller, or distilled spirits wholesaler.~~

18    ~~(2) No retail premises shall participate in more than one research~~  
19    ~~project conducted by any single manufacturer, winegrower,~~  
20    ~~rectifier, distiller, or distilled spirits wholesaler during a calendar~~  
21    ~~year. A research project may involve multiple onsite surveys.~~

22    ~~(3) Nothing in this section shall allow a licensed retailer to~~  
23    ~~require a manufacturer, winegrower, rectifier, distiller, or distilled~~  
24    ~~spirits wholesaler to conduct any market research as a condition~~  
25    ~~for selling alcoholic beverage products to that licensed retailer.~~

26    ~~(b) Any holder of a beer manufacturer's license or winegrower's~~  
27    ~~license who, through coercion or other illegal means, induces,~~  
28    ~~directly or indirectly, a holder of a beer or wine wholesaler's~~  
29    ~~license to fulfill obligations entered into pursuant to subdivision~~  
30    ~~(a) shall be guilty of a misdemeanor and shall be punished by~~  
31    ~~imprisonment in the county jail not exceeding six months, or by~~  
32    ~~a fine in an amount equal to the entire value of the market research~~  
33    ~~or time involved in the project, whichever is greater, plus ten~~  
34    ~~thousand dollars (\$10,000), or by both imprisonment and fine. The~~  
35    ~~person shall also be subject to license revocation pursuant to~~  
36    ~~Section 24200.~~

37    ~~(c) Any retail licensee who, directly or indirectly, solicits or~~  
38    ~~coerces a holder of a beer or wine wholesaler's license to solicit~~  
39    ~~a beer manufacturer, or holder of a winegrower's license to fulfill~~  
40    ~~obligations entered into pursuant to subdivision (a) shall be guilty~~

1 of a misdemeanor and shall be punished by imprisonment in the  
2 county jail not exceeding six months, or by a fine in an amount  
3 equal to the entire value of the market research or time involved  
4 in the project, whichever is greater, plus ten thousand dollars  
5 (\$10,000), or by both imprisonment and fine. The person shall also  
6 be subject to license revocation pursuant to Section 24200.

7 (d) For the purposes of this section, “beer manufacturer”  
8 includes any holder of a beer manufacturer’s license, any holder  
9 of an out-of-state beer manufacturer’s certificate, or any holder of  
10 a beer and wine importer’s general license.

11 SEC. 2. No reimbursement is required by this act pursuant to  
12 Section 6 of Article XIII B of the California Constitution because  
13 the only costs that may be incurred by a local agency or school  
14 district will be incurred because this act creates a new crime or  
15 infraction, eliminates a crime or infraction, or changes the penalty  
16 for a crime or infraction, within the meaning of Section 17556 of  
17 the Government Code, or changes the definition of a crime within  
18 the meaning of Section 6 of Article XIII B of the California  
19 Constitution.

RESOLUTION NO. 2020 - \_\_\_\_\_

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS SUPPORTING DRAFT  
EXECUTIVE ORDER TO GOVERNOR GAVIN NEWSOM TO SEND ALL VOTERS A MAIL IN BALLOT IN  
NOVEMBER 3, 2020 PRESIDENTIAL GENERAL ELECTION**

**Whereas**, on March 19<sup>th</sup>, the State of California issued a statewide shelter-in-place order in response to COVID-19; and

**Whereas**, on June 8, 2020, the Governor of the State of California will proclaim a Presidential General Election to be held on November 3, 2020; and

**Whereas**, social distancing and other health directives may be in place during the public voting period of October 5, 2020 to November 3, 2020 and

**Whereas**, Solano County desires to provide more voting options to voters than is currently allowed in Elections Code; and

**Whereas**, the Solano County Registrar of Voters is making preparations now to meet the many deadlines for the November 3, 2020 Presidential General Election; and

**Whereas**, Solano County Elections must be accessible, secure and safe; and

**Whereas**, California's existing vote-by-mail procedures can be used to allow this election to go forward with contingency planning for in-person voting to ensure the election is accessible, secure and save.

**Resolved** that the Solano County Board of Supervisors supports the draft executive order to be delivered to the Governor's office to ensure:

- 1) Solano County will send all voters a vote-by-mail ballot to be used in the November 3, 2020 Presidential Primary election;
- 2) Solano County will expand their certified remote accessible vote by mail system for use by all voters in Solano County;
- 3) Solano County will provide in-person voting opportunities on or before election day to all voters in a manner consistent with public health and safety; and
- 4) Solano County will be reimbursed for expenses incurred for procurement of election equipment, supplies and services in the form of grants for immediate use.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on May 12, 2020 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

## REGISTRAR OF VOTERS

**TIMOTHY P. FLANAGAN**

Chief Information Officer  
Registrar of Voters  
TPFlanagan@solanocounty.com  
(707) 784-6675

**JOHN H. GARDNER**

Assistant Registrar of Voters  
JHGardner@solanocounty.com  
(707) 784-3366

May 12, 2020

The Honorable Gavin Newsom  
Office of California Governor Newsom  
State Capital Building, 1<sup>st</sup> Floor  
Sacramento, CA 95814

Re: Proposed Executive Order to protect public health by expanding vote-by-mail options for the November 3, 2020 Presidential General Election

Honorable Governor Gavin Newsom:

With the understanding that the current coronavirus outbreak has greatly changed everyday life for all Americans and the citizens of the State of California, the Solano County Registrar of Voters respectfully recommends the following actions by Executive Order to achieve the best possible success for the November 3, 2020 Presidential Election.

- Hold the November 3, 2020, Presidential General Election as an all-mail ballot election.
- Expand California Elections Code sections 3016.5 and 3000-3503 to permit all voters access to receive and cast a ballot through a certified remote accessible vote by mail system currently in place for Solano County Voters.
- Allow the Registrar of Voters to encourage in-person voting opportunities on or before Election Day in a manner that is consistent with public health and safety, at the discretion of the Registrar of Voters.
- Extend the voter registration deadline from the fifteenth day prior to Election Day to Election Day.
- Extend the acceptance of properly cast and postmarked vote-by-mail ballots to no later than 5 p.m. two days prior to the certification of the election to allow for any potential mail delivery delays.
- Extend all deadlines associated with the official canvass of the November 3, 2020 Presidential Election by 21 days.
- In recognition of the extreme disruption caused by the COVID-19 pandemic, funding from the Secretary of State will be released in the form of grants for immediate use for specified purposes, rather than through state mandate reimbursement.

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The above actions, as detailed in the attached example executive order, will ensure that every voter in California will have the best, safest, opportunity to cast a ballot in the November Election while also ensuring the safety and health of the Registrar of Voters staff and volunteer pollworkers.

These recommendations recognize that many poll workers may not be willing to work in the November election and that many previously available polling places will no longer be available. Social distancing makes most current poll worker training settings untenable and the majority of poll workers are at an increase risk due to their age. Finding suitable voting locations that will allow for proper social distancing and space for line queuing, issuing, voting and receiving ballots will be extremely challenging. The safety and health of the voters, poll workers and county employees are of the utmost importance.

The November election is consistent with flu season and many experts within the WHO and CDC are expecting the COVID-19 virus to follow a similar curve and be cyclical. Even under the best health and safety guidelines it is hard to imagine a polling place or satellite office that will not be putting people at risk under those circumstances. We need to act now to ensure that every voter has an equal and safe opportunity to vote in November.

Sincerely,

Timothy P. Flanagan  
Solano County Registrar of Voters

# EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

## EXECUTIVE ORDER \_\_\_\_\_

**WHEREAS** on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

**WHEREAS** on March 19, 2020 I issued a statewide shelter-in-place order in response to COVID-19; and

**WHEREAS** various political subdivisions within California are in the process of changing from an at-large method of election to district elections, existing law requires public hearings to be conducted within prescribed timeframes as part of this change, and conducting such hearings within these timeframes would be incongruent with public health officials' guidance regarding social distancing; and

**WHEREAS** on June 8, 2020, I will proclaim a Presidential General Election to be held on November 3, 2020; and

**WHEREAS** state law would ordinarily permit only certain voters to be able to receive, cast, and return a ballot through electronic transmission; and

**WHEREAS** state law would ordinarily require that this election be conducted using in-person voting at polling locations or vote centers throughout the jurisdiction; and

**WHEREAS** the generalized use of in-person voting presents risks to public health and safety in light of the COVID-19 pandemic, and could risk undermining social distancing measures imposed by the State Public Health Officer, as well as other aspects of the response to COVID-19; and

**WHEREAS** state law would ordinarily establish the close of registration for voter affidavits to be the fifteenth day before Election Day and conditional voter registration for any unregistered voters to occur at an in-person voting location between the fourteenth day before Election Day to Election Day; and

**WHEREAS** state law would ordinarily require all eligible ballots to be postmarked by Election Day and received by the elections official no later than three days after Election Day; and

**WHEREAS** County Elections officials are making preparations now to meet the many deadlines for the November 3, 2020 Presidential General Election, and

**WHEREAS** our elections must be accessible, secure, and safe; and

**WHEREAS** California's existing vote-by-mail procedures can be used to allow this election to go forward in a manner that is accessible, secure, and safe.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

**IT IS HEREBY ORDERED THAT:**

1) Notwithstanding Elections Code sections 1500 and 4000-4007 (including, but not limited to, the conditions otherwise imposed on all mail ballot elections in Elections Code sections 3000-3026 and 4100 and any other applicable provision of state law), the November 3, 2020, Presidential General Election to be held in the State of California shall be held as an all-mail ballot election and conducted according to those provisions of the Elections Code that govern all-mail ballot elections. The respective county elections officials responsible for conducting this election shall transmit vote-by-mail ballots to all voters eligible to vote in this election and must begin making necessary preparations as soon as possible to ensure voting is accessible and secure for all voters.

2) Elections Code sections 3016.5 and 3000-3503 permits voters with disabilities and military and overseas voters to receive and cast a ballot through a certified remote accessible vote by mail system (RAVBM). The aforementioned codes are hereby expanded to extend RAVBM voting to all voters.

3) Per Elections Code 3019.7, the Secretary of State established a vote-by-mail tracking system that all counties may use for voters to track their vote-by-mail ballots through the mail system and their return status as they are being processed by elections officials. In order to provide voters greater ability to track the status of their ballots, it is hereby ordered that all county elections officials are required to utilize the Secretary of State's vote-by-mail tracking system. A county elections official may opt out of utilizing the Secretary of State's system if the county elections official operates a similar system that provides the same level of service or more to a voter.

4) Recognizing that there are limited circumstances that may require in-person voting assistance, appointments to receive in-person voting assistance may be set at the county elections' office or a satellite office for certain voters at the discretion of the county elections official, which will include, but is not limited to:

- a) Voters with disabilities,
- b) Voters without internet access;
- c) Emergency voting as described in Elections Code 3021; and
- d) Confidential voters.

5) Notwithstanding the other provisions of this Order, elections officials are also authorized, and encouraged, to make in-person voting opportunities available on or before Election Day in a manner consistent with public health and safety, to maximize voter accessibility. Elections officials shall provide maximum possible notice to voters about how to participate in the November 3, 2020 Presidential Election, paying particular attention to the needs of voters at high risk from COVID-19, individuals with



disabilities, individuals in protected language communities and other voters with particularized needs. The Secretary of State will prepare at least one direct mailing to be sent to every registered voter in the State of California notifying that the November 3, 2020 Presidential General Election will be conducted as an all-mailed ballot election across the State. County election officials shall conduct a voter awareness program outlining the change to an all-mailed ballot election without polling places and with limited vote center voting options.

6) Notwithstanding Elections Code 2102, the voter registration deadline will be extended from the fifteenth day prior to Election Day to Election Day for both paper affidavits and online voter registrations. Online voter registrations may be processed up to the day before the election to reduce the need for in-person voting assistance and limit risks for public health and safety due to COVID-19. Starting seven days before Election Day, the online voter registration form on the Secretary of State's website will be updated for voters to indicate a preference to receive their ballots through a certified RAVBM system. County election officials will have discretion as to the best method of providing the ballot to a voter based on available resources and circumstances at the time of the request.

7) Consistent with Elections Code 3019(d)(1) and notwithstanding Elections Code 3020(b), any vote-by-mail ballots returned to the elections official shall be considered timely cast if they are postmarked by Election Day and received by the elections official no later than 5 p.m. two days prior to the certification of the election to allow for any potential delays related to mail delivery that may occur as result of COVID-19.

8) Whereas the State has historically required county election officials to be reimbursed for expenses incurred in meeting state mandates and procurement of election equipment, supplies and services, funding will be released in the form of grants for immediate use for specified purposes. The Secretary of State is requested to issue further guidance to election officials, which will include, but is not limited to, increased election materials, facility space, and outreach materials in response to this Order. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19, applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.

9) Notwithstanding Elections Code sections 3019, 15100–15112, 15300– 15376, 15400–15402, 15450–15490, and 15500–15505; California Code of Regulations, Title 2, sections 20027, 20108.75, 20108.8, and 20110–20126; and any other applicable provision of state law including, but not limited to, any applicable state regulation, all deadlines associated with completing, auditing, and reporting on the official canvass of the November 3, 2020 Presidential General Election is extended by 21 days. Counties

are urged to complete activities related to the official canvass according to the deadlines ordinarily imposed by state law, to the extent possible. The Secretary of State is requested to issue guidance to county elections officials concerning compliance with this paragraph.

**IT IS FURTHER ORDERED** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have  
hereunto set my hand and caused  
the Great Seal of the State of  
to be of fixed this xxth day of xxx 2020  
GAVIN NEWSOM  
Governor of California

**ATTEST:**  
ALEX PADILLA  
Secretary of State

# 2020 Proposed Pollworker Stipend Changes

## EXISTING

Assignment	Stipend:
Roving Inspector (Provides Hands-on support and elections expertise to multiple precincts)	\$150 – plus mileage to and from polling places.

<b>Poll Place Inspector</b> (Responsible for polling places, picking up supplies, returning supplies on election night, balancing polling place after voting).	\$130
<b>Poll Place Clerk</b> (includes e-roster clerk, ballot clerk, provisional clerk, equipment clerk, greeters and students)	\$100
Stand-By Assignments	\$15 plus training
<b>Non-Election Day Pollworkers</b>	\$10 per hour of assignment

On-line Training Class (with score of 80% or higher)	\$25
In-Person Training Class (all positions)	\$20
Pre-Election Pick-up / Election Night Return of Supplies	\$10 per person per event

Hosting a facility/poll place	\$250 per election.
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## PROPOSED

Assignment	Stipend:
Roving Inspector (Provides Hands-on support and elections expertise to multiple precincts)	<b>\$150 per each full voting day worked. – plus mileage to and from polling places.</b>

<b>Poll Place Inspector</b> (Responsible for polling places, picking up supplies, returning supplies on election night, balancing polling place after voting).	<b>\$130 per each full voting day worked.</b>
<b>Poll Place Clerk</b> (includes e-roster clerk, ballot clerk, provisional clerk, equipment clerk, greeters and students)	<b>\$100 per each full voting day worked.</b>
Stand-By Assignments	\$15 plus training
<b>Non-Election Day Pollworkers</b>	\$10 per hour of assignment

On-line Training Class (with score of 80% or higher)	\$25
In-Person Training Class (all positions)	\$20
Pre-Election Pick-up / Election Night Return of Supplies	\$10 per person per event

Hosting a facility/poll place	<b>\$250 per each day used for election event including ballot drop-off.</b>
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# **Solano County Registrar of Voters Office**

## Purpose:

Recommendation for November 2020 with contingencies based on Health directives.

## Presented by:

Tim Flanagan – Registrar of Voters (ROV)

John Gardner – Assistant Registrar of Voters

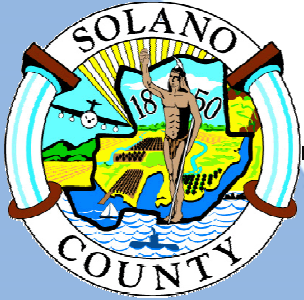
May 12, 2020



## November 3, 2020 – Goals for November

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- Put safeguards in place to protect health of voters, pollworkers, staff, observers, and poll place facilities.
- Maintain low wait-times for voter services.
- Increase Voter Awareness / encourage use of alternative of options voting.
- Ensure election is transparent, secure, accurate, and results are timely!



## **November 3, 2020 – Method to Achieve Goals**

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- Send all voters a vote by mail ballot with pre-paid postage.
- Increase mailings to voters about different options for voting.
- Increase use of accessible vote by mail program.
- Increase and Encourage Early voting / Ballot drop-off use.
- Where in-person voting is possible, provide additional PPE and physical separation for voters.
- Extend Canvass time to allow staff spacing for safe working environment.



## November 3, 2020 – PPE ideas



- Traditional Check-in Stations with physical barriers between pollworkers and voters.
- Gloves, masks, hand sanitizer offered to all voters, but provided to poll workers.
- Disposable pens given to each voter.





## November 3, 2020 – PPE ideas



- Encouraging more curb-side voting, and parking-lot services for ballot drop-off.
- Enough masks and gloves to be replaced throughout the day for pollworkers interfacing with public.

May 12 , 2020

Registrar of Voters Presentation on November 3, 2020 Election

5





## November 3, 2020 – PPE ideas



- Ensure polling places are large enough to support social distancing for voters inside.
- Clean equipment and voting booths often.
- Provide PPE for voters.



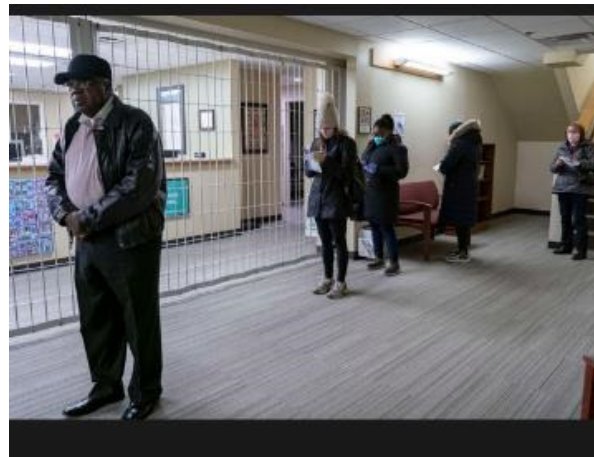
## November 3, 2020 – PPE ideas



- Ensure proper queueing distances for voters inside and outside of voting areas.



May 12 , 2020



Registrar of Voters Presentation on November 3, 2020 Election



## November 3, 2020 – ROV Plan

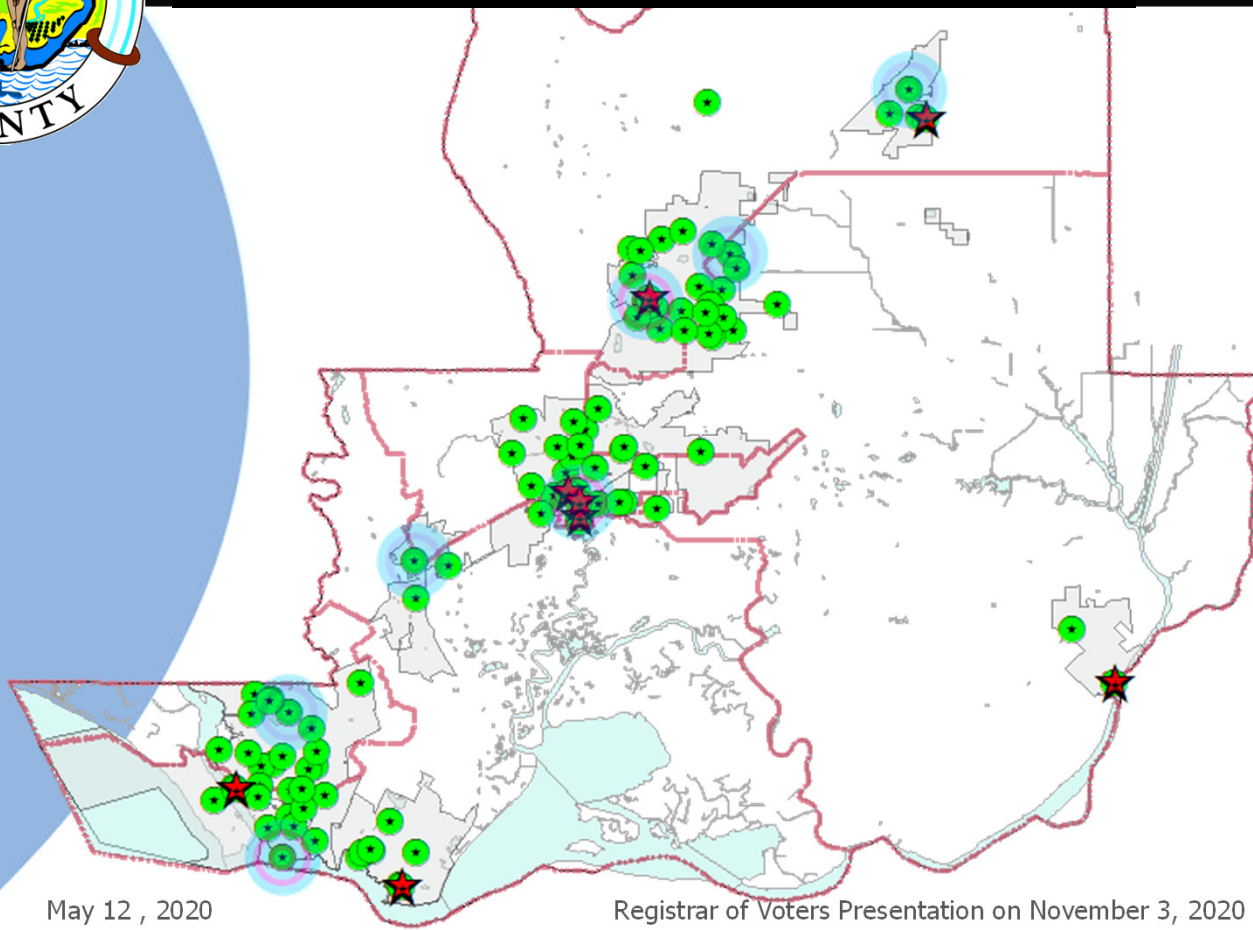
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- ROV planning for expanded push for Vote by Mail and Early Voting:
  - Expecting mailing 100% of voters vote-by-mail ballots;
  - Expecting 8 locations for 30-day ballot drop-off;
  - Expecting 7 locations for 5-day curbside drop-off;
  - Expecting 91 in-person Election Day polling places;
- 2 additional pre-election notices to voters explaining the changes.
- Increase PPE for staff and pollworkers
  - (gloves, masks, sanitizer, disinfecting wipes, protective barrier shields)
- Monitor changes by health order or Governor Executive Order





# November 3, 2020 – ROV Current Plan



- ★ 30-day drop off locations (one per city)
- 5-day drop curbside drop off(2x Vallejo, Fairfield, Vacaville; 1x Dixon)
- Election Day Poll Places  
7 - Benicia;  
4 - Dixon;  
2 - Rio Vista;  
21 - Fairfield;  
6 - Suisun;  
23 - Vacaville;  
28 - Vallejo

May 12 , 2020

Registrar of Voters Presentation on November 3, 2020 Election



## November 3, 2020 – ROV Contingency Plans

### **Based on Health Directive or Executive Order, possible problems ROV has identified:**

- Poll Locations may not allow us to host voting;
- Poll Workers may not show up or sign up to expose themselves to large gatherings;
- ROV staff may be reduced due to illness within office staff;
- High Turnout election expected – reduction in locations will cause increased wait times for voters that decide to come out.
- Last minute adjustments may cause increased costs.



# November 3, 2020 – ROV Contingency Plans

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## Level 1 Contingency (loss of up to 40% of polling places and/or poll workers)

- Relocate voters to nearby larger voting locations (super poll place);
- Add full service satellite office in nearby affected areas for 4 days including election day
  - any voter from any location, **up to 3 satellite locations**
- Notice voters of a potential 10-20% increase in wait times on election day (potential 30-40 minute wait on election day).



## November 3, 2020 – ROV Contingency Plans

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### Level 2 Contingency (loss of 40 to 80% of polling places and/or poll workers)

- Relocate voters to nearby larger voting locations (super poll places);
- Add full service satellite office in nearby affected areas for 4 days including election day
  - any voter from any location, **up to 6 satellite locations**
- Notice voters of a potential 20-30% increase in wait times on election day (potential 50-60 minute wait on election day).



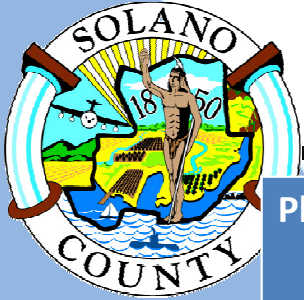
## November 3, 2020 – ROV Contingency Plans

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### Level 3 Contingency (loss of 80 to 100% of polling places and/or poll workers)

- In-person voting only available at full service satellite office in nearby affected areas for 4 days including election day
  - any voter from any location, **up to 12 satellite locations.**
- Consider “Drive-through” voting at satellite locations.
- Notice voters of a potential 30-40% increase in wait times on election day (potential 80-90 minute wait on election day).





## November 3, 2020 – ROV Contingency Plans

Plan	Traditional Poll Places (1 day)	Full Service Locations (4 days)	Ballot Drop-Off Locations (30 days)	Curbside Drop-Off Locations (5 days)	Estimated Extra Cost (to be presented to the board as a request for mid-year budget adjustment)
Standard Plan + 100% VBM	91	1	8	7	Fully Funded in FY 20/21 REQ. Budget
Level 1	50-55	3	8	7	+ 146k - <u>90k</u> <b>\$ 56k total</b>
Level 2	20-40	6	8	7	+ 293k - <u>135k</u> <b>\$ 158k total</b>
Level 3	0-5	12	8	7	+ 587k - <u>229k</u> <b>\$ 358k total</b>



## November 3, 2020 – Support AB860

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### **AB860 – Berman (14 co-authors)**

- Allows sending all voters a vote-by mail ballot.
- Provides in-person voting defined by ROV office.
- Allows for ROV flexibility in following county health orders

### **Alternate - Draft Executive Order.**

- Drafted by California Association of Clerks and Election Officials (CACEO).
- Extends Accessible ballot to all voters.
- More time for USPS and Canvass procedures.



## November 3, 2020 – Pollworker stipend change

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### **Adjust Stipend Pay to consider multiple-days worked.**

- Current Stipend only considers a single day of election activity.
- No changes to base pay for any category.
- Poll places may be asked to be used for multiple days.



## Concluding – Board action

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### **Approve ROV recommendation:**

- Approve a resolution supporting AB860 allowing County Election Officials to conduct the November 3rd 2020 election as an all-mail ballot election with traditional polling places
- Approve modified pollworker stipends for adopting contingency plan if necessary.



# Questions?

[www.solanocounty.com/elections](http://www.solanocounty.com/elections)

## ROV Website:

- Register to vote
- Verify registration
- Find your polling Place;
- Election details;
- Sample Ballots;
- Maps;
- Candidate information

## Registrar Of Voters

Registered Voters as of 4/20/2020 (updated weekly)

Democrat: 115,580 Republican: 54,478 Other: 71,191 | Total: 241,249 ↑

Voters Requesting to Vote by Mail: 181,830 | 75.37% ↑

REGISTER  
TO VOTE

VERIFY VOTER  
REGISTRATION

MILITARY  
AND OVERSEAS  
CITIZENS

REQUEST TO  
VOTE BY MAIL

DISTRICT  
LOOKUP

LOOK UP  
VOTE BY MAIL  
BALLOT STATUS

SIGN UP  
FOR  
TEXT ALERTS

POLL  
WORKERS

Our office lobby is currently closed. All of our services are available by phone or email:

(707) 784-6675; or [Elections@solanocounty.com](mailto:Elections@solanocounty.com)

For in-person services, please make an appointment with our staff: [appointment request](#)

## November 3, 2020 - Presidential General Election

[\\*\\*Important Candidate/Potential Candidate information\\*\\*](#)

[Key Dates Calendar](#)

[Candidate Guidebook](#)

[Election Calendar](#)

[Measure O Resolution - City of Dixon](#)



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	18	<b>Status:</b>	Regular Calendar
<b>Type:</b>	Grant Funding	<b>Department:</b>	Health and Social Services
<b>File #:</b>	20-352	<b>Contact:</b>	Sandra Sinz, 784-8400
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	

**Title:** Receive a presentation regarding 1) a grant award of \$6,301,108 from the California Health Facilities Finance Authority (CHFFA) for proposed construction of a 16-bed licensed Residential Mental Health Diversion Program and 2) a grant award of \$1,256,129 under the Homeless Housing Assistance and Prevention (HHAP) Program to support proposed construction of a 16-bed Board and Care housing program for adult residents experiencing housing insecurity and a mental illness; Accept the grant awards to support the proposed construction of the 32-bed project at the 275 Beck Ave Health and Social Services Campus; Approve subsequent Appropriations Transfer Requests (ATR) to recognize the unanticipated allocation awards revenues (4/5 vote required); and Delegate authority to the County Administrator to execute the subsequent allocation award documents for these grants and other related documents necessary to accept the awards

**Governing body:** Board of Supervisors

**District:** All

**Attachments:** A - HHAP Fund Request Form, B - HHAP Standard Agreement, C - Agreement Exhibits A-E, D - CSI Allocation Letter, E - 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 that the Board:

- 1) Receive a presentation regarding: 1) a grant award of \$6,301,108 from the California Health Facilities Finance Authority (CHFFA) for proposed construction of a 16-bed licensed Residential Mental Health Diversion Program and 2) a grant award of \$1,256,129 under the Homeless Housing Assistance and Prevention (HHAP) Program to support proposed construction of a 16-bed Board and Care housing program for adult residents experiencing housing insecurity and a mental illness;
- 2) Accept the grant awards to support the proposed construction of the 32-bed project at the 275 Beck Ave Health and Social Services Campus;
- 3) Approve subsequent Appropriations Transfer Requests (ATR) to recognize the unanticipated allocation awards revenues (4/5 vote required); and
- 4) Delegate authority to the County Administrator to execute the subsequent allocation award documents for these grants and other related documents necessary to accept the awards

**SUMMARY:**

Statewide and locally, communities have experienced a shortage in appropriate board/care housing and intensive residential treatment settings for adults with severe mental illness. This has had subsequent effects on both mental health treatment and homelessness. As a result, estimates suggest that one-third of individuals identified as chronically homeless suffer from severe mental illness. Last year, County staff had developed a 32 bed concept that would provide 16 beds of intensive residential mental health treatment and 16 beds of traditional board and care beds for clients with mental illness who face a risk of housing insecurity. Assemblymember Frazier supported this concept with AB 1769 to provide State General Fund for construction of the project to be located at the 275 Beck Ave Health and Social Services Campus. While the bill passed the health committee, the proposed project unfortunately did not get funded. Since that time, with continued support from a list of community stakeholders and leaders, County staff have continued supporting the proposed project development as a priority to help meet community needs related to mental health services, jail diversion, and homelessness. The location on the Beck Campus enables this project to be more feasible as there are no residential neighbors who would be impacted.

Despite the lack of direct State funding through AB 1769, Staff have continued to seek funding sources to help the project concept be realized, and through receiving two recent grant awards from the California Health Facilities Financing Authority (CHFFA) and the Homeless Coordinating and Financing Council (HCFC) totaling \$7,557,537, a unique opportunity exists to develop this site and impact local jail diversion, mental health treatment, and homelessness.

**FINANCIAL IMPACT:**

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget. These grants bring \$7,557,537 to support the development of a board and care facility for mental health clients.

**DISCUSSION:**

In December 2019, the Health and Social Services Department (H&SS) applied for a large grant through the California Health Facilities Financing Authority (CHFFA), submitting an application in the Community Services Infrastructure (CSI) grant program. In March 2020, H&SS was awarded a CSI grant in the amount of \$6,301,108 to create additional facilities that provide mental health, substance use, or domestic violence treatment services, specifically to add to the community resources available that can serve as diversion from Jail. These funds do not require that a client is in formal diversion status (charged with a crime and court-ordered to mental health services as a diversion from jail). It does require that the funds serve the population that is involved with criminal justice resources, which can be through law enforcement interaction or arrest.

Solano's CHFFA project was one of nine total projects awarded statewide through the 2019 CSI, two of which are in Los Angeles County. H&SS submitted the proposal to fund half of the project concept as a phase one of construction, developing 16 residential treatment beds in a licensed board and care. Prior to submitting the application for CHFFA, the project development included notification to the businesses neighboring the Beck campus. Some members of the public attended a public meeting and, upon better understanding of the project and the population served, have expressed general support of the project. Additionally, the Solano County Mental Health Advisory board unanimously endorsed the project concept, and letters of support were drafted and signed by the Sheriff, the Probation Department, Public Defender, Superior Court, and the National Alliance on Mental Illness (NAMI). The proposed program services for the site would be procured to be implemented by a community based, mental health agency contractor. To meet CHFFA requirements related to construction time, this 16-bed residential treatment site would be ready to open by June 2022. This is

achievable because the grant requires that this may not be a new-build; this project will meet the June 2022 deadline through utilization of pre-manufactured modules.

To support a proposed second phase of construction on the site, an additional funding source identified for the alternate 16-beds of this project came through the Homeless Housing Assistance and Prevention (HHAP) Program. H&SS applied for the HHAP grant program in January 2020. The HHAP allocation formula was based upon the bi-annual Point in Time (PIT) Count of homeless individuals in each county and therefore H&SS was eligible to apply for an allocation of \$1,256,129. On March 16, 2020, H&SS received notification from the Homeless Coordinating and Financing Council (HCFC) that Solano County has received its full allocation to be used for supporting the development of the 16 Board and Care beds that would serve individuals with a mental illness and who face housing insecurity. Funding is eligible to be spent within 5-years from the receipt of the grant award. HHAP also requires that at least 8% of the funds are utilized for youth and young adults. With that, two beds will be set aside in this board and care for young adults age 18 to 24. With the Board of Supervisors accepting the HHAP grant award for this proposed project, a remaining amount of approximately \$6.4 million will be pursued by staff to complete this second phase of construction for 16 mental health board and care beds

The proposed project is exempt from the California Environmental Quality Act under the 32 categorical exemption. Class 32 applies to the infill projects that are consistent with applicable general plans, on a project site of no more than five acres substantially surrounded by urban uses with no value as habitat for endangered species, and no significant effects relating to traffic, noise, air quality or water quality. (CEQA Guidelines, § 15332.) With assistance from the Department of Resource Management, staff will file a Notice of Exemption if the Board authorizes the project to proceed.

#### **ALTERNATIVES:**

The Board may choose not to accept these grant awards. This is not recommended because the County would not receive over \$7.5M in funding to initiate the development of the 32-bed facility envisioned for mental health clients on the Beck campus, a project previously endorsed by this Board.

#### **OTHER AGENCY INVOLVEMENT:**

The Department of Health and Social Services has worked closely with General Services in the planning and development of this project and will continue to do so during the implementation. Stakeholders in the mental health community have been involved and supportive of the development of this project, including Sheriff, Probation, Public Defender, Superior Court, Solano County Mental Health Advisory Board, and NAMI. The Department of Resource Management will assist in the preparation of the Categorical Exemption under CEQA in conjunction with County Counsel.

#### **CAO RECOMMENDATION:**

**APPROVE DEPARTMENTAL RECOMMENDATION**





## HOMELESS HOUSING, ASSISTANCE AND PREVENTION FUNDING

### REQUEST FOR FUNDS FORM

Contract Number 20-HHAP-00046

Invoice Number 20-HHAP-00046

Grantee Name: Solano County

Address: 275 Beck Avenue

City: Fairfield

State & Zip: CA, 94533

Expiration Date: 6/30/2025

Contact Person: Sandra Sinz

Contact Person Title:

E-mail: [slsinz@solanocounty.com](mailto:slsinz@solanocounty.com)

Phone No.: 707-784-8332

### HOMELESS HOUSING, ASSISTANCE AND PREVENTION FUNDING BREAKDOWN

#### AWARD

##### Eligible Use Category per § HSC 50219(c)

##### Draw Amount

Rental Assistance and Rapid Rehousing

Operating Subsidies and Reserves

Landlord Incentives

Outreach and Coordination (including employment)

Systems Support to Create Regional Partnerships

Delivery of Permanent Housing

\$1,168,200.48

Prevention and Shelter Diversion to Permanent Housing

New Navigation Centers and Emergency Shelters

Strategic Homelessness Planning, Infrastructure Development, CES, and HMIS (up to 5%)

Administrative (up to 7%)

\$87,929.06

**TOTAL:**

**\$1,256,129.54**

#### CERTIFICATION

*\*By signing this form, I certify to the best of my knowledge and belief that the form is true, complete, and accurate, and the activities and budget are for the purposes and objectives set forth in the terms and conditions of the Standard Agreement. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.*

Name of Authorized Person

Signature of Authorized Person

Date:

#### BCSH USE ONLY

Grant Management Representative Signature

Date:

Amber Ostrander

Grant Management Manager Signature

Date:

**STANDARD AGREEMENT**

STD 213 (Rev. 03/2019)

AGREEMENT NUMBER

20-HHAP-00046

PURCHASING AUTHORITY NUMBER (if Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

Business, Consumer Services, and Housing Agency

CONTRACTOR NAME

Solano County

2. The term of this Agreement is:

START DATE

Upon BCSH Approval

THROUGH END DATE

06/30/2025

3. The maximum amount of this Agreement is:

\$1,256,129.54

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibits	Title	Pages
Exhibit A	Scope of Work	1-6
Exhibit B	Budget Detail and Payment Provisions	7-11
Exhibit C	Homeless Coordinating and Financing Council Terms and Conditions	12-21
+ - Exhibit D	Special Terms and Conditions	22
+ - Exhibit E*	General Terms and Conditions	23

Items shown with an asterisk (\*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

**CONTRACTOR**

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

Solano County

CONTRACTOR BUSINESS ADDRESS

275 Beck Avenue

CITY

Fairfield

STATE

CA

ZIP

94533

PRINTED NAME OF PERSON SIGNING

TITLE

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

**STANDARD AGREEMENT**

STD 213 (Rev. 03/2019)

AGREEMENT NUMBER  
20-HHAP-00046

PURCHASING AUTHORITY NUMBER (If Applicable)

**STATE OF CALIFORNIA**

CONTRACTING AGENCY NAME

Business, Consumer Services, and Housing Agency

CONTRACTING AGENCY ADDRESS

915 Capitol Mall, Suite 350A

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Lourdes Castro Ramírez

TITLE

Secretary

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

**Homeless Housing, Assistance and Prevention  
Standard Agreement**

**EXHIBIT A  
SCOPE OF WORK**

**1. Authority**

The State of California has established the Homeless Housing, Assistance, and Prevention Program (“HHAP” or “Program” or “grant”) pursuant to Chapter 6 (commencing with Section 50216) of Part 1 of Division 31 of the Health and Safety Code. (Added by Stats.2019, c. 159 (A.B. 101), § 10, eff. July 31, 2019.)

The Program is administered by the California Homeless Coordinating and Financing Council (“Council”) in the Business, Consumer Services and Housing Agency (“Agency”). HHAP provides one-time flexible block grant funds to continuums of care, large cities (population of 300,000+) and counties as defined in the December 6, 2019 HHAP Notice of Funding Availability (“NOFA”) to support regional coordination and expand or develop local capacity to address immediate homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing.

This Standard Agreement along with all its exhibits (“Agreement”) is entered into by the Agency and a continuum of care, a city, or a county (“Grantee”) under the authority of, and in furtherance of the purpose of, the Program. In signing this Agreement and thereby accepting this award of funds, the Grantee agrees to comply with the terms and conditions of the Agreement, the NOFA under which the Grantee applied, the representations contained in the Grantee’s application, and the requirements of the authority cited above.

**2. Purpose**

The general purpose of the Program is to provide one-time block grant funding to support regional coordination, and to expand or develop local capacity to address immediate homelessness challenges. Activities will be informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing. In accordance with the authority cited above, an application was created and submitted by the Grantee for HHAP funds to be allocated for eligible uses as stated in Health and Safety Code section 50219, subdivision (c)(1) – (8).

**Homeless Housing, Assistance and Prevention  
Standard Agreement**

**EXHIBIT A  
SCOPE OF WORK**

**3. Definitions**

**The following HHAP program terms are defined in accordance with Health and Safety Code section 50216, subdivisions (a) – (q):**

- (a) “Agency” means the Business, Consumer Services and Housing Agency.
- (b) “Applicant” means a continuum of care, city, or county.
- (c) “City” means a city or city and county that is legally incorporated to provide local government services to its population. A city can be organized either under the general laws of this state or under a charter adopted by the local voters.
- (d) “Continuum of care” means the same as defined by the United States Department of Housing and Urban Development at Section 578.3 of Title 24 of the Code of Federal Regulations.
- (e) “Coordinated Entry System” means a centralized or coordinated process developed pursuant to Section 578.7 of Title 24 of the Code of Federal Regulations, as that section read on January 10, 2019, designed to coordinate homelessness program participant intake, assessment, and provision of referrals. In order to satisfy this subdivision, a centralized or coordinated assessment system shall cover the geographic area, be easily accessed by individuals and families seeking housing or services, be well advertised, and include a comprehensive and standardized assessment tool.
- (f) “Council” means the Homeless Coordinating and Financing Council created pursuant to Section 8257 of the Welfare and Institutions Code.
- (g) “Emergency shelter” has the same meaning as defined in subdivision (e) of Section 50801.
- (h) “Homeless” has the same meaning as defined in Section 578.3 of Title 24 of the Code of Federal Regulations, as that section read on January 10, 2019.
- (i) “Homeless Management Information System” means the information system designated by a continuum of care to comply with federal reporting requirements as defined in Section 578.3 of Title 24 of the Code of Federal Regulations. The term “Homeless Management Information System” also includes the use of a comparable

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database by a victim services provider or legal services provider that is permitted by the federal government under Part 576 of Title 24 of the Code of Federal Regulations.

(j) "Homeless point-in-time count" means the 2019 homeless point-in-time count pursuant to Section 578.3 of Title 24 of the Code of Federal Regulations. A jurisdiction may elect to instead use their 2017 point-in-time count if they can demonstrate that a significant methodology change occurred between the 2017 and 2019 point-in-time counts that was based on an attempt to more closely align the count with HUD best practices and undertaken in consultation with HUD representatives. A jurisdiction shall submit documentation of this to the agency by the date by which HUD's certification of the 2019 homeless point-in-time count is finalized. The agency shall review and approve or deny a request described in the previous sentence along with a jurisdiction's application for homeless funding.

(k) "Homeless youth" means an unaccompanied youth between 12 and 24 years of age, inclusive, who is experiencing homelessness, as defined in subsection (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)). "Homeless youth" includes unaccompanied youth who are pregnant or parenting.

(l) "Housing First" has the same meaning as in Section 8255 of the Welfare and Institutions Code, including all of the core components listed therein.

(m) "Jurisdiction" means a city, city that is also a county, county, or continuum of care, as defined in this section.

(m) "Jurisdiction" means a city, city that is also a county, county, or continuum of care, as defined in this section.

(n) "Navigation center" means a Housing First, low-barrier, service-enriched shelter focused on moving homeless individuals and families into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

(o) "Program" means the Homeless Housing, Assistance, and Prevention program established pursuant to this chapter.

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(p) "Program allocation" means the portion of program funds available to expand or develop local capacity to address immediate homelessness challenges, in the amount of six hundred fifty million dollars (\$650,000,000).

(q) "Recipient" means a jurisdiction that receives funds from the agency for the purposes of the program.

**Additional definitions for the purposes of the HHAP program:**

"Obligate" means that the Grantee has placed orders, awarded contracts, received services, or entered into similar transactions that require payment using HHAP funding. Grantees, and the subrecipients who receive awards from those Grantees, must obligate the funds by the statutory deadlines set forth in this Exhibit A.

"Expended" means all HHAP funds obligated under contract or subcontract have been fully paid and receipted, and no invoices remain outstanding. In the case of an award made through subcontracting, subcontractors are required to obligate the funds by the same statutory deadlines.

"Grantee" means the continuum of care, city, or county that has entered into contract with the Business, Consumer Services and Housing Agency and is receiving HHAP funding.

**4. Scope of Work**

The Scope of Work ("Work") for this Agreement shall include uses that are consistent with Health and Safety Code section 50219, subdivision (c)(1) – (8), and any other applicable laws. Eligible uses include the following:

- A. Rental assistance and rapid rehousing.
- B. Operating subsidies in new and existing affordable or supportive housing units, emergency shelters, and navigation centers. Operating subsidies may include operating reserves.
- C. Incentives to landlords, including, but not limited to, security deposits and holding fees.
- D. Outreach and coordination, which may include access to job programs, to assist vulnerable populations in accessing permanent housing and to promote housing stability in supportive housing.

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- E. Systems support for activities necessary to create regional partnerships and maintain a homeless services and housing delivery system, particularly for vulnerable populations including families and homeless youth.
- F. Delivery of permanent housing and innovative housing solutions such as hotel and motel conversions.
- G. Prevention and shelter diversion to permanent housing.
- H. New navigation centers and emergency shelters based on demonstrated need. Demonstrated need for purposes of this paragraph shall be based on the following:
  - i. The number of available shelter beds in the city, county, or region served by a continuum of care.
  - ii. Shelter vacancy rate in the summer and winter months.
  - iii. Percentage of exits from emergency shelters to permanent housing solutions.
  - iv. A plan to connect residents to permanent housing.

**5. Agency Contract Coordinator**

The Agency's Contract Coordinator for this Agreement is the Council's HHAP Grant Manager or the Grant Manager's designee. Unless otherwise instructed, any notice, report, or other communication requiring an original Grantee signature for this Agreement shall be mailed to the Agency Contract Coordinator. If there are opportunities to send information electronically, Grantee will be notified via email by the HHAP Grant Manager or the Grant Manager's designee.

The Representatives during the term of this Agreement will be:

	<b>PROGRAM</b>	<b>GRANTEE</b>
<b>ENTITY:</b>	Business Consumer Services and Housing Agency	County of Solano
<b>SECTION/UNIT:</b>	Homeless Coordinating and Financing Council (HCFC)	
<b>ADDRESS:</b>	915 Capitol Mall Suite 350-A Sacramento, CA 95814	275 Beck Avenue Fairfield, California 94533
<b>CONTRACT MANAGER</b>	Amber Ostrander	Sandra Sinz Deputy Director, Behavioral Health
<b>PHONE NUMBER:</b>	916-651-7995	707-784-8332
<b>EMAIL ADDRESS:</b>	Amber.Ostrander@bcsh.ca.gov	slsinz@solanocounty.com



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All requests to update the Grantee information listed within this Agreement shall be emailed to the Homeless Coordinating and Financing Council's general email box at [hcfc@bcsh.ca.gov](mailto:hcfc@bcsh.ca.gov). The Council reserves the right to change their representative and/or contact information at any time with notice to the Grantee.

**6. Effective Date, Term of Agreement, and Deadlines**

A. This Agreement is effective upon approval by the Agency (indicated by the signature provided by Agency in the lower left section of page one, Standard Agreement, STD. 213), when signed by all parties.

B. Contractual Obligation:

- Grantees that are counties must contractually obligate **100 percent** of their full program allocations on or before **May 31, 2023**.
- Grantees that are cities or continuums of care must contractually obligate no less than **50 percent** of program allocations on or before **May 31, 2023**.

Cities or continuums of care that contractually obligate less than 50 percent or program allocations after May 31, 2023 are subject to an alternative disbursement plan as required under (Health & Safety Code, § 50220, subdivision (a)(4)(B)).

C. Full Expenditure of HHAP Grant Funds

- All HHAP grant funds (**100 percent**) must be expended by **June 30, 2025**. Any funds not expended by that date shall revert to the General Fund. (Health & Safety Code, § 50220, subdivision (e).)

**7. Special Conditions**

Agency reserves the right to add any special conditions to this Agreement it deems necessary to ensure that the goals of the Program are achieved.

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**EXHIBIT B  
BUDGET DETAIL AND PAYMENT PROVISIONS**

**1. Budget Detail & Changes**

The Grantee agrees that HHAP funds shall be expended on uses that support regional coordination and expand or develop local capacity to address immediate homelessness challenges. Such activities must be informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing.

The Grantee shall expend HHAP funds on eligible activities as detailed in the annual budget submitted with the Grantee's approved application. The Grantee shall submit an updated budget with the annual report that revises and reports all actual and projected expenditures of HHAP funds.

Changes may be made to the timing (e.g., fiscal year) of eligible use expenditures without prior approval by the Agency so long as the total expenditures (actual and projected) for each eligible use category remain the same as described in the budget approved with the Grantee's application. Any decrease or increase to the total expenditures for any eligible use category must otherwise be approved by the Council's HHAP Grant Manager or his/her designee, in writing, before the Grantee may expend HHAP funds according to an alternative budget. The HHAP Grant Manager will respond to Grantee with approval or denial of request. Failure to obtain written approval from the Grant Manager or his/her designee as required by this section may be considered a breach of this Agreement.

**2. General Conditions Prior to Disbursement**

All Grantees must submit the following forms prior to HHAP funds being released:

- A. Request for Funds Form (RFF)
- B. STD 213 Standard Agreement - 2 original copies of the signed STD 213 form and initialed Exhibits A through E.
- C. Data Use Agreement (**continuums of care and counties that accepted redirected funding from a continuum of care- see Exhibit D for relevant Special Terms and Conditions**)

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**EXHIBIT B  
BUDGET DETAIL AND PAYMENT PROVISIONS**

**3. Disbursement of Funds**

HHAP funds will be disbursed to the Grantee upon receipt, review and approval of the completed Standard Agreement and RFF by Agency, the Department of General Services (DGS) and the State Controller's Office (SCO). Once Agency receives, reviews, and signs off on the completed documents, the documents will be sent to DGS for review. Once DGS review is completed, documents will be forwarded to SCO for final review and fund disbursement. The RFF must include the proposed eligible uses and the amount of funds proposed for expenditure under each eligible use. HHAP funds will be disbursed in a single allocation via mailed check once the RFF has been received by the SCO. Checks will be mailed to the address and contact name listed on the RFF.

**4. Expenditure of Funds**

Specific requirements and deadlines for contractually obligating and expending awarded funds are set forth in the Homeless Housing, Assistance, and Prevention Program statutes. Health and Safety Code sections 50218, 50219, and 50220 mandate the following:

- A. Up to 5 percent of the HHAP allocation may be expended for the following uses that are intended to meet federal requirements for housing funding:
  - (1) Strategic homelessness plan, as defined in section 578.7(c) of Title 24 of the Code of Federal Regulations; and/or
  - (2) Infrastructure development to support coordinated entry systems and Homeless Management Information Systems.
- B. No more than 7 percent of the HHAP allocation may be used for administrative costs incurred by the Grantee.
- C. At least 8 percent of the HHAP allocation shall be used to establish or expand services for homeless youth populations.
- D. Grantees that are cities or continuums of care shall contractually obligate no less than 50 percent of HHAP funds by May 31, 2023. If less than 50 percent is obligated after May 31, 2023, continuums of care and cities shall not expend any remaining portion of the 50 percent of program allocations required to have been obligated unless and until both of the following occur:

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BUDGET DETAIL AND PAYMENT PROVISIONS**

- (1) On or before June 30, 2023, the Grantee submits an alternative disbursement plan to Agency that includes an explanation for the delay and a plan to fully expend these funds by December 31, 2023.
  - (2) Agency approves the alternative disbursement plan.  
If the funds identified in the approved alternative disbursement plan are not fully expended by December 31, 2023, the funds shall be returned to Agency.
- E. Grantees that are counties shall contractually obligate the full allocation (100 percent) awarded to them by May 31, 2023. Any funds that are not contractually obligated by this date shall be reverted to the continuum of care that serves the county. Specific to Los Angeles County, funds that are not contractually obligated by this date shall be divided proportionately using the HHAP funding allocation formula among the four CoC's that serve Los Angeles County: City of Glendale CoC, City of Pasadena CoC, the City of Long Beach CoC, and the Los Angeles Homeless Services Authority.
- Counties not obligating their full program allocation by May 31, 2023 are required to notify Agency on or before that date, of the name of the CoC(s) in which the county is served, and the amount of program funds that will be reverted to the CoC(s). By June 30, 2023, the county shall provide Agency with evidence that the funds were transferred and submit an updated budget that clearly identifies the funds that were transferred.
- F. All HHAP funds shall be expended by June 30, 2025.
- G. Any funds not expended by June 30, 2025 shall revert to the General Fund.

**5. Reimbursement**

HHAP program funds should not generally be obligated or expended prior to the effective date of this Agreement. However, Agency acknowledges that there may be circumstances that would require reimbursement in order to prevent or address homelessness in a given jurisdiction. When considering a reimbursement, the following requirements are applicable:

- A. Reimbursement is not permitted for activities occurring prior to July 1, 2019.

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- B. Reimbursement shall not supplant existing local funds for homeless housing, assistance, or prevention.
- C. Approval from HCFC must be obtained prior to obtaining reimbursement.
- D. Capital improvement projects pertaining to emergency shelters and navigation centers are still required to demonstrate need. Eligible applicants are required

to submit the following information for HCFC to review and approve or deny such projects:

- (1) The number of available shelter beds in the jurisdiction;
- (2) The shelter vacancy rate in the summer and winter months;
- (3) The percentage of exits from emergency shelters to permanent housing solutions; and
- (4) A plan to connect residents to permanent housing.

**6. Ineligible Costs**

HHAP funds shall not be used for costs associated with activities in violation of any law or for any activities not consistent with the intent of the Program and the eligible uses identified in Health and Safety Code sections 50218 and 50219.

Agency reserves the right to request additional clarifying information to determine the reasonableness and eligibility of all uses of the funds made available by this Agreement. If the Grantee or its funded subrecipients use HHAP funds to pay for ineligible activities, the Grantee shall be required to reimburse these funds to Agency.

An expenditure which is not authorized by this Agreement, or by written approval of the Grant Manager or his/her designee, or which cannot be adequately documented, shall be disallowed and must be reimbursed to Agency by the Grantee.

Agency, at its sole and absolute discretion, shall make the final determination regarding the allowability of HHAP fund expenditures.

Program funds shall not be used to supplant existing local funds for homeless housing, assistance, or prevention.

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**7. Administrative Costs**

The Grantee must comply with Health and Safety Code section 50219, subdivision (e), which limits the Grantee's administrative costs to no more than 7 percent of total HHAP funds received. For purposes of this requirement, "administrative costs" does not include staff or other costs directly related to implementing activities funded by the Program allocation.

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**EXHIBIT C  
HOMELESS COORDINATING AND FINANCING COUNCIL TERMS AND  
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**1. Termination and Sufficiency of Funds**

**A. Termination of Agreement**

Agency may terminate this Agreement at any time for cause by giving a minimum of 14 days' notice of termination, in writing, to the Grantee. Cause shall consist of violations of any conditions of this Agreement, any breach of contract as described in paragraph 6 of this Exhibit C; violation of any federal or state laws; or withdrawal of Agency's expenditure authority. Upon termination of this Agreement, unless otherwise approved in writing by Agency, any unexpended funds received by the Grantee shall be returned to Agency within 30 days of Agency's notice of termination.

**B. Sufficiency of Funds**

This Agreement is valid and enforceable only if sufficient funds are made available to Agency by legislative appropriation. In addition, this Agreement is subject to any additional restrictions, limitations or conditions, or statutes, regulations or any other laws, whether federal or those of the State of California, or of any agency, department, or any political subdivision of the federal or State of California governments, which may affect the provisions, terms or funding of this Agreement in any manner.

**2. Transfers**

Grantee may not transfer or assign by subcontract or novation, or by any other means, the rights, duties, or performance of this Agreement or any part thereof, except with the prior written approval of Agency and a formal amendment to this Agreement to affect such subcontract or novation.

**3. Grantee's Application for Funds**

Grantee has submitted to Agency an application for HHAP funds to support regional coordination and expand or develop local capacity to address its immediate homelessness challenges. Agency is entering into this Agreement on the basis of, and in substantial reliance upon, Grantee's facts, information, assertions and representations contained in that application, and in any subsequent modifications or additions thereto approved by Agency. The application and any approved modifications and additions thereto are hereby incorporated into this Agreement.

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Grantee warrants that all information, facts, assertions and representations contained in the application and approved modifications and additions thereto are true, correct, and complete to the best of Grantee's knowledge. In the event that any part of the application and any approved modification and addition thereto is untrue, incorrect, incomplete, or misleading in such a manner that would substantially affect Agency approval, disbursement, or monitoring of the funding and the grants or activities governed by this Agreement, then Agency may declare a breach of this Agreement and take such action or pursue such remedies as are legally available.

**4. Reporting/Audits**

**A. Annual Report Deadlines**

By January 1, 2021, and annually on that date thereafter until all funds have been expended, the Grantee shall submit an annual report to Agency in a format provided by Agency. If the Grantee fails to provide such documentation, Agency may recapture any portion of the amount authorized by this Agreement with a 14-day written notification. No later than January 1, 2026, the Grantee shall submit a final report, in a format provided by Agency, as well as a detailed explanation of all uses of the Program funds.

**B. Reporting Requirements**

The annual report shall contain detailed information in accordance with Health and Safety Code section 50221, subdivision (a). This information includes the following, as well as any additional information deemed appropriate or necessary by Agency:

1. An ongoing tracking of the specific uses and expenditures of any Program funds broken out by eligible uses listed, including the current status of those funds.
2. The number of homeless individuals served by the Program funds in that year, and a total number served in all years of the Program, as well as the homeless populations served.
3. The types of housing assistance provided, broken out by the number of individuals.



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4. Outcome data for an individual served through Program funds, including the type of housing that an individual exited to, the percent of successful housing exits, and exit types for unsuccessful housing exits.

In addition to the annual reports, Agency requires the Grantee to submit quarterly expenditure reports due no later than 30 days following the end of each fiscal quarter. Grantee shall submit a report to the agency on a form and method provide by the agency, that includes the ongoing tracking of the specific uses and expenditures of any program funds broken out by eligible uses listed, including the current status of those funds, as well as any additional information the agency deems appropriate or necessary.

Agency may require additional supplemental reporting with written notice to the Grantee.

**C. Auditing**

Agency reserves the right to perform or cause to be performed a financial audit. At Agency request, the Grantee shall provide, at its own expense, a financial audit prepared by a certified public accountant. HHAP administrative funds may be used to fund this expense.

1. If a financial audit is required by Agency, the audit shall be performed by an independent certified public accountant.
2. The Grantee shall notify Agency of the auditor's name and address immediately after the selection has been made. The contract for the audit shall allow access by Agency to the independent auditor's working papers.
3. The Grantee is responsible for the completion of audits and all costs of preparing audits.
4. If there are audit findings, the Grantee must submit a detailed response acceptable to Agency for each audit finding within 90 days from the date of the audit finding report.

**5. Inspection and Retention of Records**

**A. Record Inspection**

The Grantee agrees that Agency or its designee shall have the right to review, obtain, and copy all records and supporting documentation pertaining to performance under this Agreement. The Grantee agrees to provide Agency, or its designee, with any

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relevant information requested. The Grantee agrees to give Agency or its designee access to its premises, upon reasonable notice and during normal business hours, for the purpose of interviewing employees who might reasonably have information related to such records, and of inspecting and copying such books, records, accounts, and other materials that may be relevant to an investigation of compliance with the Homeless Housing, Assistance, and Prevention Program laws, the HHAP program guidance document published on the website, and this Agreement.

**B. Record Retention**

The Grantee further agrees to retain all records described in subparagraph A for a minimum period of five (5) years after the termination of this Agreement.

If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been commenced before the expiration of the required record retention period, all records must be retained until completion of the action and resolution of all issues which arise from it.

**6. Breach and Remedies**

**A. Breach of Agreement**

Breach of this Agreement includes, but is not limited to, the following events:

1. Grantee's failure to comply with the terms or conditions of this Agreement.
2. Use of, or permitting the use of, HHAP funds provided under this Agreement for any ineligible activities.
3. Any failure to comply with the deadlines set forth in this Agreement.

**B. Remedies for Breach of Agreement**

In addition to any other remedies that may be available to Agency in law or equity for breach of this Agreement, Agency may:

1. Bar the Grantee from applying for future HHAP funds;
2. Revoke any other existing HHAP award(s) to the Grantee;
3. Require the return of any unexpended HHAP funds disbursed under this Agreement;
4. Require repayment of HHAP funds disbursed and expended under this Agreement;

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5. Require the immediate return to Agency of all funds derived from the use of HHAP funds including, but not limited to, recaptured funds and returned funds; and
6. Seek, in a court of competent jurisdiction, an order for specific performance of the defaulted obligation or the appointment of a receiver to complete the technical assistance in accordance with HHAP requirements.

**C.** All remedies available to Agency are cumulative and not exclusive.

**D.** Agency may give written notice to the Grantee to cure the breach or violation within a period of not less than 15 days.

**7. Waivers**

No waiver of any breach of this Agreement shall be held to be a waiver of any prior or subsequent breach. The failure of Agency to enforce at any time the provisions of this Agreement, or to require at any time, performance by the Grantee of these provisions, shall in no way be construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of Agency to enforce these provisions.

**8. Nondiscrimination**

During the performance of this Agreement, Grantee and its subrecipients shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex (gender), sexual orientation, gender identity, gender expression, race, color, ancestry, religion, creed, national origin (including language use restriction), pregnancy, physical disability (including HIV and AIDS), mental disability, medical condition (cancer/genetic characteristics), age (over 40), genetic information, marital status, military and veteran status, and denial of medical and family care leave or pregnancy disability leave. Grantees and subGrantees shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and its subrecipients shall comply with the provisions of California's laws against discriminatory practices relating to specific groups: the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.); the regulations promulgated thereunder (Cal. Code Regs., tit. 2, § 11000 et seq.); and the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code, §§ 11135 - 11139.5). Grantee and its subrecipients shall give written notice of their obligations

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under this clause to labor organizations with which they have a collective bargaining or other agreement.

**9. Conflict of Interest**

All Grantees are subject to state and federal conflict of interest laws. For instance, Health and Safety Code section 50219, subdivision (h) states, "For purposes of Section 1090 of the Government Code, a representative of a county serving on a board, committee, or body with the primary purpose of administering funds or making funding recommendations for applications pursuant to this chapter shall have no financial interest in any contract, program, or project voted on by the board, committee, or body on the basis of the receipt of compensation for holding public office or public employment as a representative of the county."

Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent contract being declared void. Other legal action may also be taken. Additional applicable statutes include, but are not limited to, Government Code section 1090 and Public Contract Code sections 10410 and 10411.

**A. Current State Employees:** No State officer or employee shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or has a financial interest, and which is sponsored or funded by any State agency, unless the employment, activity, or enterprise is required as a condition of regular State employment. No State officer or employee shall contract on his or her own behalf as an independent Grantee with any State agency to provide goods or services.

**B. Former State Employees:** For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any State agency. For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed contract within the twelve-month period prior to his or her leaving State service.

**C.**

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**C. Employees of the Grantee:** Employees of the Grantee shall comply with all applicable provisions of law pertaining to conflicts of interest, including but not limited to any applicable conflict of interest provisions of the a Political Reform Act of 1974 (Gov. Code, § 81000 et seq.).

**D. Representatives of a County:** A representative of a county serving on a board, committee, or body with the primary purpose of administering funds or making funding recommendations for applications pursuant to this chapter shall have no financial

**E.** interest in any contract, program, or project voted on by the board, committee, or body on the basis of the receipt of compensation for holding public office or public employment as a representative of the county.

**10. Drug-Free Workplace Certification**

Certification of Compliance: By signing this Agreement, Grantee hereby certifies, under penalty of perjury under the laws of State of California, that it and its subrecipients will comply with the requirements of the Drug-Free Workplace Act of 1990 (Gov. Code, § 8350 et seq.) and have or will provide a drug-free workplace by taking the following actions:

**A.** Publish a statement notifying employees and subrecipients that unlawful manufacture distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees, Grantees, or subrecipients for violations, as required by Government Code section 8355, subdivision (a)(1).

**B.** Establish a Drug-Free Awareness Program, as required by Government Code section 8355, subdivision (a)(2) to inform employees, Grantees, or subrecipients about all of the following:

1. The dangers of drug abuse in the workplace;
2. Grantee's policy of maintaining a drug-free workplace;
3. Any available counseling, rehabilitation, and employee assistance program; and
4. Penalties that may be imposed upon employees, Grantees, and subrecipients for drug abuse violations.

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**C.** Provide, as required by Government Code section 8355, subdivision (a)(3), that every employee and/or subrecipient that works under this Agreement:

1. Will receive a copy of Grantee's drug-free policy statement, and
2. Will agree to abide by terms of Grantee's condition of employment or subcontract.

**11. Child Support Compliance Act**

For any Contract Agreement in excess of \$100,000, the Grantee acknowledges in accordance with Public Contract Code 7110, that:

**A.** The Grantee recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

**B.** The Grantee, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department.

**12. Special Conditions – Grantees/SubGrantee**

The Grantee agrees to comply with all conditions of this Agreement including the Special Conditions set forth in Exhibit D. These conditions shall be met to the satisfaction of Agency prior to disbursement of funds. The Grantee shall ensure that all SubGrantees are made aware of and agree to comply with all the conditions of this Agreement and the applicable State requirements governing the use of HHAP funds. Failure to comply with these conditions may result in termination of this Agreement.

**A.** The Agreement between the Grantee and any SubGrantee shall require the Grantee and its SubGrantees, if any, to:

1. Perform the work in accordance with Federal, State and Local housing and building codes, as applicable.

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2. Maintain at least the minimum State-required worker's compensation for those employees who will perform the work or any part of it.
3. Maintain, as required by law, unemployment insurance, disability insurance, and liability insurance in an amount that is reasonable to compensate any person, firm or corporation who may be injured or damaged by the Grantee or any SubGrantee in performing the Work or any part of it.
4. Agree to include all the terms of this Agreement in each subcontract.

**13. Compliance with State and Federal Laws, Rules, Guidelines and Regulations**

The Grantee agrees to comply with all state and federal laws, rules and regulations that pertain to construction, health and safety, labor, fair employment practices, environmental protection, equal opportunity, fair housing, and all other matters applicable and/or related to the HHAP program, the Grantee, its subrecipients, and all eligible activities.

Grantee shall also be responsible for obtaining any and all permits, licenses, and approvals required for performing any activities under this Agreement, including those necessary to perform design, construction, or operation and maintenance of the activities. Grantee shall be responsible for observing and complying with any applicable federal, state, and local laws, rules or regulations affecting any such work, specifically those including, but not limited to, environmental protection, procurement, and safety laws, rules, regulations, and ordinances. Grantee shall provide copies of permits and approvals to Agency upon request.

**14. Inspections**

**A.** Grantee shall inspect any work performed hereunder to ensure that the work is being and has been performed in accordance with the applicable federal, state and/or local requirements, and this Agreement.

**B.** Agency reserves the right to inspect any work performed hereunder to ensure that the work is being and has been performed in accordance with the applicable federal, state and/or local requirements, and this Agreement.

**C.** Grantee agrees to require that all work that is determined based on such inspections not to conform to the applicable requirements be corrected and to withhold payments to the subrecipient until it is corrected.

**Homeless Housing, Assistance and Prevention  
Standard Agreement**

**EXHIBIT C  
HOMELESS COORDINATING AND FINANCING COUNCIL TERMS AND  
CONDITIONS**

**15. Litigation**

**A.** If any provision of this Agreement, or an underlying obligation, is held invalid by a court of competent jurisdiction, such invalidity, at the sole discretion of Agency, shall not affect any other provisions of this Agreement and the remainder of this Agreement shall remain in full force and effect. Therefore, the provisions of this Agreement are and shall be deemed severable.

**B.** The Grantee shall notify Agency immediately of any claim or action undertaken by or against it, which affects or may affect this Agreement or Agency, and shall take such action with respect to the claim or action as is consistent with the terms of this Agreement and the interests of Agency.



**Homeless Housing, Assistance and Prevention  
Standard Agreement**

**EXHIBIT D  
SPECIAL TERMS AND CONDITIONS**

1. All proceeds from any interest-bearing account established by the Grantee for the deposit of HHAP funds, along with any interest-bearing accounts opened by subrecipients to the Grantee for the deposit of HHAP funds, must be used for HHAP-eligible activities.
2. Any housing-related activities funded with HHAP funds, including but not limited to emergency shelter, rapid-rehousing, rental assistance, transitional housing and permanent supportive housing, must be in compliance or otherwise aligned with the core components of Housing First, pursuant to Welfare and Institutions Code section 8255, subdivision (b).
3. Grantee agrees to utilize its local Homeless Management Information System (HMIS) to track HHAP-funded projects, services, and clients served. Grantee will ensure that HMIS data are collected in accordance with applicable laws and in such a way as to identify individual projects, services, and clients that are supported by HHAP funding (e.g., by creating appropriate HHAP-specific funding sources and project codes in HMIS).
4. Grantee agrees to participate in the statewide data system or warehouse created by Agency to collect local data from California continuums of care through the HMIS, and sign any required data use agreements allowing Agency to access Grantee's HMIS data for that purpose.
5. If Grantee is a continuum of care or a county that accepted redirected funding from a continuum of care, it shall review and execute a data use agreement no later than July 31, 2020, in order to ensure compliance with Health and Safety Code section 50219, subdivision (a)(7) and (10). Grantee's failure to timely execute a data use agreement will constitute a breach of this Agreement. In this event, BCSH, in its sole and absolute discretion, may exercise any and all remedies permitted by this Agreement or by applicable law.

**Homeless Housing, Assistance and Prevention  
Standard Agreement**

**EXHIBIT E  
GENERAL TERMS AND CONDITIONS**

This exhibit is incorporated by reference and made part of this agreement. This document can be viewed at the following link:

<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>



## CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY

915 Capitol Mall, Suite 435  
Sacramento, CA 95814  
p (916) 653-2799  
f (916) 654-5362  
chffa@treasurer.ca.gov  
www.treasurer.ca.gov/chffa

### MEMBERS

FIONA MA, CPA, CHAIR  
California State Treasurer

BETTY T. YEE  
State Controller

KEELY MARTIN BOSLER  
Director of Finance

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JAY HANSEN

ROBERT CHERRY, M.D.

OSCAR SABLON, M.D.

KATRINA KALVODA

KERI KROPKE

EXECUTIVE DIRECTOR  
Frank Moore

February 18, 2020

Sandra Sinz  
Behavioral Health Director  
Solano County  
Health & Social Services  
275 Beck Avenue, MS 5-250  
Fairfield, CA 94533

RE: Community Services Infrastructure Grant Program  
Initial Allocation Letter (California Code of Regulations, Title 4, Sections 7413(o) and 7420)  
Second Funding Round

Dear Ms. Sinz:

Thank you for submitting an application for a Grant from the second funding round of the Community Services Infrastructure Grant Program (Program), administered by the California Health Facilities Financing Authority (Authority).

We appreciate the time and effort invested into preparing the application, and we thank you for your patience throughout the review process.

Authority staff completed evaluation of all applications according to the evaluation criteria contained in the Program regulations, and this letter serves to notify applicants of their Initial Allocations, as required under Section 7420 of the Program regulations.

Accordingly, we are pleased to present you with the Initial Allocation for your county as set forth in the chart below, subject to reductions as may occur following final staff verification of eligibility of all Project costs.

Project	Amount Requested	Initial Allocation
Residential Mental Health Diversion Program	\$ 6,755,034.00	\$ 6,301,108.00 <sup>1</sup>

As a condition of funding, the Grant can only fund projects, or portions of projects implementing Jail Diversion Programs, that provide on-site treatment services to the Target Population of Justice-Involved Individuals as defined under Section 7413(p), (q), (r), and (y) of the Program regulations.

<sup>1</sup> The Authority has deemed some costs ineligible and reduced the amount pursuant to Sections 7415 and 7420(f) of the Program regulations. Detailed information will be provided upon request.

Solano County  
Health & Social Services  
February 18, 2020  
Page 2

Pursuant to the Program regulations, if you wish to appeal your Initial Allocation, the Lead Grantee must submit an appeal to the Authority's Executive Director within five calendar days of the date of this letter. As a reminder, no Applicant may appeal an Initial Allocation made to another Applicant. Please refer to Section 7421 of the Program regulations for more information regarding the appeal process.

Please be advised that, depending upon the outcome of other appeals asserted during the appeal process, the Initial Allocation recommendation in this letter may be changed or eliminated in its entirety. The Authority will advise you in the event this occurs.

We plan to present Initial Allocations to the Authority for Final Allocations<sup>2</sup> at the March 26, 2020 Authority Meeting. As part of the Grant award process, representatives of your organization are requested to attend the meeting to answer project-related questions from Authority members.

Please contact Cory Mouhasseb, Grant Officer, at (916) 653-4338 or [Cory.Mouhasseb@treasurer.ca.gov](mailto:Cory.Mouhasseb@treasurer.ca.gov), with any questions or if there have been any material changes to your proposed Project that may affect the scope (for example, if you have decided not to pursue your Project following receipt of Initial Allocation, to reduce the scope of treatment services, or to change the Target Population).

Sincerely,

A handwritten signature in blue ink, appearing to be 'F. Moore', with a long horizontal stroke extending to the right.

Frank Moore  
Executive Director

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<sup>2</sup> The term "Final Allocations" is set forth in Sections 7413(h) and 7422 of the Program regulations.



# County Campus Mental Health Board and Care Facility

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- Overview of 32-bed Project
- Funds Available for Project

Presented to Solano County Board of Supervisors  
May 12, 2020

Health and Social Services  
General Services  
County Administrator's Office



# Beck Campus Board and Care Project

- **Board endorsed a 32-bed project concept proposed under AB 1769 by Assemblymember Frazier estimated \$14M**
- **16 residential treatment beds – “augmented board and care” (ABC)**
  - Includes treatment program during the day
  - Onsite medical care and other services promotes whole person approach
- **16 board and care beds – supportive care environment**
  - Light staffing compared to ABC
  - MH services at outpatient clinics or field based services onsite “home visits”



# Endorsements from Community Leaders and Partners

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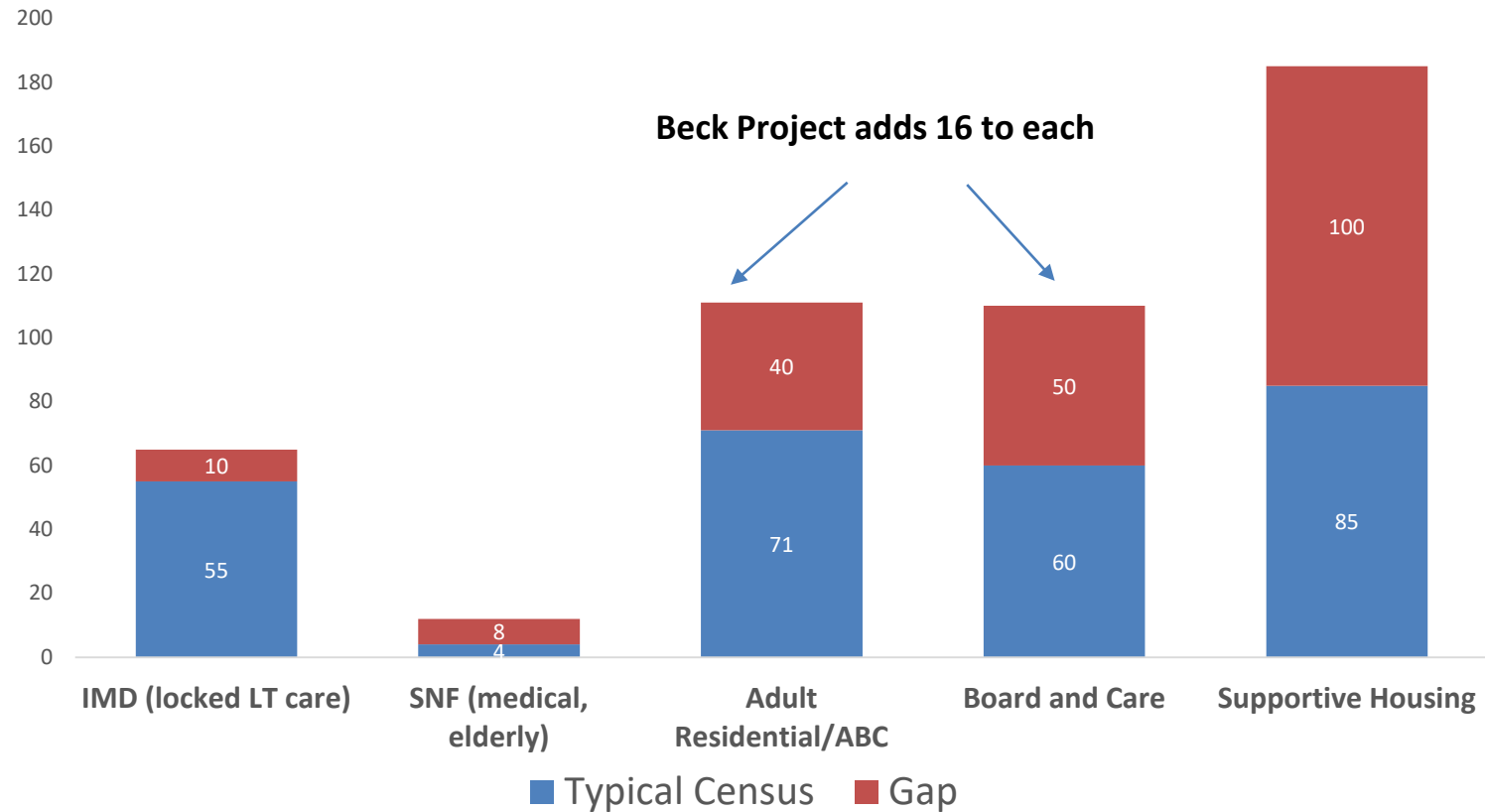
- **Solano County Mental Health Advisory Board**
- **National Alliance on Mental Illness (NAMI)**
- **Solano County Sheriff**
- **Solano Probation Department**
- **Solano Public Defenders Office**
- **State of California Superior Court**





# More Mental Health Beds of All Types are Needed

## Typical Census versus Estimated Need







# Grant Awards Received to Support Project

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- **Phase 1 Construction (Fully Funded)**

- California Health Facilities Finance Authority (CHFFA) \$6,301,108 award to support 16-bed "augmented board and care" for mental health treatment in a residential setting
- Award received March 2020

- **Phase 2 Construction (Partially Funded)**

- Homeless Housing Assistance and Prevention Program (HHAP) \$1,256,129 award to support 16 board and care beds
- Award letter received April 2020



# CHFFA Grant – Facility Concept

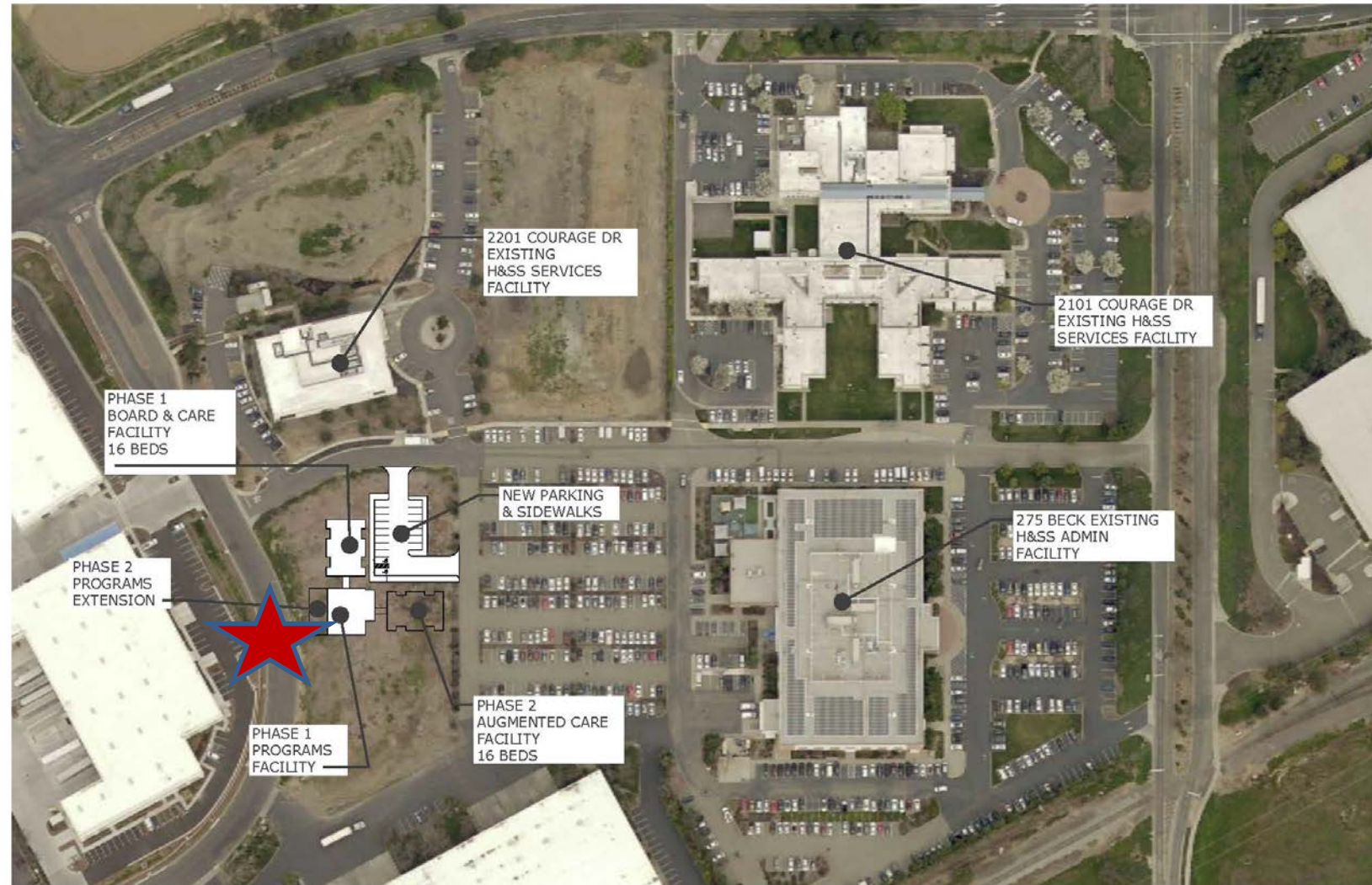


PROJECT MILESTONES	DATES
CEQA/Project Start	5/12/20
Project Confirmation	5/30 – 7/31/20
Design/Engineering	7/31 – 12/30/20
Project Bid/Award	1/1 – 4/1/21
Construction/Acquisition	4/1 – 10/30/21
Construction Close-out	11/1/21 – 2/15/22
H&SS licensing/certification	9/30/21 – 6/29/22
Start Operation	6/30/22



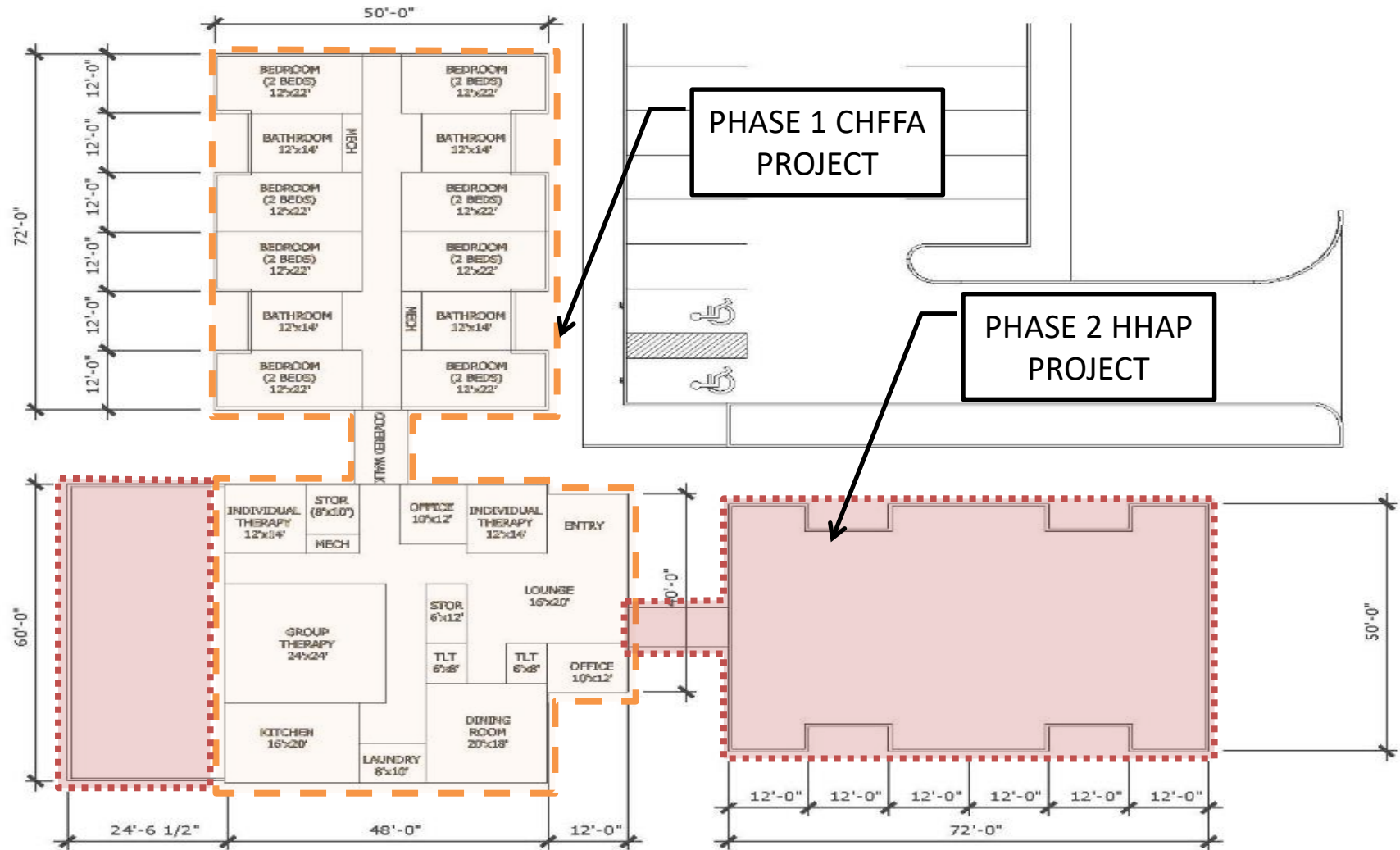


# Overview of Beck Campus





# CHFFA Grant – Facility Concept





# Operationalizing Phase 1 of the Project

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- **Community Care Licensing upon completion of site**
- **Contract Provider(s) to operate facility with County oversight**
  - Procurement process in early 2021
  - Treatment program must open by June 30, 2022
- **Treatment program estimated at \$1.5M annually**
  - CHFFA grant allows funding staff at start-up
  - Client SSI income of approximately \$1050 monthly contribution
  - Federal revenue for mental health services provided onsite



## Operationalizing Phase 2 of the Project

- **Board and care operation estimated at \$600,000 annually**
  - HHAP grant contributes to development – 5 years to expend
  - Client SSI income of approximately \$1050 monthly contribution
- **Approximate funding gap of \$6.4 million to complete Phase 2**
- **Grant awards in the coming 12 to 18 months could result in fully funding for development; potential sources:**
  - California Emergency Solutions to Housing
  - Emergency Solutions Grant
  - Community Development Block Grant
  - Future Rounds of HHAP grant, and more





## Request of the Board

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- **Authorize County Administrator to execute the award documents for these grants and other related documents necessary to accept the awards:**
  - **CHFFA grant award of \$6,301,108 to develop a 16-bed augmented board and care facility at 275 Beck Ave**
  - **HHAP grant award of \$1,256,129 to support development of a 16-bed board and care facility**
- **Approve subsequent ATR to recognize unanticipated allocation awards revenues (4/5 vote)**



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	19	<b>Status:</b>	Regular Calendar
<b>Type:</b>	Contract	<b>Department:</b>	Health and Social Services
<b>File #:</b>	19-954	<b>Contact:</b>	Gerald Huber, 784-8400
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Consider authorizing participation in the California State Department of Health Care Services Organized Delivery System pilot for substance use treatment services under Medi-Cal; and Consider delegating authority to the County Administrator to execute the State-County Intergovernmental Agreement and any State associated certification documents, and the master agreement with Partnership Health Plan to oversee the delivery of services under the Organized Delivery System once finalized in concurrence with County Counsel		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - Link to Agreements, Exhibits, Attachments and Implementation Plan, B - Presentation		

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 Department of Health and Social Services recommends that the Board consider authorizing participation in the California State Department of Health Care Services Organized Delivery System pilot for substance use treatment services under Medi-Cal; and consider authorizing the County Administrator to execute the State-County Intergovernmental Agreement and any State associated certification documents, and the master agreement with Partnership Health Plan to oversee the delivery of services under the Organized Delivery System once finalized in concurrence with County Counsel.

### SUMMARY:

The State of California Department of Health Care Services (DHCS) included in its 2015 Medi-Cal State Plan a pilot for the implementation of a new Organized Delivery System (ODS) for substance use disorder treatment. The ODS provides a framework for expanded federal financial participation and requires a continuum of care modeled after the American Society of Addiction Medicine (ASAM) criteria. The approach creates a comprehensive service benefit designed to better meet the needs of individuals with substance use disorders and anticipates services to be better integrated with physical and mental health care services.

Solano County currently participates in the standard State Drug Medi-Cal funded program. This program is a limited service benefit with variable degrees of quality, due to its historically limited funding and less robust oversight infrastructure. The State Plan Drug Medi-Cal benefits are limited: outpatient and intensive outpatient treatment (primarily group services as a modality); residential treatment for perinatal women; naltrexone treatment; methadone treatment; and hospital detoxification. The ODS includes all State Plan services and



expands federal reimbursement for multiple levels of residential treatment, early intervention services, two levels of intensive outpatient services, case management, medication assisted treatment (buprenorphine, disulfiram, and naloxone), withdrawal management, recovery services, and physician consultation. Under the existing State Drug Medi-Cal program, Solano County funds services that are not reimbursable by Medi-Cal with the Substance Abuse Block Grant (SABG), 2011 Realignment, and County General Fund. Services include (a) residential treatment for adults who are non-perinatal, (b) individual counseling, and (c) case management support. Case management support can include assistance in accessing other needed services such as medical, mental health, educational, social, vocational, rehabilitative, or other community services. All these services will be Medi-Cal reimbursable as part of the ODS.

Beginning July 1, 2020, H&SS recommends that Solano County enter into a contract with DHCS to participate in the ODS, and simultaneously, for the implementation of the ODS, enter into a master agreement with Partnership Health Plan (PHP) in which the County delegates and oversees the implementation of related federal and State requirements. PHP has developed this approach to include Solano and six other PHP counties as a strategy to promote counties' participation in the ODS. PHP believes the program to be fiscally sound because substance use treatment is known to positively impact other high cost healthcare services and outcomes. PHP will operate a 24-hour phone line for access to services (as it currently does for access to mild/moderate mental health services for PHP members); and the County's existing Behavioral Health Access line will refer clients to this line for triage and authorization to services. While most individuals receiving public behavioral health services are Medi-Cal eligible, Solano County has historically served a relatively small number of "safety net" clients who are uninsured and not Medi-Cal eligible. To eliminate the need for the County to create a duplicative system for this smaller population, PHP will include these clients in their approach. These services will be funded by the County's Substance Abuse Block Grant and will be reported separately to Solano County to prevent claiming to DHCS.

Because the ODS is included in the State Plan, it comes with federally-required managed care. PHP will implement the rigorous quality monitoring functions federally-associated with discernment of what is considered a managed care benefit. As a County subcontractor, PHP will be expected to fulfill the contracted obligations associated with implementation, and the County will collaborate and provide oversight to ensure compliance. Upon implementation, the County intends to sunset its existing Drug Medi-Cal provider contracts; PHP has contracts directly with the certified providers to begin services on July 1, 2020. The additional federal funds allow for the PHP contracts with providers to reimburse for services at significantly higher rates than the current structure provides, thereby strengthening the fiscal health of the contracted community-based agencies and improving the quality of care in those programs.

#### **FINANCIAL IMPACT:**

In collaboration with DHCS for over two years, PHP developed a fiscal model for each participating county to estimate the yearly costs for the ODS. The model uses Medi-Cal enrollment data to make assumptions on beneficiaries who have a substance abuse issue who will access services in the ODS. Assumptions on types and frequency of services utilized is based on experiences in Marin, Riverside, and San Mateo with implementing the ODS in their counties and available county data for Narcotic Treatment Programs (NTP). Service providers will be reimbursed based on a negotiated cost per unit of service provided. The model uses the projected cost per unit and estimated number of services to determine the cost for each service category.

The model assumes that 960 clients will access the system for an average of 6 months resulting in 5,760 client months. If a client uses a service in a month, PHP will invoice the County an interim per utilizer per month (PUPM) rate. Based on the projected number of clients and program cost for Solano County beneficiaries, the interim PUPM is \$1,143.68. An additional \$76.63 PUPM (or 6.7% of projected costs) will be paid to PHP to provide administrative and quality assurance activities for the system.

Federal, State, and local funding will provide reimbursement for services delivered in the ODS. There are

financial risks associated with this model as the federal and State shares are driven by the actual type of service provided and the beneficiary's Medi-Cal aid code. Actual type of service and beneficiary aid codes could vary from PHP's assumptions. Counties will pay PHP the interim PUPM, but the federal and State reimbursement will come to the County from DHCS. If reimbursement from DHCS is not timely, cash flow for the County will be impacted as the interim PUPM will still be paid to PHP monthly.

PHP, the County, and DHCS will participate in a yearly cost reconciliation process. Final PUPM payments will be based on the actual cost of the program, number of utilizers, and beneficiary aid codes. If the final PUPM is higher than the interim PUPM, the County will make additional payments to PHP. DHCS will reimburse the County the federal and State share of the additional payments based on PUPM payments, encounter data, and actual allowable costs. If the final PUPM is lower, the County will need to recoup funds from PHP and return the federal and State share overpayments.

Under the model, the County's estimated share of costs in the proposed model is \$1,211,254 and \$441,369 for administrative and quality assurance activities, for a total of \$1,431,939. As the model is based on several assumptions, any change in the number of services, clients, or Medi-Cal status of participants can impact the County's share of costs for ODS services. 2011 Realignment will be used to fund the local share to the extent it is available. 2011 Realignment is used to fund both mental health and substance abuse services and is based on sales tax revenues. Depending on economic conditions and demands for services, the availability of 2011 Realignment may fluctuate.

Medi-Cal only provides reimbursement for direct services and does not reimburse for residential room and board costs. PHP has negotiated these costs with the provider as part of their cost per unit. PHP will invoice the County the room and board share of residential treatment. Federal Substance Abuse Block Grant (SABG) will provide funding for this cost as well as for indigent services. County staff whose functions will change with the implementation of the ODS will no longer be partially funded with SABG due to SABG funding restrictions. Many of the staff will be absorbed into the Mental Health Plan and funding for those positions is being explored.

## **DISCUSSION:**

When counties first implemented the ODS, PHP was approached by several of its member counties. While these counties wanted to take advantage of the expanded benefit, they did not have the resources or case volume to support the infrastructure. As a PHP county, this gave Solano County a unique opportunity to leverage PHP's managed care infrastructure in a regional approach that spans seven participating counties - Shasta, Modoc, Siskiyou, Mendocino, Lassen, Humboldt, and Solano. Neighboring counties - Contra Costa, Marin, Sonoma, Napa, Yolo, Alameda, and Sacramento have also implemented the ODS within their County infrastructure. The PHP Implementation Plan entitled "Drug Medi-Cal Organized Delivery System Waiver Implementation Plan for Regional Model encompassing Humboldt, Lassen, Mendocino, Modoc, Shasta, Siskiyou and Solano, and Trinity Counties" has been approved and can be viewed on the DHCS ODS website. Trinity County has recently decided not to participate in the ODS.

The ODS is implemented in a managed care framework under federal regulations. Participating counties are responsible to ensure that all Medi-Cal beneficiaries living in their county have timely access to the services and that the providers are qualified and trained in evidence-based practices. The 2016 Medicaid Managed Care Final Rule includes requirements for network adequacy, quality assurance, performance improvement, beneficiary protections, and program integrity. This is similar to the County's role in delivering mental health services under Medi-Cal Mental Health Plan.

With more services that can draw down federal funds, some repurposing of SABG funds can be implemented. Other counties are using these funds to create and expand sober housing that is so critical for treatment to be successful, covering the room and board cost that are separate and in addition to residential drug treatment, and expanding prevention programs. As previously, SABG will also be used to fund services

for indigent clients who do not have Medi-Cal.

**ALTERNATIVES:**

The Board could decide not to approve participation in the ODS and the subsequent contract with Partnership Health Plan. However, this is not recommended because this is an opportunity to improve the service array and reimbursement available for substance use disorder treatment. Furthermore, without implementation of the ODS, local substance use disorder providers are unlikely to be able to sustain operations on the current rate structures. All neighboring counties have implemented the ODS, and not participating would put Solano at a competitive disadvantage with higher rates of payment in the region.

**OTHER AGENCY INVOLVEMENT:**

There are no other agencies involved with this item.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION

Due to file size, the associated Agreements, Exhibits, Attachments and Implementation Plan for the Department of Health Care Services' Drug Medi-Cal Organized Delivery System program can be viewed at the links provided below:

- A. [Department of Health Care Services & Solano County Standard Agreement](#)
- B. [Department of Health Care Services & Solano County Agreement Exhibits & Attachments](#)
- C. [Fiscal Summary](#)
- D. [California Civil Rights Laws Certification](#)
- E. [Contractor Certification Clause](#)
- F. [Partnership Healthplan of California & Solano County Master Administration Services Agreement](#)
- G. [Department of Health Care Services' Drug Medi-Cal Organized Delivery System Waiver Implementation Plan](#)



# **Drug Medi-Cal Organized Delivery System**

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**Presented to Board of Supervisors on May 12, 2020**

**Department of Health and Social Services**

**Jerry Huber, Director**

**Sandra Sinz, Deputy Director, Behavioral Health**



# Purpose of Drug Medi-Cal ODS Implementation

Organized Delivery System (ODS) is a federal waiver program which brings federal reimbursement for several additional services currently not covered in the original Drug Medi-Cal State Plan (County's existing plan).

- **Creates a managed care framework that emphasizes integration with other healthcare services**
  - Health outcomes improve and healthcare costs decrease with substance use disorder treatment
- **Residential and Detox treatment are covered benefits (federal funding)**
  - Currently residential treatment is only covered for perinatal women – other populations are funded through Substance Abuse Block Grant
- **More covered benefits** – currently not offered or not Medi-Cal funded
  - Early intervention
  - Case management and Linkage to related services
  - Individual counseling and Recovery counseling



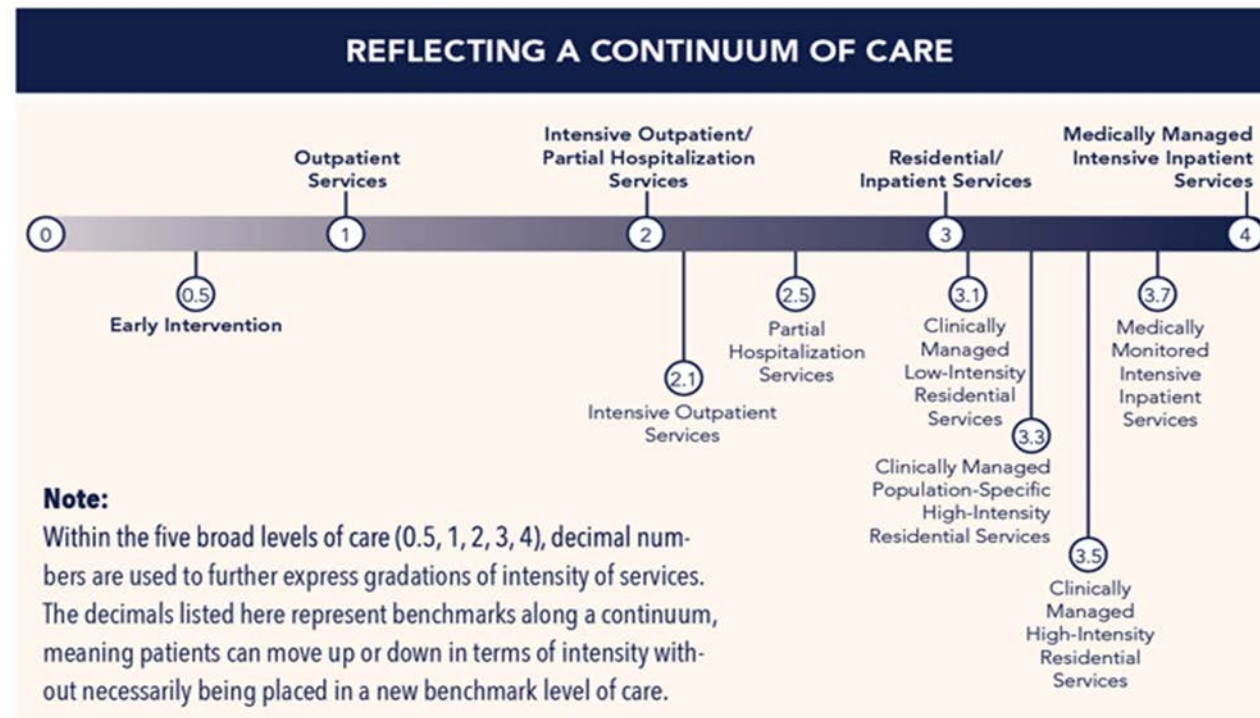
# Benefits of Participating in the Drug Medi-Cal ODS

- **More services are reimbursed through Medi-Cal = More federal funds that strengthen the system's local agencies**
  - Historically underfunded system of services will not otherwise survive and have been "holding on" for the ODS
- **A comprehensive system of care requiring evidence based services**
- **Solano County's current rates are not locally competitive**
  - All nearby counties have implemented the ODS resulting in increased rates with shared contract agencies
  - Solano's residential rate: \$100-120/day; Bay Area residential rates: \$200-250.
  - Before ODS was implemented in the Bay Area, Solano was paying \$60/day.
- **Clients can access services throughout the "regional plan" and PHP will manage network adequacy across each County**



# Services are identified based upon client needs

- Beacon clinicians will conduct an American Society for Addiction Medicine (ASAM) assessment to determine medical necessity and level of care needed
- Designated County clinicians will be authorized to assess and directly refer to programs to avoid duplication of effort







# Managed Care Brings Federal Requirements

- **The Federal 2016 Medicaid Managed Care Final Rule defines requirements for managed care plans**
  - 24-hour access line
  - Quality assurance
  - Utilization management
  - Network adequacy requirements
  - Beneficiary protections
  - Performance improvement projects
- **Final Rule requirements would require significant increases in County staffing to directly implement ODS**
  - Partnership Health Plan as a subcontractor to directly oversee the implementation



# About Partnership Health Plan



## **Mission:**

*To help our members, and the communities we serve, be healthy.*

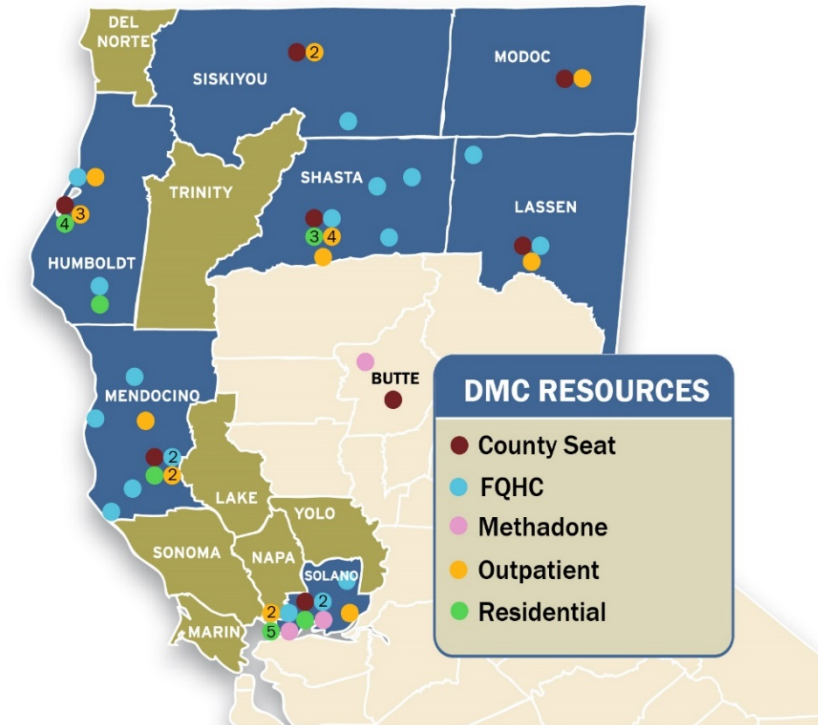
## **Vision:**

*To be the most highly regarded managed care plan in California.*



# The Partnership Regional Model

- Multi-County Planning began with PHP and DHCS in 2016 – a novel plan in CA
- The model required negotiations and multiple levels of approvals between the State & Federal Center for Medicare and Medicaid (CMS)
- CMS final approval received in April 2020
- Seven counties will subcontract operational implementation to Partnership Health Plan
- Partnership's contract with the Beacon Access Line will refer across the system of providers mild/moderate MH services
- Solano County BH Access Line will screen for needs and connect callers to Beacon





# How the Regional Model Will Work

## Members

### Qualifications

- Medi-Cal coverage (county covers costs of indigent care)
- Meet ASAM medical necessity criteria

### How members receive services

- Self referral; no prior approval needed for most services
- Provider Referral
- Designated agencies (e.g., County MH, criminal justice, Child Welfare)

## Providers

### Two types

- Substance use specific: certified as "Drug Medi-Cal" qualified by the State
- Current PHC network (e.g., medical clinics providing medication)

## Service Locations

- Goal of serving clients in their communities as much as possible
- Residential and some other services may be out of county





# How the Finances Work

- Partnership has executed contracts with all Solano County providers certified for Drug Medi-Cal starting July 1, 2020
- Indigent clients will be served through this system and funded by Substance Abuse Block Grant; no duplicate contracts or systems
- Solano County will pay PHP an interim rate of \$1,143.68 "per utilizer per month" for each Medi-Cal client served
  - Projected total costs \$6,587,592
  - Projected County costs \$1,211,254 for 960 annual clients @ 6 months services average
  - \$441,369 administrative and quality assurance costs
- PHP bills DHCS Short Doyle Medi-Cal for the federal revenue and the County will receive federal/State reimbursement from DHCS
- The County, PHP and DHCS will reconcile costs and payments after the first year



## Next Steps

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- Repurpose staff that did contract provider monitoring to oversight of Partnership contractual performance
- Develop and maintain a collaborative plan for adherence to contractual obligations for County audits
- County's current Drug Medi-Cal contracts sunset but remain in place for 90 days as a safety net to assure no gaps in client service
- Monitor patterns of service utilization





## Request of the Board

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- **Approve participation in Organized Delivery System to expand Drug Medi-Cal services;**
- **Delegate authority to CAO to sign Intergovernmental Agreement and any necessary documents with DHCS required for implementation; and**
- **Delegate authority to CAO to sign Master Agreement with Partnership Health Plan.**



# Solano County

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

## Agenda Submittal

<b>Agenda #:</b>	20	<b>Status:</b>	Closed Session
<b>Type:</b>	Closed Session	<b>Department:</b>	County Counsel
<b>File #:</b>	20-372	<b>Contact:</b>	Bernadette S. Curry, 784-6151
<b>Agenda date:</b>	05/12/2020	<b>Final Action:</b>	
<b>Title:</b>	Conference with Real Property Negotiators: Property: 600 Kentucky Street, Fairfield, California; Agency negotiators: Megan Greve, Director of General Services, James Bezek, Assistant Director of General Services, and Dale Eyeler, Real Estate Agent; Negotiating party: Melisa Castro-Herrmann, Jones Lang Lasalle, and Karen LaFave, United States Postal Service; Under negotiation: Price and terms		
<b>Governing body:</b>	Board of Supervisors		
<b>District:</b>	All		
<b>Attachments:</b>	A - Memorandum		

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

Public Hearing Required? Yes ☐ No ☒



## CLOSED SESSION MEMO

- A. LICENSE/PERMIT DETERMINATION (GC § 54956.7)
  - a. Number of applicants:\_\_\_\_\_
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (GC § 54956.8)
  - a. Conference with Real Property Negotiators: Property: 600 Kentucky Street, Fairfield, California; Agency negotiators: Megan Greve, Director of General Services, James Bezek, Assistant Director of General Services, and Dale Eyeler, Real Estate Agent; Negotiating party: Melisa Castro-Herrmann, Jones Lang Lasalle, and Karen LaFave, United States Postal Service; Under negotiation: Price and terms
- 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):
  - b. Initiation of litigation pursuant to GC § 54956.9(c):
- 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)
- 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.)