



Solano County

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Minutes - Final Board of Supervisors

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Tuesday, March 12, 2019

8:30 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 12th day of March 2019 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:30 A.M. Present were Supervisors Brown, Spering, Vasquez, Thomson and Chairwoman Hannigan. Also present were County Administrator Birgitta Corsello and Deputy County Counsel Bernadette Curry.

ROLL CALL

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

CLOSED SESSION

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

1

19-205

Conference with Real Property Negotiators:

Property: APN 0030-295-130, 460 Union Avenue, Fairfield; Agency negotiators: Birgitta E. Corsello, County Administrator, Nancy Huston, Assistant County Administrator, and Megan Greve, General Services Director, and Dave Daly, Nut Tree Airport Manager; Negotiating party: Hal Alpert; Under negotiation: Price and terms

Conference with Legal Counsel - Potential Litigation: One case

Attachments: [A - Memorandum](#)

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 9:15 A.M. All members were present and Chairwoman Hannigan presided.

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

Deputy County Counsel Bernadette Curry advised that there were no reports from Closed Session.

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

This meeting of the Solano County Board of Supervisors continued with the Salute to the Flag and a Moment of Silence.

PRESENTATIONS

- 2 [19-180](#) Adopt and present a resolution and plaque of appreciation honoring Correctional Officer David Walter upon his retirement from the Sheriff's Office with over 32 years of dedicated public service to Solano County (Supervisor Vasquez)

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

On motion of Supervisor Brown, seconded by Supervisor Vasquez, the Board adopted and presented Resolution No. 2019-40 honoring Correctional Officer David Walter upon his retirement from the Sheriff's Office with over 32 years of dedicated public service to Solano County. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019-40

- 3 [19-134](#) Receive a presentation and awards from the Food Bank of Contra Costa and Solano for participation in the 2018 Counties Care Holiday Food Fight

Attachments: [Minute Order](#)

Received

4 **19-174**

Adopt and present a resolution recognizing March 24, 2019 as World Tuberculosis (TB) Day (Chairwoman Hannigan)

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

On motion of Chairwoman Hannigan, seconded by Supervisor Brown, the Board adopted and presented Resolution No. 2019-41 recognizing March 24, 2019 as World Tuberculosis (TB) Day. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019-41

5 **19-189**

Adopt and present a resolution honoring the 100th anniversary of the American Legion and American Legion Auxiliary (Supervisor Vasquez)

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

On motion of Supervisor Vasquez, seconded by Supervisor Thomson, the Board adopted and presented Resolution No. 2019-42 honoring the 100th anniversary of the American Legion and American Legion Auxiliary. So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019-42

6 **19-202**

Adopt and present a resolution recognizing March 19, 2019 as Ag Day in Solano County and March 17-23, 2019 as National Ag Week (Supervisor Vasquez)

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

On motion of Supervisor Vasquez, seconded by Chairwoman Hannigan, the Board adopted and presented Resolution No. 2019-43 recognizing March 19, 2019 as Ag Day in Solano County and March 17-23, 2019 as National Ag Week . So ordered by 5-0 vote. (See Resolution Book)

Enactment No: Resolution 2019-43

ITEMS FROM THE PUBLIC

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

A) Eyvette Johnson, Vallejo, commented on concerns with pending lawsuits against the Vallejo Police Department and civil rights violations by the department.

B) Steve Sillen, representing the Senior Coalition, commented on the need for appointments to the coalition.

C) Judy Calpo, Rio Vista, commented on an upcoming event on May 15th for actively aging.

D) Gaylene Robitaille, Vacaville, commented on a recent newspaper article and in opposition to the location of the Tiny Shed Project.

E) Maria Quezada, Vacaville, commented on a recent newspaper article and in opposition to the location of the Tiny Shed Project.

F) Amber Robitaille, Vacaville, commented on a recent newspaper article and in opposition to the location of the Tiny Shed Project.

G) Daniel Hernandez, Vacaville, commented in opposition to the location of the Tiny Shed Project.

H) George Guynn, Jr., Suisun City, commented on legislation to make it a two thirds requirement to pass bonds, Regional Measure 3, tuberculosis and immigration concerns.

I) Father Robert Fuentes, Chair of the Senior Coalition, commented on the work of the Senior Coalition.

In response to a question from Supervisor Thomson, Father Fuentes provided information on how the appointments were made to the coalition.

J) Raymond Courtemanche, Fairfield, commented on concerns with SB 1437 and invited the Board and audience to a baseball clinic on March 16th.

Chairwoman Hannigan commented on SB 1437 and noted that she would speaking with Senator Bill Dodd and Senator Nancy Skinner to request that they consider revisions to the legislation.

K) James Conradsen, Chief Shop Steward for SEIU 1021, commented that he was unable to stay for the rest of the meeting and provided comments of concern and in opposition to item 18.

L) Tracee Stacy, Vacaville, commented in support of the Tiny Shed Project, support for youth programs, support for the Senior Coalition and the need to work together as partners on community clinics.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for March 12, 2019.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez seconded by Supervisor Brown, the Board approved the agenda of the Solano County Board of Supervisors for March 12, 2019 as submitted. So ordered by 5-0 vote.

PUBLIC COMMENT ON CONSENT CALENDAR

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

Supervisor Thomson requested that Item 11 be moved to the Regular Calendar for discussion.

Supervisor Brown requested that Item 14 be moved to the Regular Calendar for discussion.

APPROVAL OF THE CONSENT CALENDAR

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

CONSENT CALENDAR

- 7 [19-204](#) Adopt a resolution recognizing Pati Navalta Poblete as Solano County's "Woman of the Year 2019" in celebration of "March is National Women's History Month"
- Attachments:* [A - Resolution](#)
 [Adopted Resolution](#)
 [Minute Order](#)
- Adopted
- Enactment No: Resolution 2019-44
- 8 [19-197](#) Approve an agreement for \$2,000,771 with Anthem Builders, Inc. of Roseville, CA for the Animal Care Shelter Tenant Improvement, Security Systems and Equipment Upgrades Project at 2510 Clay Bank Road in Fairfield; and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget
- Attachments:* [A - Contract](#)
 [B - Project Funding & Budget Summary](#)
 [C - Bidders of Record](#)
 [Executed Contract](#)
 [Minute Order](#)
- Approved

- 9 [19-195](#) Approve an agreement with Z Squared Construction, Inc., El Dorado Hills, for \$1,086,000 to construct the Nut Tree Airport Hangar A Offices and Administration Building Renovation Project; Approve an additional appropriation of \$511,966 (4/5 vote required) for the FY2018/19 Airport Project Budget 9016 to be funded by Project financing; and Authorize the County Administrator or designee to execute the agreement and any amendments within the approved project budget

Attachments:

[A - Contract](#)

[B - Summary of Project Costs & Funding Sources](#)

[C - Project Financial Pro-Forma](#)

[D - Bidders of Record](#)

[E - Project Location](#)

[Executed Contract](#)

[Minute Order](#)

Approved

- 10 [19-173](#) Authorize the Department of Health and Social Services to pursue an Intergovernmental Transfer (IGT) with the California Department of Health Care Services of up to approximately \$3,500,626 in FY2018/19 covering rate year 2018/19; Authorize payment of a State administrative fee equal to 20% of the transfer amount estimated at \$700,125; and Authorize the County Administrator to execute the necessary agreements with the State of California and Partnership HealthPlan of California and any related documents and amendments within budget appropriations

Attachments:

[Minute Order](#)

Approved

- 12 [19-185](#) Approve a contract from March 1, 2019 through June 30, 2022 with Beyond the Arc (BTA) in the amount of \$175,000 to continue data analysis for the Centers for Positive Change (CPC); Delegate authority to the County Administrator to execute the contract and any future amendments that remain within budgeted appropriations up to 20% of the total contract amount; and Authorize the Chief of Probation to execute contract amendments which are technical in nature and remain within budgeted appropriations

Attachments:

[A - Contract](#)

[Executed Contract](#)

[Minute Order](#)

Approved

- 13 [19-186](#) Approve a contract with the Solano County Office of Education (SCOE) in the amount of \$190,000 to provide enhanced vocational services to youth under the jurisdiction of the Probation Department for the period of March 1, 2019 through June 30, 2021; Delegate authority to the County Administrator to execute the contract and any future amendments that remain within budgeted appropriations up to 20% of the total contract amount; and Authorize the Chief of Probation to execute contract amendments which are technical in nature and remain within budgeted appropriations

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

Approved

MISCELLANEOUS ITEMS

- 15 [19-188](#) Approve the Solano Children's Alliance membership reappointments of Stacy Burke and alternate Cheryl Jones for the terms of March 12, 2019 to March 12, 2023; and Approve the appointment of alternate Amy Potter for the term of March 12, 2019 to March 23, 2023

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

Approved

REGULAR CALENDAR

- 11 [19-176](#) Approve revisions to the General Assistance Minute Order including updates to the grant amount and other regulatory and procedural revisions

Attachments: [A - General Assistance Minute Order](#)
 [Minute Order](#)

Supervisor Thomson noted that he and Supervisor Brown had received an e-mail from a constituent concerned about this particular issue.

Deputy Director of Health and Social Services-Employment & Eligibility Programs Angela Shing advised that the email received by the Board concerned a section in the General Assistance Minute Order that governed the restrictions about whether an individual was already on CalWORKs aid with children in the home. She noted that the restriction was required to prevent fraudulent claims for aid.

Director of Health and Social Services Gerald Huber advised that the minute order was to update the requirements within the context of the program to ensure compliance with state requirements.

In response to a question from Supervisor Brown, Ms. Shing noted that the minute order was required but advised that an individual could appeal through

a fair hearings process in the General Assistance Program.

In response to questions from Supervisor Thomson, Ms. Shing advised that the recommendation was to remove the requirement of a sponsor after three years of the individual becoming a legal permanent resident. She noted that this recommendation fell in line with what other programs currently followed. She then provided information on the recommendation to remove the property lien requirement, noting that the liens happened infrequently and that the department would need to hire an on-staff notary for the liens.

Supervisor Thomson commented on the County's responsibility to recover money to the taxpayer and recommended keeping the lien requirement and finding an available notary when needed.

Ms. Shing advised that removing the lien requirement was a cost benefit because of the infrequency they happened.

In response to a question from Supervisor Thomson, County Administrator Birgitta Corsello advised that the department did not have notaries, but that other departments did. She noted that the likelihood of having to place a lien was not great but that the property lien requirement could remain in place.

In response to a question from Chairwoman Hannigan, Ms. Shing noted that it would be ideal to have two notaries on staff to perform the notary at the time the client was there. She then advised that scheduling for the notary could cause of hardship.

Supervisor Thomson recommended to leave the property lien requirement in place to recover any monies coming from the General Fund.

Supervisor Vasquez noted that there had been only two liens placed in 14 years and recommended that staff schedule the notarization with a current notary in the County to avoid the additional cost of hiring two additional notaries.

On motion of Supervisor Thomson, seconded by Supervisor Brown, the Board approved the General Assistance Minute Order including updates to the grant amount and other regulatory and procedural revisions with the amendment that the property lien portion would remain and that the department was to schedule notarizations for the liens with a current notary in the County to avoid having to hire two additional notaries. So ordered by 5-0 vote.

14 **19-179**

Authorize the Director of Resource Management to solicit bids, award, and execute up to \$7,890,000 for various Public Works construction contracts for the 2019 construction season

Attachments: [A - Site Locations Maps](#)
 [Minute Order](#)

In response to questions from Supervisor Brown, Engineering Manager Matt Tuggle provided information on the annual pavement assessment for county roads and resulting ratings of those roads. He then provided information on the bid process conducted through General Services and outreach to local businesses about the bids. He noted that a lot of outreach was done for small projects as well.

In response to a question from Chairwoman Hannigan, Mr. Tuggle provided information on the types of advertising and noticing conducted including newspapers, bid boards, emails and phone calls.

On motion of Supervisor Brown, seconded by Chairwoman Hannigan, the Board authorized the Director of Resource Management to solicit bids, award, and execute up to \$7,890,000 for various Public Works construction contracts for the 2019 construction season. So ordered by 5-0 vote.

16 **19-213**

Ratify the March 6, 2019 Proclamation of Local Emergency; and Adopt a resolution confirming the need for continuing the Proclamation of Local Emergency or a Proclamation Terminating the Local Emergency if the conditions merit

Attachments: [A - Resolution](#)
 [B - Proclamation of Local Emergency](#)
 [C - Storm Damage Road List](#)
 [Adopted Resolution](#)
 [Minute Order](#)

Emergency Services Manager Don Ryan provided an update on recent flooding levels and activities being conducted to address damages resulting from the flooding.

On motion of Supervisor Vasquez, seconded by Supervisor Thomson, the Board ratified the March 6, 2019 Proclamation of Local Emergency and adopted Resolution No. 2019-45 confirming the need for continuing the Proclamation of Local Emergency. So ordered by 5-0 vote. (see Resolution Book)

Enactment No: Resolution No. 2019-45

OTHER

- 17 [19-199](#) Conduct Quarterly Meeting of the East Vallejo Fire Protection District Board of Directors

Attachments: [Minute Order](#)

The Board sitting as the Board of Directors of the East Vallejo Fire Protection District held its Quarterly Meeting. There was no business to conduct and the meeting was adjourned.

Conducted

- 18 [19-196](#)

Receive a presentation on the proposed redesign of the Health and Social Services and recommendations for an organizational structure and staffing that will support the County's needs; Consider establishing a Health and Social Services Executive Compliance Committee and charter; and Consider adopting a resolution amending the List of Numbers and Classifications of Positions to add a net 7.0 FTE, reclass 2.0 FTE and revise 2 classifications

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

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

Assistant Director of Health and Social Services Tonya Nowakowski and Public Health Officer Dr. Bela Matyas also provided an overview of the item.

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

A) Joann Godreau, President of SEIU 1021, commented on a need for more line staff, in support of reorganization, in opposition to the number of positions being requested and on concerns that there were underutilized employees already in place.

Chairwoman Hannigan commented on an email sent by Ms. Godreau and asked for clarification that the concern from the union was the addition of administrative positions.

Ms. Godreau advised that current deputies had the knowledge to function without needing a chief deputy.

Chairwoman Hannigan noted that the presentation was not providing information as to whether current employees would fill those positions.

Mr. Huber advised that it was a five year forecast and noted the number of middle, senior and executive managers in relation to the overall department size. He noted that there were issues of span and control that needed to be addressed.

Supervisor Spering advised that he needed more time to fully understand the changes and was not in favor of it at the moment. He commented on the need to know what the industry standard was for management and advised that he would like more conversation about that. He then noted that he agreed with what Mr. Huber was trying to do but needed to understand the numbers and positions better before he could support it. He requested that Mr. Huber and his staff sit down with him and go over all the changes.

Supervisor Vasquez advised that he had the same comments and asked if it was critical to vote on the changes today. He advised that he would like to know what the deputies' roles would be, what it was that the department was trying to fix, and how it would improve delivery and operation of services. He noted that there needed to be enough staff to deliver services and programs and that staff needed to know that the County was thinking about them and how this would improve their ability to do their jobs.

Supervisor Thomson advised that he also had some of the same concerns and commented on the need to make sure that money wasn't being paid back. He recommended more time to think about the issue and for the Board not to take a position today. He requested more information about staffing, noting that Ms. Godreau and some of her colleagues had said that caseload was going up but not staffing to manage it.

Mr. Huber advised that the department had many positions being currently recruited for.

Supervisor Thomson commented on looking at contracting out services that helped the homeless navigate Social Security aid.

Supervisor Brown advised that she was not ready to vote on the matter.

In response to a question from Supervisor Brown, Ms. Nowakowski noted that Human Resources, County Counsel, H&SS and the Auditor-Controller had all signed off on the compliance charter and Memorandum of Understanding.

Supervisor Brown advised that she believed in the concept but needed more time to look at the item.

Chairwoman Hannigan commented in support of efforts to make things more efficient and to create opportunities for employees, however she noted that it was also important make access to services an easier process. She recommended that there be a workshop conducted to look at where things were and where the Board wanted it to go, to include a clear understanding of moving parts and the span of control needs. She noted that it was important for employees to be involved in the process and to see what this would look like in the future.

Supervisor Vasquez recommended that the Compliance Committee was something that the Board should vote on today given the recent criticism and potential for liabilities and penalties. He then commented on what it meant that the four departments had signed off on the documents even though the Board had authority to make the direction.

On motion of Supervisor Vasquez, seconded by Supervisor Thomson, the Board approved the establishment of a Health and Social Services Executive Compliance Committee and charter. So ordered by 5-0 vote.

Supervisor Sperring commented in support of holding a workshop and noted that the department had taken on new responsibilities and was dealing with rapidly changing dynamics. He advised that he was supportive of making changes but needed more time to understand it better.

Chairwoman Hannigan recommended an afternoon board meeting day to host a workshop and that staff provide the background, how everything was moving around and what that looked like in the end.

County Administrator Birgitta Corsello advised that she would work with the department to determine an afternoon workshop date. She noted that staff could show the information by a higher level by program and staffing, including work load and delivery of services.

Chairwoman Hannigan advised that there needed to be enough information to understand where the department was today and where it wanted to get to by the end of the five years. She noted that it did not have to be super detailed.

Supervisor Brown requested that the workshop not be conducted the afternoon of April 9th as she would not be at the meeting on that date.

Supervisor Vasquez advised that it was important that the Board understands what is going on so it could relay that to the public when asked. He noted that a lot of work had gone into it and that he wanted to fully understand the work and how it impacted everyone.

The consensus of the Board was to hold a workshop in the afternoon of an upcoming Board meeting to further discuss the matter of the proposed redesign of the Health and Social Services Department and the recommendations for an organizational structure and staffing that would support the County's needs.

19 **19-206**

Consider the appointment of one Board member to serve on Metropolitan Transportation Commission/Association of Bay Area Governments' CASA the Committee to House the Bay Area Legislative Task Force

Attachments: [A - Task Force Letter](#)
[Minute Order](#)

Chairwoman Hannigan noted that the appointee was requested to be someone not already serving on the Metropolitan Transportation Commission or Association of Bay Area Governments (ABAG). She nominated Supervisor Vasquez for the appointment.

Supervisor Brown requested to be appointed to the position because she was sitting on the ABAG Regional Planning Committee and that it was not mandated that the appointment be someone not involved with MTC or ABAG.

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

A) George Guynn, Jr., Suisun City, commented in support of Supervisor Brown being appointed and on concerns with the task force and involving government in housing issues.

Supervisor Thomson commented on Supervisor Brown's request to be appointed.

Chairwoman Hannigan noted that Supervisor Brown was currently the alternate to the ABAG Executive Board as well.

Supervisor Thomson advised that he would like to hear whether Supervisor Vasquez was interested in the appointment.

Supervisor Vasquez advised that he was willing to serve but didn't mind someone else serving.

Supervisor Brown made a motion to appoint herself. The motion was seconded by Supervisor Thomson. Supervisor Vasquez, Supervisor Spering and Chairwoman Hannigan voted no. Motion failed 3-2.

On motion of Chairwoman Hannigan, seconded by Supervisor Spering, the Board appointed Supervisor Vasquez to serve on Metropolitan Transportation Commission/Association of Bay Area Governments' CASA the Committee to House the Bay Area Legislative Task Force. Supervisor Brown voted no. So ordered by 4-1 vote.

Supervisor Spering noted that he and Supervisor Brown would have opportunities to speak on these issues in their involvement with MTC and ABAG.

Approved

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

Chairwoman Hannigan invited members of the Board to make comments or reports on meetings. The following comments were received:

A. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Margarite Kittyle, an active member of the Dixon community.

B. Supervisor Spering requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Geraldine "Geri" Lawler, a former City employee of Suisun City.

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

D. Chairwoman Hannigan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Peter Mustico, an active member of the Vallejo community.

RECESS

This meeting of the Solano County Board of Supervisors recessed at 11:59 A.M. and reconvened at 2:00 P.M. All members were present and Chairwoman Hannigan presided.

20**19-203**

Conduct a noticed public hearing to consider a time extension request through December 13, 2020 for Tentative Subdivision Map No. S-01-03, Dove Creek Ranch Subdivision, located at the southwest terminus of Dove Creek Trail, subdividing the 80-acre project site in to 32 single family lots, ranging in size from 1.3 - 3.8 acres, with additional common lots, subject to the original adopted conditions of approval and mitigation measures

Attachments:

[A - Resolution](#)

[B - Links to Supporting Documents & Prior BOS Approvals](#)

[Presentation](#)

[Minute Order](#)

Chairwoman Hannigan opened the public hearing.

Director of Resource Management Bill Emlen introduced the item.

Senior Planner Nedzlene Ferrario provided an overview of the Dove Creek 2005 Subdivision Tentative Map Time Extension Request.

In response to questions from Supervisor Vasquez, Mr. Emlen advised that the Policy Plan Overlay (PPO) had been used on other projects but not prior to this project coming forward. Ms. Ferrario noted that the PPO had been used for preservation of open space features and common space maintenance by the homeowner's association.

Supervisor Vasquez commented on the map on slide 9, stating that all the darker shaded parcels were considered Rural Residential 5 acre parcels and that the parcels next to the road and in the water district could split their properties down to 2.5 acre parcels.

Ms. Ferrario confirmed the statement and noted that they could split the parcel if they had public street frontage and a water connection.

Supervisor Vasquez asked if there had to be a water connection to a public water system in order to split the parcel to 2.5 acres.

Ms. Ferrario noted that the parcel would be required to be rezoned and that the PPO allowed for the 2.5 acre density.

Supervisor Vasquez asked if there was a map of the water district to show where the water was coming from.

Ms. Ferrario noted that she did not have a map for this purpose.

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

A) Don Stalker, Vacaville, commented on concerns about adequate water and septic systems and needed improvements to Gibson Canyon Road and surrounding roads.

B) Steve Hamilton, Vacaville, commented in opposition to the development and concerns with water and septic system supply.

C) David Mc Ananey, Vacaville, commented on concerns with the Policy Plan Overlay, water supply, flooding and traffic issues.

D) Caitlin Brown, representing the Rural Vacaville Preservation Alliance, commented in opposition to the time extension and application and noted a letter that had been sent to the Board.

In response to questions from Supervisor Vasquez, Deputy County Counsel Jim Laughlin advised that no changes to the 2001 map could be made. He noted that the applicant allowing the subdivision application to languish was a legitimate reason for denial of the extension request but not required and that CEQA did not apply. He recommended that the Board deny the extension request and require the applicant to submit a new subdivision application if the Board would like new CEQA requirements to apply.

E) Sandy DeGeorge, Vice President of the Rural Vacaville Preservation Alliance, commented on inconsistencies with the maps between what was originally submitted and what was being put forward and in opposition to the project.

F) Les Courtney, Pres of Rural Vacaville Preservation Alliance, commented on concerns about the experience of the subdivision developer.

G) Ted Miller, Vacaville, commented on concerns about the subdivision developer and costs of the project.

H) Randall Minvielle, Vacaville, commented on concerns about fire risks, emergency response times and fire hydrant limitations in the area.

I) John DeGeorge, Vacaville, commented in opposition to the extension request, concerns about the homeowner's association being adequate, water runoff, septic tank and water well adequacy, water quality issues and traffic.

J) Roger De Haven, Vacaville, commented on concerns with the Policy Plan Overlay and in opposition to the extension.

K) Lynn Gregerson, Vacaville, commented concerns with traffic, road repair, water issues, and preserving the rural community.

L) Deb Rea, Vacaville, commented on concerns with lack of documentation on environmental impacts on the area, deteriorating roads, traffic concerns.

M) Elenor MacMakin, commented in opposition to the development.

N) Jeff Crowson, Vacaville, commented on concerns with traffic and a need for traffic enforcement on Cantelow Road and Gibson Canyon Road.

Chairwoman Hannigan commented on concerns with the density of septic tanks and wells and contamination issues.

Mr. Emlen advised that studies were done on the original subdivision application.

Environmental Health Supervisor Jeff Bell provided information on results of studies and testing done on the site.

Mr. Emlen noted that the site would be using Rural North Vacaville Water District public water and would not have wells on site.

In response to a question from Supervisor Vasquez, Mr. Bell noted that property owners could develop a well if it met the physical setbacks on the portion of property and was used for irrigation purposes. He advised that there was not much room left for development of wells on the parcels.

In response to questions from Chairwoman Hannigan, Mr. Emlen advised that it was not uncommon with tentative maps to have small adjustments, however they must meet the requirements that are in the PPO and the adjustments could not diminish the lot sizes. He noted that staff reviewed any adjustments to maps very carefully. Mr. Laughlin advised that there was no need for a CEQA review and that it was not required for a map extension. He noted that a new subdivision application for the site could require a CEQA review process if the Board found that the existing documents were not sufficient.

Mr. Emlen then noted that part of the reason that staff had recommended the extension was to allow for the extension of the road, which would help to improve traffic flow.

Engineering Manager Matt Tuggle provided information of conditions along Cantelow Road and other areas of the County where traffic was becoming congested. He noted that the Capital Improvement Plan included looking at Cantelow and Gibson Canyon Roads.

In response to questions from Supervisor Vasquez, Mr. Emlen commented on provisions that the homeowner's association provide common area maintenance. He advised that should the HOA not be formed, then an assessment district would be formed for the same purpose. He then noted that filling of the pond was another condition included under the HOA's duties. He advised that monitoring of ground water impacts were also included in the conditions of approval. Ms. Ferrario noted that the ag well depth on the site was approximately 400 feet deep.

Supervisor Vasquez commented on past studies by the Rural North Vacaville Water District to look at water strata and where water was being pulled from. He noted concerns from residents outside the district that the water being pulled was deep enough to not affect the aquifer.

Mr. Bell advised that the ag well depth was 370 feet with a pumping depth of 175 static feet.

In response to a question from Supervisor Vasquez, Mr. Tuggle advised that the County had to wait to receive state and federal aid to assist with recent flooding damage and repair of the roads.

Supervisor Vasquez noted that waiting for the funding saved local taxpayers money.

Supervisor Spering asked about SB 1 funding and why more of the roads in this area weren't getting fixed.

Mr. Tuggle noted that there were a few segments that had not been as repaired as others. He noted that Gibson Canyon Road was largely in good shape. He advised that Gibson Canyon Road from Pamela Lane north to Cantelow Road was improved in 2009 and 2011 and had decent or good pavement and shoulders. He noted that Gibson Canyon Road from Pamela Lane down to Fruitvale Road had chip seal and drainage issues and would be in the Capital Improvement Plan for 3 years from now. He advised that Gibson Canyon Road had some issues, that Steiger Hill Road had improvements done and that Cantelow had improvements approved.

Supervisor Spering advised that he would like to see an assessment of the roads in this area. He then asked whether the extension would prohibit additional conditions on the project.

Mr. Laughlin noted that the law was unclear and that a CEQA review would likely be triggered if conditions were being changed .

Supervisor Spering noted that conditions in the area had changed over 13 years and asked how much latitude the Board had as the development project came forward.

Mr. Laughlin noted that a subdivider received a minimum of two years to complete a subdivision project and that state law allowed for an extension of nine years.

In response to questions from Supervisor Spering, Mr. Laughlin advised that once the extension was approved, then there was a legal requirement to approve the final map if it met all the original 2005 requirements. Mr. Emlen noted that there was an exhaustive set of requirements that had to be met. He noted that the English Hills Zone of Benefit was another source for road improvement funding that staff was trying to slowly build up. He advised that the conditions and requirements created obligations that must be met before the final map could be achieved.

Supervisor Brown commented on the tentative map time extension timeline.

Ms. Ferrario provided information on the approvals and extensions of the tentative map from 2005 to 2018.

Supervisor Brown, Ms. Ferrario advised that staff rationale for continuing the extensions was that it was under a different ownership, was a significant amount of progress made and that the developer was actively moving forward on the project requirements. She noted that with the economic downturn things had stalled and then came under new ownership, at which time staff allowed the extension based on that owner's request.

Applicant Brian West commented on the concerns expressed and the developer's effort to meet the conditions of approval. He noted that the economic downturn resulted in property value drops that just recently were improving. He then commented on the pond on site that could be used for a firefighting source of water and assurances in place that the pond would be properly maintained and available for this. He then provided information on the replacement of the bridge over Sweeney Creek to improve access. He commented on traffic concerns and completion of a Dove Creek Trail from Cantelow to Peaceful Glen and noted that the proposed 32 homes would provide funding to English Hills Improvement District for road repairs. Lastly, he commented on other benefits of the project including reconfiguring the pond as a retention basin to reduce flooding and recommended approval of extension to allow developers to move the project forward.

In response to questions from Supervisor Vasquez, Mr. West noted that the dam was not large enough to be under the state regulatory program. He then noted that the proposal was that the HOA would be responsible for maintaining drain improvements that included the dam/retention basin and advised that another condition of approval was to create a community facilities district as a backup if the HOA cannot meet its requirements. Mr. West noted that the HOA would have prefunding by the developers in the conditions of approval. He advised that the developer was not planning to build homes but would sell lots to individual buyers to build custom homes on the lots.

Supervisor Vasquez asked if there would be enough coverage in the bonds in place given those conditions, to provide for maintenance.

Mr. Laughlin advised that the HOA would be prefunded and that the district was a backup plan so that in theory there should be sufficient funding to take care of any work needed. He noted that there was always a chance that fees and special assessments on tax bills weren't paid and could create a possibility of funding not being there.

Supervisor Vasquez noted that there couldn't be more development without replacement of the current bridge.

Mr. West provided information on the current bridge, noting that it was a wooden deck structure and would be unusable in the event of a fire. He advised that permits had originally been obtained from the Department of Fish and Wildlife and the Corp of Engineers that had now expired and that there would be quite a bit of updated analysis done to satisfy all of the requirements for new permits.

In response to questions from Supervisor Thomson, Mr. West advised that he was representing the applicant, which was a firm called Amos Financial in Illinois that conducted real estate investment and financial opportunities. He then provided a history of the property ownership. He advised that when the project was first approved there had been a large team of experts working on it and that the current developer was going to tentatively reassemble these experts to finish the project if the extension was approved.

In response to questions from Supervisor Thomson, Mr. Emlen provided information on the separate application by the developer that included the current property and an additional 30 acres and noted that it was incomplete and did not address circulation issues required by the General Plan. He advised that there had been large neighborhood meetings on that proposal and that it was on a separate track. Mr. Emlen then noted that lot size could not exceed 2.5 acre requirements and that the developer had transferred densities around preservation features on the site.

Supervisor Thomson commented that he was concerned about the high density and asked about water supply.

Mr. Emlen noted that domestic water would be provided by the Rural North Vacaville public water system.

In response to a question from Supervisor Brown, Mr. Emlen confirmed that preservation of features did result in different lot sizes.

Mr. Emlen noted that there was a condition on the project that required a community design plan before the final map was allowed to be recorded on the subdivision. He advised that this was part of the administrative follow up to ensure everything was consistent with the PPO.

In response to a question from Supervisor Spering, Mr. Emlen advised that staff was recommending the extension because they had looked at the history and circumstances of the project and still saw significant value in the offsite circulation elements of the plan. He noted that the developer had less than 2 years to come through or the project died and staff felt that it was worthwhile to at least consider the extension.

In response to comments from Supervisor Vasquez, Mr. Emlen advised that the map died if it didn't conform to the conditions by the two year deadline. He noted that private roads had to be built to public standards and that there would be no private gates if there were public streets.

Supervisor Vasquez commented on road concerns and noted that a road was still needed to go through the area even if the project was not built. He asked if there were conditions the Board could put on the project now or whether the map would stay as it is.

Mr. Laughlin noted that the request was to extend the 2005 approval and that staff would need to look at any further conditions that would be proposed.

Mr. Emlen noted that staff was committed to maintaining a dialogue with the neighborhood as milestone conditions came forward so that they had input.

Mr. West advised that the applicant was willing to do this as well.

Supervisor Thomson commented on concerns about the Board not being able to have any say on the project if the extension was approved. He advised that he did not have a clear picture of what the subdivision would look like. He then made a motion to deny the extension.

Supervisor Brown seconded the motion.

Supervisor Vasquez commented that he was in favor of extending for two years and asked that the PPO stay with the property in perpetuity. He made an alternate motion to approve the extension.

Supervisor Spering seconded the motion. The alternate motion failed by a 3-2 vote with Supervisor Brown, Supervisor Thomson and Chairwoman Hannigan voting no.

On motion of Supervisor Thomson, seconded by Supervisor Brown, the Board denied a time extension request through December 13, 2020 for Tentative Subdivision Map No. S-01-03, Dove Creek Ranch Subdivision, located at the southwest terminus of Dove Creek Trail, subdividing the 80-acre project site in to 32 single family lots, ranging in size from 1.3 - 3.8 acres, with additional common lots, subject to the original adopted conditions of approval and mitigation measures. Supervisors Vasquez and Spering voted no. So ordered by 3-2 vote.

In response to a question from Supervisor Vasquez, Mr. Emlen advised that the map was expired and that a new map would have to be designed with the original PPO, modify the PPO or change the zoning.

Denied

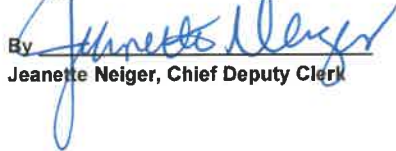
ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 3:39 P.M. in memory of Margarite Kittyle, Geraldine "Geri" Lawler, Ramon D. Griseno, and Peter Mustico. Next meeting of the Solano County Board of Supervisors will be March 26, 2019 at 8:30 A.M., Board Chambers, 675 Texas Street, Fairfield, California.



**ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors**

**BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors**

By 

Jeanette Neiger, Chief Deputy Clerk