



Solano County

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Minutes - Final Board of Supervisors

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*James P. Spering (Dist. 3)
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*John M. Vasquez (Dist. 4)
(707) 784-6129*

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

Tuesday, September 24, 2019

8:30 AM

Board of Supervisors Chambers

CALL TO ORDER

The Solano County Board of Supervisors met on the 24th day of September, 2019 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:30 A.M. Present were Supervisors Brown, Spering, Thomson and Chairwoman Hannigan. Chairwoman Hannigan presided. Supervisor Vasquez was absent. Also present were Assistant County Administrator Nancy Huston and County Counsel Bernadette Curry.

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

ROLL CALL

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

CLOSED SESSION

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

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

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

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

Public Employee Appointment: Public Defender

Conference with Legal Counsel: Potential Litigation: One case

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

RECONVENE

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

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

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

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

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

PRESENTATIONS

- 3 **19-702** Adopt and present a resolution and plaque of appreciation recognizing Maria G. Ramirez, Office Assistant III, upon her retirement from Health & Social Services, Behavioral Health Division, with over 29 years of dedicated public service to Solano County (Supervisor Thomson)

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

On motion of Supervisor Thomson, seconded by Supervisor Sperring, the Board adopted and presented Resolution No. 2019 - 183 recognizing Maria G. Ramirez, Office Assistant III, upon her retirement from Health & Social Services, Behavioral Health Division, with over 29 years of dedicated public service to Solano County. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Resolution 2019-183

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

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

Supervisor Vasquez arrived at 9:12 A.M.

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

Enactment No: Resolution 2019-182

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

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

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

Enactment No: Resolution 2019-184

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

Attachments: [Minute Order](#)

Received

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

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

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

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

Enactment No: Resolution 2019-185

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

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

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

Enactment No: Resolution 2019-186

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

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

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

Enactment No: Resolution 2019-187

ITEMS FROM THE PUBLIC

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

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

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

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

ADDITIONS TO OR DELETIONS FROM THE AGENDA

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

APPROVAL OF THE AGENDA

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

ITEMS FROM THE PUBLIC

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

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

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

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

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

PUBLIC COMMENT ON CONSENT CALENDAR

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

APPROVAL OF THE CONSENT CALENDAR

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

CONSENT CALENDAR

- 9 [19-738](#) Receive and file the Meeting Attendance Reports from the members of the Board of Supervisors

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

Received and Filed

- 10** **19-739** Approve the minutes of the Solano County Board of Supervisors meetings of August 27, September 10, and September 14, 2019 and the Solano County Housing Authority minutes of August 27, 2019

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

Approved

- 11** **19-743** Adopt a resolution proclaiming the week of September 22, 2019 as Rail Safety Week in Solano County

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

Adopted

Enactment No: Resolution 2019-188

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

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

Approved

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

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

Approved

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

Attachments: [Minute Order](#)

Approved

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

Attachments: [Minute Order](#)

Approved

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

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

Approved

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

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

Approved

Enactment No: Resolution 2019-189

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

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

Adopted

Enactment No: Resolution 2019-190

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

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

Approved

MISCELLANEOUS ITEMS

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

Attachments: [Minute Order](#)

Approved

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

Attachments: [Minute Order](#)

Approved

RECESS

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

RECONVENE

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

22

19-708

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

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

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

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

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

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

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

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

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

Enactment No: Resolution 2019-191

RECESS

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

RECONVENE

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

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

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

Attachments:[A - Updated Resolution](#)[B - Updated Map of Nicholas Lane](#)[C - Link to Board Appeal Package](#)[D - Planning Commission Resolution](#)[E - Excerpt from May 16, 2019 PC Minutes](#)[F - Links to Planning Commission Staff Report Package](#)[G - Links to Planning Commission Meeting Comment Letters](#)[H - Public Notices](#)[I - Administrative Permit & Appeal Zoning Regulations](#)[J - Planning Division Permit History](#)[K - Updated Record of Survey](#)[L - July 23, 2019 Minute Order](#)[Adopted Resolution](#)[September 24, 2019 Minute Order](#)

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

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

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

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

Senior Planner Karen Avery provided an overview of the item.

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

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

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

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

Chairwoman Hannigan invited the applicant to provide comments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chairwoman Hannigan commented on a prior road condition precedence.

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

Supervisor Brown seconded the motion.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Enactment No: Resolution 2019-192

24

[19-734](#)

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

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

Assistant County Administrator Nancy Huston introduced the item.

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

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

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

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

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

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

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

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

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

Received

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

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

A. Supervisor Brown requested an update on the veteran halls from General Services.

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

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

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

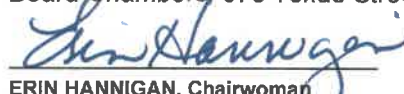
Supervisor Spering advised that an anonymous complaint should be discarded unless there really was a public safety issue. He commented that he was concerned as to why it was taking so long to get it back on and working.

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

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

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned back to Closed Session at 3:20 P.M. and in memory of Anne Fourie. Next meeting of the Solano County Board of Supervisors will be October 1, 2019 at 8:30 A.M., Board Chambers, 675 Texas Street, Fairfield, California.



ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By 
Jeanette Neiger, Chief Deputy Clerk