

Minutes For Sept 14, 2004

THIS MEETING WAS HELD IN THE BOARD OF SUPERVISORS CHAMBERS,
580 TEXAS STREET, FAIRFIELD

SOLANO COUNTY BOARD OF SUPERVISORS September 14, 2004
HOUSING AUTHORITY, SPECIAL DISTRICTS,
SOLANO FACILITIES CORPORATION,
SOLANO BUILDING CORPORATION AND
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

MINUTES

The Solano County Board of Supervisors met in regular session on this day at 9:01 a.m. The meeting was called to order by Vice-Chairwoman Kondylis followed by the Pledge of Allegiance and a moment of silence. Present were Supervisors Forney, Kromm, Vasquez, and Vice-Chairwoman Kondylis; Chairman Silva joined the meeting at 9:35 via teleconference.

PRESENTATIONS

4A. RESOLUTION OF THE TRAVIS AIR FORCE BASE COMMUNITY CONSORTIUM RECOGNIZING THE UNITED STATES AIR FORCE ACADEMY 50TH ANNIVERSARY, APPROVED

The Board was provided with an Agenda Submittal from the County Administrator's Office dated September 14, 2004, incorporated herein by reference, regarding the Board of Supervisors being signatory on this resolution.

On motion of Supervisor Forney and seconded by Supervisor Kromm, the Board acted to authorize the Chairman to sign the resolution on behalf of the Board as a participating member of the Travis Air Force Base Community Consortium. So ordered by a vote of 4-0; Chairman Silva excused.

On behalf of the Board, Supervisor Kromm read the resolution and presented it to Jim Curtis, Travis Air Force Base Community Consortium.

Mr. Curtis noted the importance of recognizing and supporting Travis AFB and the Air Force Academy. The resolution will be presented to Col. Lynne Sherlock, Wing Commander of the 60th Air Mobility Wing during Military Recognition Night September 17, 2004.

4B. LETTER OF COMMENDATION FROM DEPARTMENT OF FOOD AND AGRICULTURE, TO SUSAN COHEN, SOLANO COUNTY AGRICULTURAL COMMISSIONER RE GLASSY-WINGED SHARPSHOOTER, PRESENTED

On behalf of the Board, Supervisor Vasquez presented Susan Cohen, Solano County Agricultural Commissioner, with the letter of commendation from A.G. Kawamura, Secretary of the State of California of the Department of Food and Agriculture recognizing efforts to eradicate the glassy-winged sharpshooter infestation in Vacaville during the summer of 2004.

Ms. Cohen discussed the process of eradication and noted checking for infestation will continue for at least two more years, thanked the Board and the County Administrator's Office for making the swift response possible and to numerous members of the Agriculture Department staff for their efforts.

ITEMS FROM THE FLOOR

APPEARANCE BY GEORGE GUYNN, JR., RE VARIOUS ISSUES

George Guynn, Jr., Suisun City, voiced his concerns regarding electronic voting machines, with the people testing this equipment and the programmers of the voting machines; voiced concern that there is not enough police officers to protect the public and would like the Board to endorse arming of the public; and continued to voice concern with the school districts not working with the Libraries to coordinate efforts when research projects are assigned to students.

PUBLIC COMMENT ON CONSENT CALENDAR

12. Approve lease agreement with Artisan Express to operate gourmet coffee house and juice bar in the new County Administration Center for the period October 1, 2004 through September 30, 2007; authorize County Administrator to sign lease agreement and any subsequent amendments

14A. Approve five-year contract for the period September 14, 2004 through June 30, 2009 with Los Angeles County for intrastate transportation of prisoners to custody of Solano County Sheriff's Office with charges of \$.55 per mile per prisoner, \$6.17 per meal per prisoner, \$55 per hour for time spent by LA County Sheriff's deputy waiting for booking of pickup of prisoners

George Guynn, Jr., Suisun, feels that if the County is short on space in the County Administration Center (CAC) that the coffee/juice bar should be excluded; voiced concern with the \$55 per hour rate for a Los Angeles County Sheriff's Deputy, and hopes that in-kind services offset these costs.

Responding to the concerns regarding the costs for transporting prisoners, Director of Administrative Services Mike Medvedoff, Sheriff's Department, noted that costs are basically a wash for providing services to each other. Lt. Jose Cuevas discussed the exchange of prisoners resulting in in-kind services.

Supervisor Kromm noted the CAC project is on budget, most large office buildings have space for a small coffee/juice bar and those advantages, and discussed the coffee shop that has been located in the Hall of Justice for many years.

APPROVAL OF AGENDA

On motion of Supervisor Forney and seconded by Supervisor Vasquez, the Board acted to approve the submitted Agenda, incorporated herein by reference. So ordered by a vote of 4-0; Chairman Silva excused.

CONSENT CALENDAR

On motion of Supervisor Kromm and seconded by Supervisor Vasquez, the Board acted to approve the following Consent Calendar items by a vote of 4-0; Chairman Silva excused.

11A. INDEMNITY AND RELEASE AGREEMENT WITH WILLIAM CLARK AND ELAINE CLARK, AND RYDER HOMES OF CALIFORNIA RE RECORDATION OF CERTIFICATE OF WILLIAMSON ACT CONTRACT TERMINATION (LAND CONSERVATION CONTRACT NO. 1170), as outlined in the Agenda Submittal from County Counsel dated September 14, 2004, incorporated herein by reference, approved and County Administrator authorized to sign said contract on behalf of Solano County.

11B. INDEMNITY AND RELEASE AGREEMENT WITH AZEVEDO FAMILY TRUST, AND RIVENDALE HOME, INC., RE RECORDATION OF CERTIFICATE OF WILLIAMSON ACT CONTRACT TERMINATION (LAND CONSERVATION CONTRACT NO. 347), as outlined in the Agenda Submittal from County Counsel dated September 14, 2004, incorporated herein by reference, approved and County Administrator authorized to sign said contract on behalf of Solano County.

12. LEASE AGREEMENT WITH ARTISAN EXPRESS RE COFFEE HOUSE AND JUICE BAR IN THE NEW COUNTY ADMINISTRATION CENTER (CAC), as outlined in the Agenda Submittal from General Services dated September 14, 2004, incorporated herein by reference, approved and County Administrator authorized to sign said contract and any subsequent amendments on behalf of Solano

County.

13. RESOLUTION NO. 2004-172 AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$15 MILLION OF BONDS OF THE VALLEJO CITY UNIFIED SCHOOL DISTRICT BY A NEGOTIATED SALE PURSUANT TO A BOND PURCHASE CONTRACT, PRESCRIBING THE TERMS OF SALE OF SAID BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID BOND PURCHASE CONTRACT, AND AUTHORIZING THE EXECUTION OF NECESSARY CERTIFICATES RELATING TO SAID BONDS, adopted. (see Resolution Book)

14A. FIVE-YEAR AGREEMENT WITH LOS ANGELES COUNTY SHERIFF'S DEPARTMENT RE TRANSPORTATION OF PRISONERS, as outlined in the Agenda Submittal from Sheriff/Coroner dated September 14, 2004, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

14B. AGREEMENT WITH MOTOROLA RE PURCHASE OF AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM, as outlined in the Agenda Submittal from Sheriff/Coroner dated September 14, 2004, incorporated herein by reference, approved and Sheriff authorized to sign and renew service agreements for maintenance of Motorola equipment and to sign amendment to contract service agreements within budgeted appropriations.

15. NOTICE OF COMPLETION FOR VALLEJO SIDEWALK REHABILITATION 2004 PROJECT, COMPLETED BY NOR-CAL CONCRETE, INC., as outlined in the Agenda Submittal from Resources Management dated September 14, 2004, incorporated herein by reference, approved and Chairman authorized to sign said notice on behalf of Solano County.

16. SUBMISSION OF GRANT APPLICATION RE REGIONAL INCENTIVE FUNDS FOR NORTH BAY EMPLOYMENT CONNECTION COLLABORATIVE OF THE MARIN, SONOMA, NAPA AND SOLANO COUNTIES ONE-STOP CAREER CENTERS, as outlined in the Agenda Submittal from Workforce Investment Board dated September 14, 2004, incorporated herein by reference, approved and Chairman authorized to sign said application on behalf of Solano County.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:
Rural North Vacaville Water District

17. Minutes regarding this matter are contained in the Rural North Vacaville Water District Minutes Book.

ORDERS

19A. BOARD TOOK A POSITION OF SUPPORT FOR AB 578 (LENO) -COUNTY RECORDERS; ELECTRONIC RECORDING

Responding to questions posed by Vice-Chairwoman Kondylis regarding AB 2010, Marriage License and Birth Certificate fees, Gail Feldman, County Administrator's Office, noted the bill that is currently on the Governor's desk for signature, additional letters of support that have been sent, and that another letter from the Board can be sent.

Ms. Feldman noted Mr. Yoder is ill, briefly reviewed the information contained in the Agenda Submittal from County Administrator's Office dated September 14, 2004, incorporated herein by reference, regarding legislation of importance to the County, specifically AB 578 (Leno) Electronic Recording of documents.

Assessor-Recorder Skip Thomson noted this action is long overdue, discussed trouble free electronic filing in Orange County, opposition of District Attorneys that has been addressed in this bill, and the need for electronic recording to help streamline and improve efficiencies in the Recorder's division.

On motion of Supervisor Forney and seconded by Supervisor Kromm, the Board acted to take a position of support for AB 578. So ordered by a vote of 4-0; Chairman Silva excused.

BOARD TOOK A POSITION OF SUPPORT FOR SB 1612 (SPEIER) RESTORATION OF FUNDING FOR CHILD WELFARE SERVICES

Ms. Feldman continued the presentation with SB 1612 (Speier) Restoration of funding for Child Welfare Services that has been substantially amended since the Board first endorsed it.

Supervisor Kromm posed questions relative to these funds being blue-penciled out of the budget, Ms. Feldman noted yes and that this bill restores that funding with one-time funds.

On motion of Supervisor Kromm and seconded by Supervisor Forney, the Board acted to take a position of support for SB 1612. So ordered by a vote of 4-0; Chairman Silva excused.

BOARD TOOK A POSITION OF OPPOSITION TO PROPOSITION 68 TRIBAL GAMING COMPACT RENEGOTIATION AND PROPOSITION 70 TRIBAL GAMING COMPACTS.

Supervisor Kromm noted his strong opposition to Proposition 68 and Proposition 70 that would expand Indian gaming with little control.

On motion of Supervisor Kromm and seconded by Supervisor Vasquez, the Board took a position of opposition to Propositions 68 and 70. So ordered by a vote of 4-0; Chairman Silva excused.

BOARD TOOK A POSITON OF SUPPORT ON PROPOSITION 63 MENTAL HEALTH SERVICES EXPANSION AND FUNDING

On motion of Vice-Chairwoman Kondylis and seconded by Supervisor Kromm, the Board acted to take a position of support for Proposition 63. So ordered by a vote of 5-0.

19B. RESOLUTION NO. 2004-173 AMENDING THE ALLOCATION LIST (REDUCTION @ FOUTS SPRINGS), ADOPTED

MANAGEMENT REVIEW OF FOUTS SPRINGS YOUTH FACILITY CONDUCTED BY THE STATE BOARD OF CORRECTIONS, RECEIVED

CHAIRMAN SILVA TO BEGIN DISCUSSIONS WITH CHAIRMAN OF COLUSA COUNTY BOARD OF SUPERVISORS RE FOUTS SPRINGS YOUTH FACILITY JOINT POWERS AGREEMENT

FURTHER CONSIDERATION OF STAFFING AND THE MANAGEMENT REVIEW RECOMMENDATIONS ON OCTOBER 12, 2004

John Taylor, County Administrator's Office, reviewed the information contained in the Agenda Submittal from his department dated September 14, 2004, incorporated herein by reference, regarding reducing the workforce at Fouts Springs and reasons for this reduction, possible renegotiation of the Joint Powers Agreement (JPA), and the Management Review by the State Board of Corrections of Fouts Springs. Mr. Taylor indicated Fouts Springs Superintendent Brian Cooley will retire in the near future, and discussed confusion on authority over the Superintendent's position.

Mr. Taylor continued to explain the lack of clarity in the organizational structure and to point out that the issue needs to be addressed in the structure of the JPA. Other issues to address are the role of Solano County as administrative authority versus JPA Board, sharing of financial liability, sharing of operations of the facility, responsibility of capitol improvements, with each county having equal vote without equal responsibilities, and feels there should be weighing of the votes or to address the structure of the JPA with Colusa County.

Responding to questions posed by Supervisor Kondylis relative to authority over the Superintendents position by the Chief Probation Officer, and past actions by the Board to change that relationship, Fouts Springs Superintendent Brian Cooley briefly discussed changes over the years for appointment and oversight of the Superintendents position, and feels that he has always worked for the Board of Directors.

Responding to questions posed by Supervisor Kondylis relative to returning the position to authority under the Probation Department, and what Colusa County brings to Fouts, Mr. Taylor noted the Chief Probation Officer works for the Courts that are no longer part of County government, which could create more confusion. The goal is to make the position as clean as possible. Colusa County maintains the roads to Fouts, Colusa has the agreement with the Stony Creek Water District for water for the site and the water rights as in the name of the JPA, and financially Colusa only brings the fees they pay for their wards. Solano County would own the buildings subject to the continuing operation under the Use Permit and discussed other complications since the forest service owns the land.

Mr. Taylor completed the presentation with the outline of the recommendations of the

Management Review.

Supervisor Vasquez discussed the addition of Placer County and then withdrawal of Placer County as a JPA partner, discussed the need to look at weighing the votes, and feels Solano County is subsidizing the operation.

Supervisor Forney agrees the agreement needs to be renegotiated.

There was a short discussion on the support by Colusa County for Fouts Springs, and sharing responsibility for liabilities and assets.

Chairman Silva discussed the girls program that was not as successful as anticipated, the financial conditions of counties resulting in declining placement of wards, will support the reduction of the work force notification, wants to maintain the good reputation of Fouts, possible upswing in the economy, feels Colusa should have some of the financial liability of Fouts, and wants to keep Fouts open to help turn the lives of these kids around. Solano County has taken the responsibility for the Superintendent's position and employees at the facility, and feels the position could come under the Chief Probation Officer and discussed the excellent working relationship with the Courts in this County.

Responding to questions posed by Vice-Chairwoman Kondylis regarding bumping rights for the employees being laid off, and voiced the need for follow-up results of these kids; Mr. Taylor noted the employees have bumping rights within the constraints of the department. County Administrator Michael Johnson noted the staff that are laid off will have preferential hiring within the County.

Assistant County Counsel Wendy Getty discussed statutes governing the reporting of the Superintendents position.

George Guynn, Jr., Suisun, feels there is a major management problem at Fouts, the agreement needs to be renegotiated, needs follow-up results, feels that closing the girls program is discriminatory, hopes that deficit funds can be recovered, and feels this matter should come back to the Board periodically for review.

Vice-Chairwoman Kondylis feels the parameters for renegotiating the JPA Agreement should be clearly defined, and would like to know what the consequences would be if the County withdrew from the JPA.

Art Grubel, Executive Director SEIU Local 1280, noted there are four group counselors positions scheduled for layoff, but understands three of the positions are or will in the near future become vacant by November resulting in only one person that would be effected by the layoff.

Mr. Cooley noted there has been some bumping and attrition of positions resulting in three vacant positions and one position in limbo for a few weeks and then there will be another retirement, which that person will come back on, discussed complications involved and feels few people will be displaced.

Mr. Grubel wants to ensure there are enough regular staff to fill all of the shifts to meet the legal minimum requirements, questioned what the population break even point is, responding Mr. Taylor noted 70 to 75 wards are needed to break even to maintain the two dorm operation.

Mr. Cooley noted a recovery plan that has been developed to mitigate the deficit to about \$200,000. This plan would create a surplus next year of about \$106,000, a review of the rates will be needed next year, and discussed the current population at the facility.

Mr. Grubel supports the reduction in the workforce at Fouts to save the program and reduce staffing to a level to maintain the two boys dorms, and to ensure there is not a lot of overtime. Mr. Grubel further suggested including in the JPA is a minimum level of obligation for each partner to send a certain number of wards to Fouts or be financially liable, and requested after Mr. Cooley retires that a manager or supervisor from the Probation Department be assigned to Fouts to oversee and maintain the programs.

Supervisor Vasquez ideally would like to see 75 to 80 wards maintained at Fouts and that the facility could house up to 110 boys, and reiterated concern with responsibilities of the participating partners in the JPA.

Supervisor Forney feels the overall operation should be evaluated to see what can be offered to the children, what can be done to improve the two dorms, feels that a Public Relations person could be beneficial to market Fouts to other counties, the programs need to be streamlined, and discussed some success stories of wards.

There was a brief discussion on the number of new juvenile facilities with the infusion of State money, and how many wards will not be sent to Fouts, placement will be money driven.

On motion of Supervisor Kromm and seconded by Supervisor Vasquez, the Board acted to adopt Resolution No. 2004-173 Amending the List of Numbers and Classifications of Positions (Fouts Springs) that will delete 6.5 positions. So ordered by a vote of 4-0-1; Supervisor Forney abstained. (see Resolution Book)

Supervisor Kromm feels the JPA agreement needs to be renegotiated, feels some of the items

to be discussed are management of the facility by Colusa County, if there should be a JPA, would like to see quarterly reports from Fouts with population information and a basic financial report, feels a break even analysis is a good idea to answer the questions if the program should continue, questions need to be posed on how the management and the organization of Fouts should be done, and feels all the options need to be put on the table. The Management Review points out problems with consistency of management and the management level skills in being fair and equal with all employees, and noted the positive responses and attitude toward the program and the staff of the many people that were interviewed. There needs to be on-going management reports, would like feedback from our Board members on where the discussions are for redoing the JPA structure. The reporting responsibilities for the Superintendent should emerge from the honest review of the JPA.

Vice-Chairwoman Kondylis voiced concern with not giving specific direction to the Board representatives to the JPA as to the points to negotiate and suggested a punch list be developed on what to negotiate and what are the expected outcomes of doing that. The Board also needs to look at management and develop specific actions to be taken in response to issues outlined in the Management Report.

Supervisor Vasquez noted, as a member of the Fouts Board, receiving reports on Fouts and will provide that information to the Supervisors, feels we should look at the pros and cons and take a look outside the box on things we could do for Fouts. There was an assumption that all partners were going to commit a certain number of wards based on historical level, and we need to look at the history on how Fouts got where it is, the need to spell out specifics in the JPA Agreement, and voiced great sadness in closing the girls program.

Mr. Johnson noted negotiations of this type would usually occur at the staff level, this is an unusual situation since Colusa County does not have a County Administrator; and made some recommendations on who might conduct the negotiations.

Chairman Silva feels a punch list should be done and brought back to the Board for a clear understanding of the appointees on the action the Board of Supervisors would like done, and suggested staff begin some preliminary discussions with Colusa County.

A short discussion followed on setting up an adhoc committee to negotiate; it was determined that Chairman Silva would conduct the negotiations with the Chairman of the Colusa County Board of Supervisors. Staff will concentrate recommendations on structure, staffing and responding to the Management Review that will be brought back to the Board October 12, 2004.

On motion of Supervisor Kromm and seconded by Supervisor Forney, the Board acted to accept the Report on the Management Review of the Fouts Springs Youth Facility conducted by the State Board of Corrections. So ordered by a vote of 5-0.

On motion of Supervisor Kromm and seconded by Supervisor Vasquez, the Board acted to direct Chairman Silva to enter into discussions with the Chairman of the Colusa County Board of Supervisors regarding re-negotiations of the Joint Powers Agreement for Fouts Springs Youth Facility; and to direct staff to bring this matter back October 12, 2004 to include recommendations for staffing and the Management Review. So ordered by a vote of 5-0.

APPOINTMENTS/RESIGNATIONS TO BOARDS AND COMMISSIONS

On motion of Supervisor Vasquez and seconded by Supervisor Forney, the Board acted to approve the following appointments. So ordered by a vote of 5-0.

20A. BRIAN T. CHIKOWSKI AND ALBERT B. SULLIVAN APPOINTED AS REGULAR ASSESSMENT APPEALS BOARD MEMBERS AND CLIFF DAVIS APPOINTED AS ALTERNATE BOARD MEMBER, as outlined in the Agenda Submittal from the County Administrator's Office dated September 14, 2004, incorporated herein by reference, approved.

20B. JACKIE CROCKETT APPOINTED TO SOLANO COUNTY ARTS COUNCIL, as outlined in the Agenda Submittal dated September 14, 2004, incorporated herein by reference, for a term to expire February 1, 2006, approved.

20C. JACKIE CROCKETT APPOINTED TO SOLANO PARTNERSHIP AGAINST VIOLENCE, as outlined in the Agenda Submittal dated September 14, 2004, incorporated herein by reference, for a term to expire December 31, 2004, approved.

20D. KAY BUCHANAN APPOINTED TO VACAVILLE-ELMIRA CEMETERY DISTRICT, as outlined in the Agenda Submittal dated September 14, 2004, incorporated herein by reference, for a term to

expire May 23, 2006, approved.

20E. MICHAEL FREESE AND HARRY HANSEN REAPPOINTED TO MONTEZUMA FIRE PROTECTION DISTRICT, as outlined in the Agenda Submittal dated September 14, 2004, incorporated herein by reference, for a term to expire May 23, 2006, approved.

ADJOURN - This meeting of the Board of Supervisors adjourned at 11:05 a.m.

JOHN F. SILVA, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors