

## Minutes For January 09, 2001

### SOLANO COUNTY BOARD OF SUPERVISORS'"" MINUTES

January 9, 2001

The Solano County Board of Supervisors met in regular session on this day at 8:30 a.m. The meeting was called to order by Chairman Thomson. All members were present. Supervisor Kondylis was excused for the afternoon session.

CLOSED SESSION: The Board moved into Closed Session at 8:31 a.m. to discuss Potential Litigation: two (2) cases. The Board moved out of Closed Session at 9:20 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:22 a.m. with the Pledge of Allegiance and a moment of silence.

### PRESENTATIONS

(Item 6) RESOLUTION NO. 2001-03 RECOGNIZING THE VALLEJO HILLS DENTAL GROUP AND ITS THIRD ANNUAL FREE DENTAL CARE DAY, DECEMBER 8, 2000, ADOPTED

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2001-03 Recognizing the Vallejo Hills Dental Group and Its Third Annual Free Dental Care Day, December 8, 2000. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Kondylis presented Resolution No. 2001-03 recognizing the Vallejo Hills Dental Group and staff for their contribution to the community. Dr. Jonathan Miles noted the honor of this recognition. This was done out of a strong sense of community, and a way to give back to the community that supports this dental group. Dr. Miles encouraged other health professionals to do something similar, and noted the rewards of doing this.

Dr. Charles Byram noted the dental group, along with 40 volunteers, treated 107 patients on a first-come first-serve basis.

Responding to questions posed by Supervisor Kromm regarding advertising, Dr. Miles noted

the kindness of the Times Herald for writing two articles informing the public of the event.

## ITEMS FROM THE FLOOR

### APPEARANCE BY CATHY ANN HEWITT, BENICIA, RE VARIOUS ISSUES

Cathy Ann Hewitt, Benicia, voiced her concerns regarding the fabrics keeping society together, contributions of people to the community, volunteers, the nature of the individual person, and the lack of good transportation interfacing between communities.

## APPROVAL OF AGENDA

On motion of Supervisor Carroll and seconded by Supervisor Kromm, the Board acted to approve the submitted Agenda, incorporated herein by reference, with the following modifications:

(Item 12B) Approval of a resolution affirming Solano County's support of the NAACP's program in Vallejo to recognize Dr. Martin Luther King, Jr. Day on Monday, January 15, 2000, with the theme "Moving Forward in the New Millennium - the Future Is Now", amended to also include a resolution affirming Solano County's support of the NAACP's program in Fairfield to recognize Dr. Martin Luther King, Jr. Day on Sunday, January 14, 2000.

(Item 17) Approval of a resolution amending the Allocation List to add 2.0 FTE Senior Family Support Officer positions to implement the Local Customer Services Initiative required by the State Department of Child Support Services; approval of an appropriation transfer in the amount of \$326,315 from Unanticipated Revenue, removed from the Consent Calendar.

So ordered by a vote of 5-0.

## CONSENT CALENDAR

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to approve the following Consent Calendar items by a vote of 5-0.

(Item 11) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF DECEMBER 5, 2000 AND DECEMBER 12, 2000, as outlined in the Agenda Submittal from the

Clerk of the Board dated January 9, 2001, incorporated herein by reference, approved.

(Item 12A) RESOLUTION NO. 2001-04 RECOGNIZING THE CONTINENTALS OF OMEGA BOYS AND GIRLS CLUB OF VALLEJO ON ITS 34TH ANNIVERSARY, adopted. (see Resolution Book)

(Item 12B) RESOLUTION NO. 2001-05 AFFIRMING SOLANO COUNTY'S SUPPORT OF THE NAACP PROGRAM IN VALLEJO TO RECOGNIZE DR. MARTIN LUTHER KING, JR. DAY, MONDAY, JANUARY 15, 2001, adopted. (see Resolution Book)

RESOLUTION NO. 2001-10 AFFIRMING SOLANO COUNTY'S SUPPORT OF THE NAACP PROGRAM IN FAIRFIELD TO RECOGNIZE DR. MARTIN LUTHER KING, JR. DAY, SUNDAY, JANUARY 14, 2001, adopted. (see Resolution Book)

(Item 13) RESOLUTION NO. 2001-06 APPROVING THE APPLICATION AND AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH THE CALIFORNIA ARTS COUNCIL (SOLANO COUNTY ARTS COUNCIL), adopted. (see Resolution Book)

(Item 14) BIENNIAL CONFLICT OF INTEREST CODE UPDATES, as outlined in the Agenda Submittal from County Counsel dated January 9, 2001, incorporated herein by reference, approved.

(Item 15A) CONGRESSMAN GEORGE MILLER DISTRICT OFFICE LEASE AGREEMENT AT 1410 GEORGIA STREET, VALLEJO, as outlined in the Agenda Submittal from General Services dated January 9, 2001, incorporated herein by reference, approved and Chairman authorized

(Item 15B) SUBLEASE WITH CITY OF VALLEJO REDEVELOPMENT AGENCY RE NORTH VALLEJO HUMAN SERVICES CENTER AT 1680 FAIRGROUNDS DRIVE, VALLEJO, as outlined in the Agenda Submittal from General Services dated January 9, 2001, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

(Item 16) ADDENDUM TO AGREEMENT WITH PRINTRAK INTERNATIONAL, INC. RE

AUTOMATED FINGERPRINT INFORMATION SYSTEM PROJECT, as outlined in the Agenda Submittal from the Sheriff's Department dated January 9, 2001, incorporated herein by reference, approved and Chairman authorized to sign said contract on behalf of Solano County.

APPROPRIATION TRANSFER FROM FUND 326 CONTINGENCIES IN THE AMOUNT OF \$77,222, as outlined in the Agenda Submittal from the Sheriff's Department dated January 9, 2001, incorporated herein by reference, approved.

APPROPRIATION TRANSFER IN THE AMOUNT OF \$138,182 FROM UNANTICIPATED REVENUE, as outlined in the Agenda Submittal from the Sheriff's Department dated January 9, 2001, incorporated herein by reference, approved.

(Item 18) RESOLUTION NO. 2001-08 APPROVING AN APPLICATION FOR THE "SOLANO COUNTY RABA OVERLAY PROJECT - 2001", adopted. (see Resolution Book)

#### ORDERS

(Item 17) RESOLUTION NO. 2001-07 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS (DISTRICT ATTORNEY - SENIOR FAMILY SUPPORT OFFICER), ADOPTED

APPROPRIATION TRANSFER IN THE AMOUNT OF \$326,315 FROM UNANTICIPATED REVENUE, APPROVED

The Board was provided with an Agenda Submittal from the District Attorney dated January 9, 2001, incorporated herein by reference, regarding implementing the Local Customer Service Initiative.

Cathy Ann Hewitt, Benicia, noted the importance of parents supporting their children, the family issues to support children, and suggested using some of the Tobacco money to provide healthful living education courses.

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to adopt Resolution No. 2001-07 Amending the List of Numbers and Classifications of Positions (District Attorney - Senior Family Support Officer). So ordered by a vote of 5-

0. (see Resolution Book)

(Item 20A) 2000 SUMMARY ANNUAL REPORT RECEIVED

County Administrator Michael Johnson reviewed the information contained in the Agenda Submittal from his department dated January 9, 2001, incorporated herein by reference, regarding the 2000 Summary Annual Report. Mr. Johnson noted the detailed annual report would be incorporated with the budget.

Supervisor Kondylis commended Mr. Johnson on the good report that is short, concise, and highlighting the major accomplishments.

There was a brief discussion relative to the future concept photo being used on the cover of the report, and Supervisor Kromm suggested using a photo that is more reflective of current projects.

Chairman Thomson commended staff for the many accomplishments in 2000.

There was consensus to receive the report.

(Item 20B) TASK FORCE TO BE FORMED UNDER THE CHAIRMANSHIP OF THE PRESIDING JUDGE WILLIAM HARRISON RE IMPLEMENTATION OF VOTER APPROVED PROPOSITION 36 - THE SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000

Supervisor Kondylis noted the need for an update on what is going on, to expand the involvement to include the community, and time to discuss how the County would like a program like this run.

Assistant Deputy County Administrator John Taylor reviewed the information contained in the Agenda Submittal from his department dated January 9, 2001, incorporated herein by reference. Mr. Taylor noted Proposition 36 changes State Law as of July 1, 2001, so illegal drug offenders will receive drug treatment and supervision in the community. The effected County departments have been contacted. Mr. Taylor noted receipt of a memorandum from the Department of Alcohol and Drug Programs dated December 29, 2000, incorporated herein by reference regarding the Substance Abuse and Crime Prevention Act of 2000 Funding for the remainder of this

fiscal year. Solano

County will receive \$624,000, which the bulk of the funds will go to the treatment component of the program. There is a March 1, 2001 deadline to provide the State with information on the designation

of a lead agency, a resolution of the Board indicating that lead agency, the appointment of others to

be involved in the planning process, and to designate a local trust fund. The State is recommending

that the local Drug and Alcohol Board be the lead agency.

Supervisor Kondylis feels the experts, the local community, and local police departments

need to be brought together to talk about how this can best be implemented.

Supervisor Kondylis

noted the importance of getting as much input and consensus as possible to ensure this program will

work.

Responding to questions posed by Supervisor Kromm regarding the impacts to Drug Court,

the ability of the judge to impose sanctions, the prohibition of using Prop 36 money for drug testing,

and with formation of a task force, Mr. Taylor reiterated the March 1st deadline and requirements

for notification to the State.

Supervisor Kondylis noted many County departments will have a stake, possibly the success

of the program could be tested through a series of alternate indicators rather than with drug testing.

A roundtable or a task force may be able to determine ways to evaluate, and what will the process

be.

Superior Court Executive Office Chuck Ramey noted the many questions surrounding the

effects Proposition 36 could have. California Chief Justice George has appointed a Statewide-

working group that has wide representation and that could be used as an advisory tool. There seems

to be a focus on local development and control. Mr. Ramey noted expansion work in the drug court,

and development of a juvenile drug court. Presiding Judge William Harrison has offered to provide

the leadership role to chair a working group that could include two court commissioners, and

representatives from the District Attorney's Office, the Public Defender's Office, the Chief Probation

Officer, the Drug Court Coordinator, Essie Henderson from Substance Abuse, the Board

representatives on the Criminal Justice Subcommittee, a representative from the County

Administrative Office, and law enforcement. The process should begin as soon as possible.

Chairman Thomson suggested a representative from Mental Health be included.

Supervisor Kondylis noted the need the public view of drug addiction is changing from a

criminal issue to a health issue. The two concepts of health and criminal justice need to be combined

to help people get off drugs before getting into serious trouble.

Supervisor Kromm suggested one of the Board representatives to the Health and Social

Services Subcommittee also be included in this committee. The Mentally Ill Crime Reduction

Program process may also work well with this.

Mr. Ramey feels Judge Harrison's view of the task force is to come back to the Board with

a comprehensive plan. Proposition 36 is a changing philosophy, and may change the way criminal

cases are handled.

Supervisor Kondylis noted the time constraints, and the effects on the treatment providers

with the increased caseloads.

There was a brief discussion regarding funding from the State, and how current funding

could be used.

Responding to questions posed by Supervisor Carroll regarding the lead agency role, Mr.

Ramey noted the Presiding Judge has offered to chair the task force between now and March and to

provide leadership in bringing all aspects together, and then come back to the Board with

recommendations on who the lead agency should be and other recommendations.

Chief Probation Officer Mike Robak discussed the number of potential cases through

statistics of current caseloads, feels Proposition 36 was written with drug courts in mind, noted this

is a State law that must be administered by the courts, and feels the Probation Department will be

the most impacted of the County departments.

Responding to questions posed by Chairman Thomson regarding drug-testing costs, Mr.

Robak noted the Probation Department drug-testing budget is \$85,000, this includes 10,000 to

15,000 tests at \$6.00 each. The total cost for drug testing could be \$100,000.

Responding to questions posed by Supervisor Kondylis regarding the cost of

treatment and follow-up, Drug Court Coordinator Dale Royer noted the cost is about \$3,900 per client. Cathy Ann Hewitt, Benicia, noted the escalation of drug abuse, encourages the multi-entity approach, and the need to use certified treatment programs. Supervisor Kondylis discussed formation of the task force that would address the details of implementing Proposition 36. Supervisor Silva suggested including the County Superintendent of Schools, the college district, and Health and Social Services. Supervisor Silva suggested the Criminal Justice Subcommittee sit as representatives on this task force under the Chairmanship of the Presiding Judge. Supervisor Kromm feels representatives from the Health and Social Services and the Criminal Justice Subcommittee would help facilitate a broader base discussion. Supervisor Carroll feels this is the type of matter that should be addressed by the Criminal Justice Subcommittee.

Supervisor Kondylis made a motion and seconded by Supervisor Kromm, requesting the Presiding Judge, in conjunction with a member of the Criminal Justice Subcommittee, a member of the Health and Social Services Subcommittee, and members appointed by the Chairman to convene a task force; with their charge to be to report back to the Board of Supervisors with a sample resolution for submission to the State. Motion failed on a vote of 2-3; Supervisors Silva, Carroll, and Chairman Thomson voted no.

On motion of Supervisor Silva and seconded by Supervisor Carroll, the Board acted to recommend the Criminal Justice Sub-Committee representatives of the Board of Supervisors sit as representatives on this task force under the Chairmanship of the Presiding Judge, along with representation of the County Superintendent of Schools, and the Solano Community College. So ordered by a vote of 5-0.

(Item 21) RESOLUTION NO. 2001-09 AUTHORIZING THE SALE OF THE REAL PROPERTY IN THE CITY OF VALLEJO (ASSESSOR PARCELS 069-104-010 AND 069-104-020), ADOPTED



Property Manager Michael Lango, General Services, reviewed the information contained in the Agenda Submittal from his department dated January 9, 2001, incorporated herein by reference.

Chairman Thomson opened the continued public hearing.

Cathy Ann Hewitt, Benicia, noted support for the action to improve the neighborhood.

As there was no one further who wished to speak on this matter, the public hearing was closed.

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to adopt Resolution No. 2001-09 Authorizing the Sale of the Real Property in the City of Vallejo (Assessor Parcels 069-104-010 AND 069-104-020). So ordered by a vote of 5-0.

CLOSED SESSION - The Board moved into Closed Session at 10:55 a.m. to discuss : Meet and Confer: County Administrator Employment Agreement matters. The Board moved out of Closed Session at 12:00 p.m.

(Item 22) PROPOSED ORDINANCE AMENDING CHAPTER 28, SECTION 28-15 OF THE SOLANO COUNTY CODE TO REZONE 1.05 ACRES FROM NEIGHBORHOOD COMMERCIAL (CN) AND 10.5 ACRES FROM RESIDENTIAL ESTATE (RE-1) TO EXCLUSIVE AGRICULTURE (A-40) FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ROCKVILLE ROAD AND SUISUN VALLEY ROAD, (APN: 0027-200-150), CONTINUED TO A FUTURE DATE

Michael Yankovich, Principal Planner Department of Environmental Management, reviewed the information contained in the Agenda Submittal from his department dated January 9, 2001, incorporated herein by reference, regarding rezoning the Monez property located at the southeast corner of Rockville and Suisun Valley Roads. There was a brief discussion relative to the specific area being rezoned. Responding to questions by Supervisor Kromm relative to grandfathering in the usage of the commercial area, Mr. Yankovich noted as long as the property is used as it has been in the past it would be allowed to continue, but there would be no room for expansion or change in commercial use. Change in ownership would not effect the use as noted.

Chairman Thomson opened the public hearing.

Cathy Ann Hewitt, Benicia, voiced concern with development, the loss of ag land, property owner rights, current small business in the area, and requested consideration of grandfathering in the businesses there.

Ruth Fleeman, Rockville Homeowners Association, submitted a letter dated January 5, 2001, incorporated herein by reference, noting consensus of the Rockville Homeowners Association that there is no need for additional neighborhood commercial at Rockville Corners. Ms. Fleeman read

an excerpt from the Solano County General Plan relative to neighborhood commercial, noted concern with the condition, lack of utilities, and size of the buildings.

Delores Johnson, Suisun, noted support for rezoning, public approval of Proposition A and the Orderly Growth Initiative, the importance of agriculture in the Suisun Valley, that no one spoke

against rezoning the Monez property at the Planning Commission, with the feasibility of rezoning

this property into 1 acre housing or neighborhood commercial. Ms. Johnson questioned how the

property is currently being assessed for taxes, feels commercial activity adjacent to this ag land could

cause problems for the public, that additional commercial property is not needed, and feels the entire property should be zoned A40.

John Usnick, Attorney for Mrs. Monez, requested that the existing zoning remain. Mr.

Usnick feels common sense would suggest the zoning remain as is, that this land is not economically

viable as ag land, but feels commercial neighborhood is viable, and requested the Board consider this option.

As there was no one further who wished to speak on this matter, the public hearing was closed.

Supervisor Kromm noted meetings with Mrs. Monez, feels the 1-acre commercial strip is not viable for agriculture, the R1 area must be rezoned, and there may be too much neighborhood commercial in the area.

Supervisor Silva noted this action is to bring the zoning into compliance with the General

Plan. The Board needs to consider the viability of this land, the zoning needs to be brought into

compliance with the General Plan, but feels there should be some reconsideration of some areas for more appropriate zoning designations, and noted that the existing conditional uses can continue.

Responding to questions posed by Chairman Thomson regarding a viable business being conducted at the Ice House, Mr. Yankovich noted the business that is being conducted in that building.

Chairman Thomson feels this action is not in the best interest of agriculture. There was a motion by Supervisor Kromm and seconded by Supervisor Silva to support staff recommendations to adopt the proposed ordinance amending Chapter 28, Section 28-15 of the Solano County Code to rezone 1.05 acres from Neighborhood Commercial (CN) and 10.5 acres from Residential Estate (RE-1) to Exclusive Agriculture (A-40) for property located at the southeast corner of Rockville Road and Suisun Valley Road, (APN: 0027-200-150). There was a vote of 2-2; Supervisor Carroll and Chairman Thomson voted no, and Supervisor Kondylis was excused. Chairman Thomson directed the matter be agendized when the full Board will be present.

(Item 24) APPOINTMENTS TO THE BOARD OF DIRECTORS OF THE ULATIS RESOURCE CONSERVATION DISTRICT CONTINUED TO JANUARY 23, 2001

The Board was provided with an Agenda Submittal from County Counsel dated January 9, 2001, incorporated herein by reference regarding appointments to the Board of Directors of the Ulatis Resource Conservation District.

Responding to questions posed by Chairman Thomson regarding qualifications of one of the applicants, County Counsel Dennis Bunting noted the applicant, Darryl Hill, has registered to vote therefore he is qualified for consideration.

There was a brief discussion regarding attendance of current members.

Supervisor Kromm noted a letter from the cooperators of the Ulatis Resource Conservation District dated January 4, 2001, incorporated herein by reference, endorsing four landowners to serve on the district board. Supervisor Kromm suggested removing Carl Heinz from consideration due to attendance issues, and to appoint the other applicants.

Supervisor Carroll noted the number of years Mr. Heinz has served, health issues for Mr.

Heinz, and his outspoken personality. Supervisor Carroll requested to defer a decision on these appointments until January 23, 2001.

Chairman Thomson noted the need to thank Mr. Heinz for the many years of service, but voiced concern with attendance at the meetings by Mr. Heinz, and directed the matter be agendized for further consideration on January 23, 2001.

ADJOURN - This meeting of the Board of Supervisors adjourned in memory of Al Vervais at 3:00 p.m.

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SKIP THOMSON, Chairman

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Maggie Jimenez  
Clerk to the Board of Supervisors