

Minutes For April 10, 2001

SOLANO COUNTY BOARD OF SUPERVISORS'"" MINUTES

April 10, 2001

The Solano County Board of Supervisors met in regular session on this day at 9:00 a.m. The meeting was called to order by Chairman Thomson followed by the Pledge of Allegiance and a moment of silence. All members were present.

PRESENTATIONS

(Item 4) CALIFORNIA FAMILY SUPPORT COUNCIL 2000 EXCELLENCE AWARD PRESENTED TO KEVIN POTTER, SENIOR STAFF ANALYST

Solano County District Attorney Dave Paulson gave a brief background of the Excellence Award, the improvements in this division, the awards presented to other members of his staff over the years, and the success of the Family Support Division.

Mr. Paulson presented the 2000 Excellence in Training Award to Kevin Potter, Senior Staff Analyst, District Attorney Family Support Division. This award recognizes Mr. Potter for his contribution to education and training in the child support program at the County and State Level.

ITEMS FROM THE FLOOR

APPEARANCE BY DONALD TIPTON, HOMEACRES IMPROVEMENT ASSOCIATION, RE SEWAGE SPILL

Donald Tipton, Homeacres Improvement Association, voiced concerns regarding an ongoing raw sewage spill. Mr. Tipton presented a letter addressed to the Board from Donna Seaman dated April 9, 2001, incorporated herein by reference, also voicing concern regarding the sewage spill. Mr. Tipton discussed participation of the Homeacres Improvement Association within the County in the

1970's and the formation of the association in 1920's, and further offered suggestions on increasing public participation.

INTRODUCTION OF DEPUTY COUNTY COUNSEL BERNADETTE S. CURRY

County Counsel Dennis Bunting announced the recent appointment of Deputy County Counsel Bernadette S. Curry, and gave a brief history noting her qualifications and background, as outlined in the Press Release from his office.

APPEARANCE BY RICHARD WEST, LIBERTY CHRISTIAN CENTER

Richard West, Liberty Christian Center, noted work being done to formulate a drug and alcohol rehabilitation center, that will also offer other life skill programs. Mr. West noted the need for expanded quarters, and asked the Board for assistance on locating a site to expand these programs. Mr. West inquired about using County property or developing a center on land that is currently located in the agricultural zone. Mr. West provided copies of Church Law & Tax Report, incorporated herein by reference, relative to The Religious Land Use and Institutionalized Persons Act of 2000.

APPROVAL OF AGENDA

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

(Item 10) Adoption of resolutions amending the Public Employees Retirement System (PERS) Contract for reporting the value of Employer Paid Member Contributions (EPMC) for Unit 18 (Elected Officials and County Administrator), Local 39 (Unit 10), and the Union of American Physicians and Dentists (Unit 11), removed from the Consent Calendar.

(Item 12) Approval to file a Solano County Office of Emergency Services State Domestic Preparedness Equipment Program Needs Assessment Application to the State Office of Justice Program to receive funding in the amount of \$8,463 to measure emergency threat, risk and capabilities at the

County level, removed from the Consent Calendar.

(Item 13) Adoption of a resolution amending the Allocation List to add 4.0 FTE Office Assistant positions, removed from the Consent Calendar.

So ordered by a vote of 5-0.

CONSENT CALENDAR

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

(Item 9) MINUTES OF THE BOARD OF SUPERVISORS MEETING OF MARCH 13, 2001, AND THE RURAL NORTH VACAVILLE WATER DISTRICT MARCH 13, 2001, as outlined in the Agenda Submittal from the Clerk of the Board dated April 10, 2001, incorporated herein by reference, approved.

(Item 11A) RESOLUTION NO. 2001-79 HONORING HELEN SHAHAN, STAFF ANALYST, FOR OVER 26 YEARS OF SERVICE, AND PLAQUE OF APPRECIATION, approved. (see Resolution Book)

(Item 11B) SUBMISSION OF GRANT APPLICATION TO CALIFORNIA DEPARTMENT OF HEALTH SERVICES/TOBACCO CONTROL SECTION RE INTERVENTION, as outlined in the Agenda Submittal from Health and Social Services dated April 10, 2001, incorporated herein by reference, approved and County Administrator authorized to sign resulting agreements.

(Item 14A) RESOLUTION NO. 2001-81 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (FOUTS SPRINGS YOUTH FACILITY), adopted. (see Resolution Book)

(Item 14B) AMENDMENT TO AGREEMENT WITH CALIFORNIA YOUTH AUTHORITY, as outlined in the Agenda Submittal from Fouts Springs Youth Facility dated April 10, 2001, incorporated herein by reference, approved and Chairman authorized to sign said amendment on behalf of Solano County.

(Item 15) RELEASE FROM ACCOUNTABILITY FOR UNACCOUNTED FIXED ASSETS,

as outlined in the Agenda Submittal from the Department of Transportation dated April 10, 2001, incorporated herein by reference, approved.

SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS:

Housing Authority

(Item 16) RESOLUTION APPROVING HOUSING AND URBAN DEVELOPMENT (HUD)

BUDGETS FOR SECTION 8 HOUSING CERTIFICATE AND HOUSING VOUCHER PROGRAMS FOR FY 2001-2002, as outlined in the Agenda Submittal from the Department of Environmental Management dated April 10, 2001, incorporated herein by reference, approved.

ORDERS

(Item 10) RESOLUTION NO. 2001-76 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS [LOCAL 39 (UNIT 10)], ADOPTED

RESOLUTION NO. 2001-77 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS ([UNION OF AMERICAN PHYSICIANS AND DENTISTS(UNIT 11)], ADOPTED

RESOLUTION NO. 2001-78 FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS [UNIT 18(ELECTED OFFICIALS/COUNTY ADMINISTRATOR)], ADOPTED

The Board was provided with an Agenda Submittal from Human Resources dated April 10, 2001, incorporated herein by reference, regarding the paying and reporting the value of Employer Paid Member Contributions.

Donald Tipton, Vallejo, voiced concern with the percentage payment differences between the groups.

Director of Human Resources Yolanda Irigon noted Unit 39 and Unit 11 past negotiations

for varying amounts, for Unit 18 the amount was to make the amount more consistent with the

Sheriff. This item had been previously approved, but due to some technical corrections requested

by PERS, the resolution is before the Board again to conform to the PERS requirement.

Supervisor Kromm noted opposition to the County picking up the 7% PERS for the Elected

Officials and requested the resolution for Unit 18 be voted on separately.

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to adopt Resolution No. 2001-76 for Paying and Reporting the Value of Employer Paid Member

Contributions [Local 39 (Unit 10)]; and Resolution No. 2001-77 for Paying and Reporting the Value of Employer Paid Member Contributions [Union of American Physicians and Dentists(Unit 11)].

So ordered by a vote of 5-0. (see Resolution Book)

On motion of Chairman Thomson and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2001-78 for Paying and Reporting the Value of Employer Paid Member

Contributions [Unit 18(Elected Officials/County Administrator)]. So ordered by a vote of 4-1;

Supervisor Kromm voted no. (see Resolution Book)

(Item 12) APPLICATION FOR STATE DOMESTIC PREPAREDNESS EQUIPMENT PROGRAM NEEDS ASSESSMENT APPLICATION TO BE FILED WITH STATE OFFICE OF JUSTICE PROGRAMS, APPROVED

The Board was provided with an Agenda Submittal from the Sheriff's Office/Emergency

Services dated April 10, 2001, incorporated herein by reference, regarding filing an application for

the State Domestic Preparedness Equipment Program Needs Assessment. Donald Tipton, Vallejo, expressed concern regarding community groups, Neighborhood

Watch groups, and associations not being included, and feels that facilities such as refineries,

National Guards, banks, highways, train depots, bridges, gas lines, and electric lines should be added to the list of critical areas.

Robert Powell, Sheriff's Office/Emergency Services, noted this is an Office of Justice

Federal program that is intended to help emergency responders increasing the levels of preparedness

to deal with terrorism. This portion of the grant is for weapons of mass destruction terrorism type activities and only directed to emergency responders.

On motion of Supervisor Carroll and seconded by Supervisor Kondylis, the Board acted to authorize the filing of an application for State Domestic Preparedness

Equipment Program Needs

Assessment Application, and to designate the Emergency Services Manager to represent Solano

County in connections with this application.. So ordered by a vote of 5-0.

(Item 13) RESOLUTION NO. 2001-80 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (DISTRICT ATTORNEY), ADOPTED

The Board was provided with an Agenda Submittal from the District Attorney Family

Support Division dated April 10, 2001, incorporated herein by reference, regarding allocating four

Office Assistant positions.

Donald Tipton, Vallejo, voiced concern regarding the addition of personnel prior to budget

hearings.

John Taylor, County Administrative Office, noted funding that has been allocated in the

2000/2001 budget for these positions, annual costs, and that the positions are fully funded through

Federal and State funding.

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to

adopt Resolution No. 2001-80 Amending the List of Numbers and Classifications of Positions

Within Solano County (District Attorney). So ordered by a vote of 5-0. (see Resolution Book)

(Item 18A) INTERIM PROGRESS REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF DMG-MAXIMUS MANAGEMENT AUDIT OF PROBATION DEPARTMENT AND CAO RECOMMENDATIONS, APPROVED

John Taylor, County Administrative Office, reviewed the information contained in the

Agenda Submittal from his department dated April 10, 2001, incorporated herein by reference,

regarding an update of the implementation of recommendations as noted in the DMG-

MAXIMUS Management Audit, originally heard by the Board in August 1999. Progress in the

three key areas of concern were departmental automation, interaction with other criminal justice

departments and lack of well-coordinated effort with service agencies, and employee relations

were reviewed.

Responding to questions posed by Chairman Thomson regarding recruiting Probation Officers, and interest from qualified staff in becoming Deputy Probation Officers, Chief Probation Officer Mike Robak noted current qualifications for the Deputy Probation series, and is agreeable to increasing the minimum requirements for the Deputy Probation series with some alternative qualifications of education and experience. Mr. Robak feels staff at Juvenile Hall is a resource, noted skills of a group counselor are not always compatible with those needed as a Deputy Probation Officer. There was further discussion on filling positions with the best qualified people.

Responding to questions posed by Supervisor Kondylis relative to the recommendations proposed by the County Administrative Office, Mr. Taylor noted the Chief Probation Officer is an employee of the Court, and the inability to enforce implementations of the recommendations.

Mr. Taylor requested the Board accept the progress report and to communicate with the Court and the Chief Probation Officer regarding implementation of these changes. Supervisor Kondylis feels there is a partnership with the Courts, it is in the best interest of the Courts to implement these recommendations, and that a review of the recommendations could be done through the Criminal Justice Subcommittee.

Chairman Thomson and Supervisor Silva noted meetings scheduled with the Presiding Judge and with the Juvenile Court Judges.

Supervisor Kromm noted meetings with the Juvenile Court Judges relative to Health and Social Service and Child Protective Service issues, and proposed the formation of an annual round table to discuss these Court and County related matters.

Presiding Judge William Harrison agreed this is a partnership, and feels the meetings between the Judges and the Board members are beneficial for the betterment of the County, and noted cooperative agreement of the Court.

Supervisors Carroll noted the correctional officers at the jail go through the same duties as the Probation Officers at Juvenile Hall.

Supervisor Kondylis feels the County needs to start looking at the reasons so

many kids

are in Juvenile Hall, and systems changes to ensure children are afforded the opportunity to fully develop to become good citizens.

Mr. Robak feels the report reflects most of the issues, and agrees with the recommendations.

Chairman Thomson noted there are some funding issues that will have to be addressed at budget time.

Art Grubel, SEIU Local 1280, noted the board received letters from employees regarding

issues that were not addressed in the DMG Report, the Board had directed the CAO's Office to

speak with staff and the union relative to the concerns raised by the employees. A previous

analyst Brad Baxter, had interviewed employees and the Union that resulted in a draft report that

was never presented to the Board before Mr. Baxter left. There was a brief discussion with Mr.

Taylor about the original concerns voiced by staff, and recently Mr. Grubel received a draft of

this report, which does not address the concerns of employees. The specific issue is with a large

number of African-American employees in the Juvenile Hall, who have either Bachelors or

Masters Degrees and have continually scored high on Deputy Probation Officer Entry Level

Exams, and have not been promoted. The other issue regarding the requirements for the Deputy

Probation Officer Classification that the Union has been working with Human Resources on an

agreement to change. The agreement has not gone to the Civil Service Commission because, up

to this point, Mr. Robak has not agreed to sign the proposal. There are legitimate issues, there is

a need for communication, and Mr. Grubel requested the Board not accept the portion of the

report that deals with the employees concerns since they have not been adequately addressed.

Responding to questions posed by Chairman Thomson regarding consistency of recruiting, Director of Human Resources Yolanda Irigon noted that over the years different

Minimum Qualifications (MQ) have been used, and feels the MQ's should go to the Civil

Service Commission to make them consistent with the surrounding counties qualifications.

Responding to questions posed by Supervisor Kondylis regarding the

recommendations,
and forming the Line-Staff Committee, and the MQ's with a Bachelor's Degree,
Mr. Robak
noted he is ok with the recommendations from the CAO's office, supports
sitting down with the
union and a Federal mediator to address the issues, supports the formation of
the Line-Staff
Committee, and now supports consistent MQ's.
Supervisor Kondylis feels the recommendations should be approved, but
suggested
having a follow-up in six to eight weeks to evaluate the progress.
Chris Calderon, Deputy Probation Officer, noted previous work as a Senior
Social
Worker for CPS and currently with Probation, voiced concern relative to
agreement by Mr.
Robak noting previous agreement to hear these concerns which was not done.
Ms. Calderon also
voiced concern regarding this report since there has been no meetings with line
staff, there are
morale problems all through the department, with EEO statistics in the report,
African-American
Group Counselors being passed over for promotion, with the high number of
young females
being promoted, with the lack of exit interviews, and the need for at least a BA
Degree in the
MQ's. Ms. Calderon asked the Board for a check and balance system be put in
place, and to not
accept the report without additional information.
Chairman Thomson noted the need for additional issues to be addressed, the
department
may need additional funding for staffing, Proposition 172 monies used as a
benefit by Probation,
and the need to ensure exit interviews are done when a staff member leaves.

Supervisor Kondylis feels that either Marilyn Brown or John Taylor should
go and interview
some employees at Juvenile Hall, and noted that the Budget for FY 2001/2002
for the Probation
Department should reflect the recommendations made in this report.
Responding to concerns voiced by County Administrator Michael Johnson
relative to a report
back to the Board, Supervisor Kondylis feels things need to move forward to
try and resolve some
of the issues. The report could be a brief update.

Mr. Taylor discussed working with the Federal Mediator and the creation
of the Joint Labor-
Management Committee.

Responding to questions posed by Supervisor Kromm regarding the draft

report done by Brad

Baxter, with the extensive employee interviews that were not referenced in this report, and the

perception of racism, Mr. Johnson noted the report done by Brad Baxter was a draft report that was released prematurely prior to an internal review. The employee statistics are from the EEO

Compliance Officer, and Mr. Johnson feels the workforce is more reflective of our community than most County departments.

Mr. Robak discussed the draft report prepared by Brad Baxter that was distributed to every

employee in the Probation Department, feels his department is the most ethnically represented

department in the County, and feels any allegations be reported to the EEO Compliance Officer

Marilyn Brown for investigation.

Supervisor Kromm noted a major concern on how people perceive this issue, and feels Ms.

Brown should review the matter and report back to the Board. (There was an agreement with Ms.

Brown investigating the matter by Art Grubel).

Responding to comments by Chairman Thomson regarding statements that there are

problems and then statements that there are not problems, Mr. Taylor noted many employees see the

racial issue as a concern, but that Ms. Brown has never received a complaint.

Supervisor Kromm discussed changing the MQ's, the need to set high standards, and would

like a follow-up report at least assigning dates to some of the issues within the next few weeks.

Responding to questions posed by Supervisor Silva regarding the Presiding Judge concurring

with the requests, Presiding Judge William Harrison noted he does concur with the directions being

given to the Chief Probation Officer.

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to

accept the report as an interim report, to also include the six CAO recommendations as Board

supported policies, to require a staff member from the CAO's Office and Human Resources in the

formation of a Joint Labor-Management Committee, and to require an update report to the Board

within the next seven weeks. So ordered by a vote of 4-1; Supervisor Kromm voted no.

(Item 18B) NINETY-DAY NOTICE OF INTENTION TO TERMINATE
SPECIFIED
SERVICES, BY SUPERIOR COURT OF THE COUNTY OF SOLANO,
ACCEPTED

John Taylor, County Administrative Office, reviewed the information contained in the Agenda Submittal from his department dated April 10, 2001, incorporated herein by reference, regarding termination of specified services.

County Administrator Michael Johnson noted understanding the need to comply with the 90-day restrictions, and noted the positive note for ongoing discussions with the understanding that if certain services are modified or deleted that they may not go into effect on July 1st due to County requirements regarding staff notices. Some portions of services from Human Resources are still needed, and the Court is willing to pay for the services they receive. There may be a direct billing system set up for certain services.

Responding to questions posed by Supervisor Kondylis relative to legal requirements,

Presiding Judge William Harrison noted the Court is not terminating services, and it is the intention of the Court to be a partner in as many services as possible that are not covered by the State. These changes are all part of the transition to the State and this is another area where the Courts are becoming more fiscally responsible.

Mr. Johnson discussed the A87 overhead costs as they relate to the five services listed in the report, the different budget cycle for the Courts, and receipt by the Courts of the A87 charges after their budget was finalized.

Judge Harrison noted negotiations for services have not taken place, the great increase in A87 costs, and the discussions regarding these charges.

Responding to comments by Supervisor Carroll regarding the A87 charges not being new,

Judge Harrison voiced concern with escalation of costs from about \$250,000 to over \$560,000.

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to accept the Ninety-Day Notice of Intention to Terminate Specified Services. So ordered by a vote of 5-0.

(Item 19) OVERSIGHT PROGRAM FOR CHILD PROTECTIVE SERVICES
(CPS),
APPROVED

Assistant Director of Health and Social Services Moira Sullivan reviewed the information contained in the Agenda Submittal from her department dated April 10, 2001, incorporated herein by reference, regarding the Oversight Program for Child Protective Services (CPS) to include a Child Welfare Ombudsperson Program. Responding to questions posed by Supervisor Kromm regarding the role of the Ombudsperson, County Counsel Dennis Bunting noted that once a complaint had been filed with the court, that the Ombudsperson could be placed in somewhat of a conflict situation. There are confidentiality issues, and after a complaint is filed the situation changes. Supervisor Kromm noted the roll of the Ombudsperson begins when a complaint is filed with CPS, and then does a fact-finding inquiry. Supervisor Kromm feels part of the process is listening during the counseling and dependency hearings, and that the effectiveness of the Ombudsperson will be compromised in not attending the court proceedings. Supervisor Kondylis feels this is similar to the Court Appointed Special Advocate (CASA) where the person works with the Judge to ensure that a child gets additional help through the process. This Ombudsperson will need the same types of information, and feels the determination of attendance should be addressed by the Judge. Supervisor Kondylis suggested removing Section II, Limitations, the last bullet on page 6 to allow for further research on the issue. Ms. Sullivan noted that contracts will have to be developed with the Ombudsperson, and feels this portion could be brought back to the Board at that time. Responding to questions posed by Supervisor Kromm regarding the involvement of the Juvenile Court Judges, Ms. Sullivan noted consultations with the Judges on the concepts, but no involvement by the Judges with specific language. Mr. Bunting noted that once a new person is introduced into the proceedings the concern is that the proceedings may be directed towards the Ombudsman, which is

another concern. This program is patterned after the program in Santa Clara that has been in place for a few years. Chairman Thomson suggested getting the Courts to help determine what could be done. Donald Tipton, Vallejo, noted agreement with the action, and feels the Ombudsperson should be totally independent. There is concern regarding whom the Ombudsperson would work for, and that this should be a proactive position.

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to approve an oversight program for Child Protective Services, but removing Section II, Limitations, the last bullet regarding Ombudsperson attending proceedings. So ordered by a vote of 4-0; Supervisor Silva excused.

(Item 20) AGRICULTURAL SUMMIT ON WHEELS TOUR SET FOR MAY 23, 2001

The Board was provided with an Agenda Submittal from UC Cooperative Extension Service dated April 10, 2001, incorporated herein by reference, regarding conducting an Agricultural Summit on Wheels Tour. Chairman Thomson directed that tour cost be taken from the District 5 Promotional Budget. Donald Tipton, Vallejo, voiced concern with contingency funds being spent in this fashion when there is a sewage problem in Homeacres, and commended Chairman Thomson for using the District 5 Promotional Budget money instead.

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to approve Agricultural Summit on Wheels tour set for May 23, 2001, and tour costs to be charged to District 5 Promotions Budget. So ordered by a vote of 4-0; Supervisor Silva excused.

(Item 21A) KIM CHANDLER AND JOHN VASQUEZ, JR. REAPPOINTED TO THE VACAVILLE ELMIRA CEMETERY DISTRICT

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to

reappoint Kim Chandler and John Vasquez, Jr. to the Vacaville Elmira Cemetery District for terms to expire May 23, 2005. So ordered by a vote of 4-0; Supervisor Silva excused.

(Item 21B) LAVONNE PECK APPOINTED TO THE LOCAL MENTAL HEALTH BOARD

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted to appoint LaVonne Peck to the Local Mental Health Board for a three year term. So ordered by a vote of 4-0; Supervisor Silva excused.

ADJOURN - This meeting of the Board of Supervisors adjourned at 11:57 p.m. to reconvene at a Special Meeting of the Board of Supervisors to conduct a Road Tour on April 17, 2001.

SKIP THOMSON, Chairman

Maggie Jimenez
Clerk to the Board of Supervisors