

## Minutes For May 08, 2001

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

May 8, 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. Present were Supervisors Kromm, Silva, and Chairman Thomson. Supervisors Carroll and Silva arrived at 8:32 a.m.

CLOSED SESSION: The Board moved into Closed Session at 8:31 a.m. to discuss Potential litigation: one (1) case; Litigation: Boler vs. Solano County; Litigation: International Union of Operating Engineers, Local 3, AFL-CIO v. County of Santa Cruz. The Board moved out of Closed Session at 9:01 a.m.

The Solano County Board of Supervisors reconvened on this day at 9:02 a.m. with the Pledge of Allegiance and a moment of silence.

CLOSED SESSION REPORT: BOARD EXPRESSED AMICAS CURIAS SUPPORT FOR SANTA CRUZ COUNTY

County Counsel Dennis Bunting noted that by a vote of 4-1, Supervisor Kondylis voting no, the Board authorized the County of Solano to join as an amicus curias in the case of the International Union of Operating Engineers Local 3 AFL/CIO vs. County Santa Cruz at the trial at Appellate Court level. The issue in that case is a determination if Senate Bill 402 is Constitutional. Part of the authorization is for the County Counsels of Tulare County and San Diego County to represent the County of Solano in this action.

### PRESENTATIONS

(Item 6A) PROCLAMATION RECOGNIZING MAY 11, 2001 AS CHILD CARE

## PROVIDER APPRECIATION DAY, APPROVED

On motion of Supervisor Kondylis and seconded by Supervisor Kromm, the Board acted to adopt the Proclamation Recognizing May 11, 2001 as Child Care Provider Appreciation Day. So ordered by a vote of 5-0.

On behalf of the Board Supervisor Kondylis presented the Proclamation to Yvonne Apilado and Valerie Powell of the Local Child Care Planning Council.

## (Item 6B) RESOLUTION NO. 2001-109 PROCLAIMING MAY AS MENTAL HEALTH MONTH, ADOPTED

On motion of Supervisor Kromm and seconded by Supervisor Kondylis, the Board acted to adopt Resolution No. 2001-109 Proclaiming May as Mental Health Month. So ordered by a vote of 5-0. (see Resolution Book)

On behalf of the Board, Supervisor Kromm presented Resolution 2001-109 to Shirley Sassman, Chairperson of the Mental Health Advisory Board and Roger Weir, Interim Director of the Mental Health Department.

## (Item 6C) RESOLUTION NO. 2001-110 RECOGNIZING BILLY GEAR UPON HIS RETIREMENT FOR HIS MANY YEARS OF SERVICE TO SOLANO COUNTY, AND PLAQUE OF APPRECIATION, APPROVED

On motion of Chairman Thomson and seconded by Supervisor Silva, the Board acted to adopt Resolution No. 2001-110. The Board further acted to authorize a Plaque of Appreciation for

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

On behalf of the Board, Chairman Thomson presented Resolution No. 2001-110 and a

Plaque of Appreciation honoring Mr. Gear upon his retirement after twenty-three years of service

to Solano County as an employee in the Department of Health and Social Services to a

Departmental Representative appearing on Mr. Gear's behalf.

## ITEMS FROM THE FLOOR

APPEARANCE BY DR. DIANE VAN ARSDALE, AND COLLEAGUES DR. RICHARD LUNDEEN, DR. STEVEN PITTAVINO, DR. MARK COREY, AND DR. RICHARD

## COHAN RE SALARY PARITY FOR THE CLINICAL PSYCHOLOGISTS

Dr. Diane Van Arsdale, Clinical Psychologist, along with colleagues Dr. Richard Lundeen, Dr. Steven Pittavino, Dr. Mark Corey, and Dr. Richard Cohan, read a prepared statement dated May 8, 2001, incorporated herein by reference, expressing concern regarding the parity in salary for Solano County Clinical Psychologists. Dr. Van Arsdale reviewed the educational requirements and training necessary for this position, historical pay differential, the apparent oversight of a pay increase, and salary comparisons with other health facilities in the County. Dr. Van Arsdale also submitted three petitions relative to the support of a salary increase commensurate with the education and training required for this position.

## APPEARANCE BY ERIC NELSON RE SPECIAL MEETING NOTICING

Eric Nelson, Vacaville, voiced concern regarding a Special Meeting that was held March 30, 2001 by the Board of Supervisors regarding support for a loan for the Rural North Vacaville Water District, and the noticing that the meeting was going to take place. Mr. Nelson was concerned regarding the merits of the resolution, with exclusion of fair and open participation regarding this matter, with special notification of a proponent of the project, and feels notification and participation should be fair and equal to everyone.

## 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 12) Approval to submit letters to the California Public Utilities Commission (PUC), one in support of the Los Angeles County proposal to cap electric rate increase for essential government services, and one in support of lowering rate increases for the agriculture industry, removed from the Consent Calendar.

(Item 13A) Approval of a sole source contract with Bay Area Economics for consultant services for preparation of a General Plan Housing Element in compliance with the requirements of California Government Code Section 65580-65589.8 for a fee not to exceed \$81,000, removed from the Consent Calendar.

(Item 14) Approval to issue a Request for Proposal (RFP) for an organization study of the Library; authorize the County Administrator to execute an agreement in an amount not to exceed \$50,000 with the successful bidder, removed from the Consent Calendar.

(Item 16C) Consider review of the Sheriff's Department decision to suspend charges to cities and other local agencies for participation in the California Law Enforcement Telecommunications System (CLETS) and recommendation to reinstate subscriber fees, removed from the Agenda.

So ordered by a vote of 5-0.

#### CONSENT CALENDAR

On motion of Supervisor Kondylis and seconded by Supervisor Silva, 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 APRIL 24, 2001, as outlined in the Agenda Submittal from the Clerk of the Board dated May 8, 2001, incorporated herein by reference, approved.

(Item 13 B) AGREEMENT WITH PACIFIC MUNICIPAL CONSULTANTS RE CONTRACT PLANNING SERVICES, as outlined in the Agenda Submittal from the Department of Environmental Management dated May 8, 2001, incorporated herein by reference, approved and County Administrator authorized to sign said contract and amendments on behalf of Solano County.

RESOLUTION NO. 2001-111 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSITIONS WITHIN SOLANO COUNTY (EXTENDING PLANNER (ENTRY) LIMITED TERM), adopted. (see Resolution Book)

## ORDERS

(Item 12)        LETTERS TO CALIFORNIA PUBLIC UTILITIES COMMISSION  
(PUC)  
RE SUPPORT PROPOSAL TO CAP ELECTRIC RATE INCREASE FOR  
ESSENTIAL GOVERNMENT SERVICES, AND TO SUPPORT  
LOWERING RATE INCREASES FOR AGRICULTURE INDUSTRY,  
APPROVED

The Board was provided with an Agenda Submittal from the County Administrator's Office dated May 8, 2001, incorporated herein by reference, regarding a cap for electric rates for essential government services and for support of lower rate increases for the agriculture industry.

Donald Tipton, Vallejo, expressed concern that if rate increases are capped for governmental entities, those increases will be passed on to the general public to make up the lost revenue.

Supervisor Kromm noted in the summary discussion the increase is for 3 cents per kilowatt per hour, public facilities such as jails and hospitals most of the energy has to be used to run them, and noted difficulties in achieving energy reductions.

On motion of Supervisor Silva and seconded by Supervisor Kondylis, the Board acted to approve the increase to 3 cents per kilowatt per hour, and to authorize sending letters to the California PUC regarding rate increases. So ordered by a vote of 5-0.

(Item 13A)        SOLE SOURCE AGREEMENT WITH BAY AREA ECONOMICS FOR  
CONSULTANT SERVICES RE PREPARATION OF GENERAL PLAN  
HOUSING ELEMENT, APPROVED

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated May 8, 2001, incorporated herein by reference, regarding preparation of a General Plan Housing Element.

Donald Tipton, Vallejo, requested that an element be added to delve into what a living wage is in the County.

Responding to questions posed by Supervisor Kondylis if there will be an opportunity to add language dealing with sustainable, livable smart growth policies, Harry

Englebright,

Department of Environmental Management, noted the language can be incorporated into the location for housing use element.

Responding to questions posed by Supervisor Kromm to pursuing what housing requirements are reasonable, Mr. Englebright noted the numbers may not agree with the ABA

goals, and further discussed the need to justify not meeting those housing goals. This will be a negotiation process with HCD on determining the final housing unit requirements.

Supervisor Kromm expressed concern with changing current County policies, and feels

farm worker housing should be included in the affordable housing mix.

Supervisor Kondylis noted some possible effects of actions and/or hearings that will be

taking place with LAFCO.

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

authorize an agreement with Bay Area Economics for consultant services for preparation of a

General Plan Housing Element. So ordered by a vote of 5-0.

(Item 14) ISSUANCE OF REQUEST FOR PROPOSAL (RFP) RE LIBRARY ORGANIZATION STUDY, APPROVED

The Board was provided with an Agenda Submittal from the Library dated May 8, 2001,

incorporated herein by reference, regarding an organizational study.

Donald Tipton, Vallejo, expressed concern with having the study done, with the organizational chart listed in Attachment A, and feels the study should be done by the managers.

There was a brief discussion regarding the Library Facilities Master Plan, which includes

thirteen building projects over the next twenty years.

Responding to questions posed by Supervisor Kondylis relative to the connection with the

Facilities Master Plan and this organizational study, Ms. Cousineau noted the extensive planning

process over the last year for the Library, the extensive public participation in the process, and that

this study will help ensure the right organizational structure is in place to be flexible enough to

meet those changing needs over the next 20 years.

Responding to questions posed by Supervisor Kromm relative to the last organizational

study, and with branch utilization, Ms. Cousineau noted the last report had

been done ten to twelve years earlier, and that Vacaville is the busiest library in the County. Responding to concerns voiced by Supervisor Silva regarding the need to do this report, Ms. Cousineau feels with so many changes an objective review of the organization is needed.

On motion of Supervisor Kromm and seconded by Supervisor Kondylis, the Board acted to authorize the issuance of a requested for proposal for a Library organizational study. So ordered by a vote of 4-1; Supervisor Silva voted no.

(Item 16A) THIRD QUARTER FINANCIAL REPORT FOR FY 2000/2001, APPROVED

APPROPRIATION TRANSFERS FOR VARIOUS DEPARTMENTS, APPROVED

RESOLUTION NO. 2001-112 AMENDING THE LIST OF NUMBERS AND CLASSIFICATIONS OF POSTIONS WITH SOLANO COUNTY (HUMAN RESOURCES-RISK MANAGEMENT), ADOPTED

County Administrator Michael Johnson reviewed the information contained in the Agenda Submittal from his department dated May 8, 2001, incorporated herein by reference, regarding the financial status of the County for the third quarter of this fiscal year, 2000/2001. Mr. Johnson noted this is the best financial position the County has been in at third quarter since he arrived, projected General Fund balance at year-end will be \$9.4 million, and Mr. Johnson gave a brief overview of the report. Supervisor Kondylis requested that portions of item 3e and 5 relating to the Downtown Government Center be removed for a separate vote, noting that she feels it is not a good time to go forward with this project, in light of projected fiscal downturns. Chairman Thomson discussed the number of building projects since 1996 and the debt service that has been projected through 2007, and feels the Board has the responsibility to provide a clean healthy environment to the public and staff to conduct business. Supervisor Kondylis noted the deferred maintenance and the reason for replacing some buildings. Responding to questions and concerns voiced by Supervisor Kondylis relative to

the use of

General Fund money being used, Mr. Johnson noted the ultimate responsibility of the County for the debt, but that approximately \$1.5 million annual is received from Public Facilities Fees.

Responding to questions posed by Supervisor Carroll relative to the relationship with the Courts and the County owned facility, Mr. Johnson noted the Courts are now the responsibility of the State, the Courts are in a County facility, the possibility of transferring the facility to the State, the connection with the Sheriff's Office for bailiff services, the courts are no longer a budget unit in the County budget, and functions the County is no longer providing were reviewed.

Responding to questions posed by Supervisor Kromm regarding energy, Mr. Johnson noted a \$1.7 million revenue projection for 2001/2002, but cost increases are about \$2 million.

There may be other cost increase issues relating to gasoline for the County vehicles.

Responding to questions posed by Supervisor Kromm regarding vacant positions in the Animal Control area, and with potential loss of volunteers, Director of General Services Jim

Werdell noted work being done with the Animal Care Commission relative to organizational changes. A full report will be brought back in the near future to address the organization, then the positions will be filled. The Director, Robert Linton, is currently working with the volunteers.

Responding to questions posed by Supervisor Kromm regarding the Alternative Response

Team (ART) Program and the CalWORKS Incentive Program in Health and Social Services, Britt

Ferguson, County Administrator's Office, noted the intent is to bring these matters to the Board in early June, where a review of these programs could be done as a workshop item.

Supervisor Kromm feels there does need to be policy discussion regarding the CalWORKS

Program, that there are long-term concerns regarding the economy, and that the County should stay conservative.

Chairman Thomson discussed the reserve fund for fiscal uncertainties.

Responding to questions posed by Chairman Thomson regarding call back overtime in the



Sheriff's Office, Gary Stanton, Sheriff's Office, noted the vacancy rate is down to about 6%, many were hired in the latter part of the fiscal year, and discussed the training time necessary to get the new hires fully functional. The cost of call back or overtime will go down. Responding to questions posed by Supervisor Kondylis regarding departmental rewards for budget savings, Mr. Johnson noted the reward policy is still being generally followed, and departments are encouraged to help with the fund balance to fund the next fiscal year budget. Supervisor Kondylis requested additional discussion relative to the policy for rewarding departments achieving budget savings at the end of the year, and with dealing with salary savings. Supervisor Silva expressed concern relative to departments carrying positions that are not filled, feels overall the departments have done a good job managing their budgets, and the need to recognize the departments that do manage their budgets well. Supervisor Kromm feels the bigger issue is how to link the delivery of service and measuring the quality of that service, and that policy issues relative to departmental savings in the budget should be addressed during budget hearings. Supervisor Carroll feels a review of why the positions are vacant should be reviewed, and to give the departments some flexibility on the policy.

On motion of Supervisor Kondylis and seconded by Silva, the Board acted to approve the departmental recommendations 1 through 7, with the exception of portions of recommendation 3e and 5 that deal with the Downtown Government Center, and to adopt Resolution No. 2001-112 Amending the List of Numbers and Classifications of Positions with Solano County (Human Resources-Risk Management). So ordered by a vote of 5-0. On motion of Supervisor Carroll and seconded by Kromm, the Board acted to approve portions of recommendation 3e and 5 dealing with the Downtown Government Center. So ordered by a vote of 4-1; Supervisor Kondylis voted no.

(Item 16B) AUTHORIZATION TO CONTRACT WITH THE STATE BOARD OF CORRECTIONS RE \$6,886,075 FUNDING FOR NEW JUVENILE HALL, APPROVED

## INTEREST FREE LOAN OF \$8 MILLION FROM TOBACCO SETTLEMENT FUNDS, APPROVED

Assistant County Administrator Darby Hayes reviewed the information contained in the Agenda Submittal from his department dated May 8, 2001, incorporated herein by reference, regarding funding for the construction of a new juvenile hall. The major request is for an interest free loan from the Tobacco Settlement funds. Supervisor Kondylis voiced concerns relative to an interest free loan since the Tobacco Settlement money is to be dedicated to health care only, loss of interest, and the need to find other means of financing. Supervisor Kromm voiced opposition for an interest free loan, but would consider the proceeds from the sale of the Old County Hospital being dedicated to that construction, and to look at other alternatives for the remainder of the money needed. Supervisor Silva noted the needs of children that end up in Juvenile Hall, the need for preventative medicine for these children, the need to provide proper facilities to care for these children, the lack of programs and services for juveniles, this is the best health care dollars that the Board can spend, the great effort needed to help these children, the money belongs to everyone, and feels his best interest is for what can be done for the children that go into Juvenile Hall. This is an opportunity to put into place programs for kids that are really in need. Supervisor Carroll noted on Attachment B that the payback is scheduled to begin in 2006/2007, program benefits as seen at Fouts Springs Youth Facility, need to provide services at a young age to break the cycle of crime, and the need to provide adequate facilities for wards and the staff. Hendrick Crowell, Chairman of the Juvenile Justice and Delinquency Prevention Commission, acknowledged the issues for funding of this project, feels the youth in Juvenile Hall are citizens of the County, noted the need for Juvenile Hall to be more than a detention facility, problems housing hardened wards with minor offenders, the need to break the criminal cycle which must be done with programs, training and counseling. Mr. Crowell feels the County

Probation Department is one of the most progressive departments in the State, this is an opportunity to put treatment facilities in Juvenile Hall, tobacco and alcohol are gateway drugs that can lead to other substance abuse issues, and urged approval of the item. Steven Kayes, Fairfield, suggested that when the Old County Hospital Site is sold that the proceeds be used to support the Gateway Improvement Project of West Texas Street, and urged current programs at the site be relocated. Supervisor Kondylis voiced concern with an interest free loan using the Tobacco Settlement money, and the lack of direct services this loan money will provide, Mr. Hayes noted one-third of the new Juvenile Hall would be dedicated to treatment facilities. Supervisor Kondylis feels that an interest free loan could be given from reserves. Supervisor Kromm would like to see proceeds from the sale of the Old County Hospital site go to the Juvenile Hall and for the Day Center, and voiced concern with using the Tobacco Settlement money for this project. Everyone wants to provide services for children, the issue is how to finance the project. Supervisor Kromm suggested putting \$2.5 million from the sale of the Old Hospital site into the financing of Juvenile Hall.

On motion of Supervisor Carroll and seconded by Supervisor Kondylis, the Board acted to approve recommendations 1. Authorizing the County Administrator to contract with the Board of Corrections to secure funding in the amount of \$6,886,075 to construct a new juvenile treatment/detention facility; 2. To approve the project budget of \$16,805,803; and, to authorize the County Administrator to sign all contracts and amendments within the project budget. So ordered by a vote of 5-0.

Responding to questions posed by Chairman Thomson regarding the time of the repayment of the Tobacco Settlement interest free loan, Mr. Hayes discussed financing commitments for the Downtown Project, and the flexibility of repayment based on the economic situation. Mr. Hayes suggested bringing back financing alternatives rather than committing on the Old County Hospital site property.

Chairman Thomson feels the repayment schedule should be moved closer

to the completion date.

Supervisor Kromm feels that when the Old Hospital site sells the money could be used to instantly pay down the Tobacco Settlement loan.

County Administrator Michael Johnson advised the Board of legal requirements when selling a physical asset that the proceeds must be reinvested in property, that there has been discussion of selling the property for over 10 years, there could be an additional \$2 million plus from the State for the construction of Juvenile Hall, and if the funds from the sale of the Old Hospital are earmarked for Juvenile Hall those additional State funds could be lost.

Responding to questions posed by Chairman Thomson if repayment of the loan could begin earlier, Mr. Hayes noted repayment of the loan could begin earlier with funds from another source.

On motion of Supervisor Carroll and seconded by Supervisor Silva, the Board acted to approve the financing plan allowing the use of \$8 million of Tobacco Settlement Funds with an interest free loan, with repayment of the loan to begin in fiscal year 2005/2006. So ordered by a vote of 3-2; Supervisor Kondylis and Kromm voted no.

(Item 17) AGREEMENT IN THE AMOUNT OF \$440,892 WITH CALIFORNIA HISPANIC COMMISSION ON ALCOHOL & DRUG ABUSE, INC. RE SUBSTANCE ABUSE SERVICES, APPROVED

The Board was provided with an Agenda Submittal from Department of Health and Social Services dated May 8, 2001, incorporated herein by reference, regarding contracting with the California Hispanic Commission on Alcohol and Drug Abuse, Incorporated for substance abuse services.

On motion of Supervisor Kondylis and seconded by Supervisor Carroll, the Board acted approve the agreement with California Hispanic Commission on Alcohol and Drug Abuse, Incorporated for substance abuse services . So ordered by a vote of 5-0.

(Item 18A) EUGENE KORTE REAPPOINTED TO THE LOCAL MENTAL HEALTH

## BOARD

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint Eugene Korte to the Local Mental Health Board. So ordered by a vote of 5-0.

(Item 18B) PAGE BALDWIN AND WILLIAM PETERSEN REAPPOINTED TO THE MONTEZUMA FIRE PROTECTION DISTRICT

On motion of Supervisor Kondylis and seconded by Supervisor Silva, the Board acted to reappoint Page Baldwin and William Petersen to the Montezuma Fire Protection District for terms to expire March 1, 2005. So ordered by a vote of 5-0.

ADJOURN - This meeting of the Board of Supervisors adjourned at 11:46 a.m.

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SKIP THOMSON, Chairman

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Maggie Jimenez  
Clerk to the Board of Supervisors