



Solano County

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Minutes - Final Board of Supervisors

*Erin Hannigan (Dist. 1), Chairwoman
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*John M. Vasquez (Dist. 4), Vice-Chair
(707) 784-6129*

*Linda J. Seifert (Dist. 2)
(707) 784-3031*

*James P. Spering (Dist. 3)
(707) 784-6136*

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

Tuesday, January 13, 2015

8:30 AM

Board of Supervisors Chambers

CALL TO ORDER - 8:30 a.m.

The Solano County Board of Supervisors met on the 13th day of January 2015 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 8:30 a.m. Present were Supervisors Spering, Thomson, Vasquez and Chairwoman Hannigan. Supervisor Seifert was excused. Chairwoman Hannigan presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.

ROLL CALL

Present 4 - John M. Vasquez, Erin Hannigan, James P. Spering and Skip Thomson

Excused 1 - Linda J. Seifert

CLOSED SESSION

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

1 [15-0045](#) Conference with Labor Negotiators:

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

Physicians and Dentists for Unit 11 (Physicians, Dentists and Psychiatrists); Solano County Probation Peace Officer Association for Unit 12 (Probation Employees) and Unit 15 (Probation Supervisors); Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors); Solano County Law Enforcement Management Association for Unit 17 (Law Enforcement Management) and Unit 18 (Sheriff's Office Management); Professional and Technical Engineers, Local 21 for Unit 19 (Executive and Senior Management); and unrepresented employees.

In-Home Supportive Services Authority representative: Marc Fox, Gerald Huber and Birgitta E. Corsello. Employee organization: SEIU United Long Term Care Workers, Local 6434.

Attachments: [A - Memorandum](#)

RECONVENE

This meeting of the Solano County Board of Supervisors reconvened at 9:00 a.m. Supervisors Spering, Vasquez, Thomson and Chairwoman Hannigan were present. Chairwoman Hannigan presided.

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

County Counsel Dennis Bunting reported that by a vote of 4-0, the Board had authorized the County Administrator to enter into a contract with the lawfirm of Renne Sloane Holtzman Sakai LLP to conduct labor negotiations on behalf of the county for a contract not to exceed \$100,000.

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

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

PRESENTATIONS

- 2 [15-0061](#) Adopt a resolution and plaque of appreciation honoring Bob Meador for 15 years of coordinating the Solano County exhibit at the California State Fair (Supervisor Vasquez)

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

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board adopted Resolution No. 2015-05 in appreciation of Bob Meador for 15 years of coordinating the Solano County exhibit at the California State Fair. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Resolution 2015-05

ITEMS FROM THE PUBLIC

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

A) Donald Tipton, unincorporated Vallejo, commented on his remarks made at the January 6, 2015 meeting.

B) George Guynn, Jr., Suisun City, commented on Mr. Tiptons remarks, the public speaking period and the First Amendment.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

There were no additions to or deletions from the Solano County Board of Supervisors' agenda for January 13, 2015.

APPROVAL OF THE AGENDA

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board approved the agenda of the Solano County Board of Supervisors for January 13, 2015 as submitted. So ordered by 4-0 vote.

PUBLIC COMMENT ON CONSENT CALENDAR

Chairwoman Hannigan invited members of the public to address the Board on items listed on the Consent Calendar. The following comments were received:

A) Donald Tipton, unincorporated Vallejo, commented on Item 5 and staff levels for Board offices.

APPROVAL OF THE CONSENT CALENDAR

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board approved the following Consent Calendar items by 4-0 vote.

CONSENT CALENDAR

3 **[15-0048](#)** Adopt a resolution honoring the 100th Anniversary of the founding of the Solano County Farm Bureau

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

Adopted
Enactment No: Resolution 2015-06

- 4 [15-0049](#) Adopt a resolution honoring Cecilia Aguiar-Curry as Winters Citizen of the Year
- Attachments:* [A - Resolution](#)
 [Adopted Resolution](#)
- Adopted**
- Enactment No: Resolution 2015-07**
- 5 [15-0043](#) Approve a three-year contract for \$60,000, with options for up to two additional years at \$20,000 each, with First Corporate Solutions Inc. to conduct parties of interest research related to tax sales of defaulted property for the term of January 13, 2015 through January 12, 2018; and Authorize the County Treasurer - Tax Collector - County Clerk to execute the contract and any subsequent amendments to extend the term as outlined in the agreement
- Attachments:* [A - Contract](#)
 [Executed Contract](#)
- Approved**
- 6 [15-0040](#) Approve a contract amendment in the amount of \$100,708 for a total contract amount of \$466,985 with Environmental Science Associates to prepare a Wildlife Hazard Assessment for the Nut Tree Airport; Approve an Appropriation Transfer Request in the amount of \$110,779 which includes recognizing \$100,708 in unanticipated revenue from the Federal Aviation Administration and the transfer of \$10,071 from the Airport Operating Budget (BU 9002) to the Airport Project Budget (BU 9011) (4/5 vote required); and Delegate signing authority to the General Services Director for the contract amendment and other necessary documents within the established budget
- Attachments:* [A - Project Budget and Financing](#)
 [B - ESA Contract Amendment](#)
 [Executed ESA Contract Amendment](#)
- Approved**
- 7 [14-0841](#) Approve the Notice of Completion for the Culvert Repair Project 2014, constructed by Lister Construction, Inc. for a final cost of \$119,069
- Attachments:* [A - Location Map](#)
 [B - Notice of Completion](#)
 [Recorded Notice of Completion](#)
- Approved**

- 8 [15-0028](#) Approve the Notice of Completion for the Terminal Blend Chip Seal Project 2013, constructed by Intermountain Slurry Seal for a final cost of \$152,684
- Attachments:* [A - Location Map](#)
 [B - Notice of Completion](#)
 [Recorded Notice of Completion](#)
- Approved**
- 9 [15-0047](#) Adopt a resolution appointing Darrell Hill, John Knowles, Joe Martinez and Glenda Riddle as Directors of the Solano Resource Conservation District, with terms to expire November 30, 2018
- Attachments:* [A - Applications](#)
 [B - Resolution](#)
 [Adopted Resolution](#)
- Adopted**
- Enactment No: Resolution 2015-08**
- 10 [15-0025](#) Approve the appointment of Gerald Huber to the First 5 Solano Children and Families Commission effective January 13, 2015 through July 1, 2015
- Approved**
- 11 [15-0042](#) Approve the appointment of Tiffany Banks to the Local Mental Health Advisory Board, representing a family member as a direct consumer for a three-year term expiring January 13, 2018
- Approved**

REGULAR CALENDAR

- 12 [15-0051](#) Receive recommendations from the Board Ad Hoc Committee on Non-Smoking and County Staff to implement the change in County Code related to smoking at County facilities; Consider introducing an ordinance amending Chapter 13.3 of the Solano County Code relating to Clean Indoor Air and Health Protection to include electronic smoking devices; Approve a Smoke-Free Facilities Policy consistent with the amended ordinance; and Direct the County Administrator to establish a Transition Team to implement the policy
- Attachments:* [A – Ordinance](#)
 [A1 - Strikethrough Ordinance](#)
 [B - Proposed Smoke-Free Facilities Policy](#)
 [C – Transition Team Members](#)
 [D – Smoking Cessation Resources for County Employees](#)
 [E – Smoking Cessation Resources for the Public](#)
 [Presentation](#)

Director of General Services Mike Lango introduced the item.

Deputy Director of General Services Kanon Artiche provided the Board with an overview of the proposed Smoke-Free Facilities Policy.

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

A) Larry Miller, Fairfield, commented on keeping current smoking areas for mental health clients and county employees and in opposition to implementing the policy.

B) Greg Carter, representing SEIU 1021, commented on the meet and confer process between the SEIU and the County, concerns with impacts on employees, and asked that the meet and confer process continue.

C) George Guynn, Jr., Suisun City, commented on second-hand smoke, concerns with enforcement of rules and impacts on employees, electronic cigarettes and reducing expenses.

D) Alvina Sheeley, Solano County Tobacco Education Coalition, read a letter from the Coalition in support of the item.

E) Cassie Ray, representing the American Cancer Society Cancer Action Network, commented on second-hand smoke, electronic cigarettes and asked that the exemption for FDA approved devices be removed from the proposed policy.

Chairwoman Hannigan commented on implementation timeframe of the proposed policy and the transition team that would be working on transition efforts.

Director of Human Resources Marc Fox provided the Board with information on the meet and confer process with SEIU 1021.

Chairwoman Hannigan directed Mr. Carter to submit his concerns to Mr. Fox.

In response to Chairwoman Hannigan's question concerning the request by Ms. Ray to remove the exemption for FDA approved devices, Mr. Artiche noted that the rationale for the exemption was to allow the devices if prescribed in a medical context.

In response to a question from Chairwoman Hannigan, Solano County Health Officer Dr. Matyas noted that there were no specifically approved devices for medical purposes at this time. He further noted that any such devices approved in the future would not have to be used in the public.

Chairwoman Hannigan requested that staff remove the exemption for FDA approved devices and review this issue in the future. She also requested that staff incorporate Ms. Ray's request to add a licensed health care facility and licensed community care facility into the ordinance under the definition of workplace.

F) Don Tipton, unincorporated Vallejo, commented on the labor relations between the union and County.

Chairwoman Hannigan commented on the County's role in the healthcare industry, family members that had passed from smoking related cancer, the cost per capita of \$523 for each resident annually as a result of smoking and changing behaviors for the wellness and health of the community.

Chairwoman Hannigan requested to change the items to be addressed by the Transition Team to include an annual review for renewal of identified semi-permanent smoking areas.

Supervisor Thomson commented on remarks by the public, the Board's responsibility to provide a safe, clean and smoke-free environment. He noted his support for the request to remove the exemption for FDA approved devices and to annually review renewals for identified semi-permanent smoking areas.

Supervisor Vasquez commented on the government's roll on this type of public health policy, smoking as a public health issue and improving the health and well being of community. He then noted his support for the item.

Supervisor Spering noted that he did not support the item and asked about the number of employees that smoked.

Mr. Fox noted that they did not have an official count and gave an estimate of 400 employees that may smoke based on a recent statewide survey indicating that approximately 21% of workforce smoked.

In response to a question from Supervisor Spering, Mr. Fox commented on employment law and employers' rights to exclude smokers from their workforce.

Supervisor Spering commented on a solution of not hiring employees that smoked, smoking locations for those current employees that did smoke, and noted a need for more discussion impacts of the proposed policy on employees and the public. He also commented on the need for a longer transition period.

Supervisor Thomson commented on the government's role to affect behavior and noted that companies that are now offering lower health care premiums to non-smoking employees. He further commented on the costs of not addressing the smoking issue.

Chairwoman Hannigan noted that second hand smoke affected all employees and public coming onto campuses. She commented on reducing costs over time, the County's rating from the American Lung Association and the California Health and Safety Code regarding smoking.

In response to a question from Chairwoman Hannigan, County Administrator Birgitta Corsello noted that if the ordinance was adopted, the one-time cost associated with signage would have to be part of the upcoming Midyear projections.

On motion of Supervisor Thomson, seconded by Supervisor Vasquez, the Board approved reading the proposed ordinance amending Chapter 13.3 of the Solano County Code relating to Indoor Air and Health Protection by title only and waived further reading, approved introduction of the ordinance as amended, approved the Smoke-Free Facilities Policy as amended and directed the County Administrator to establish a Transition Team to implement the policy, with noted amendment to the Team's duties. Supervisors Hannigan, Thomson and Vasquez voted yes. Supervisor Spering voted no. So ordered by 3-1 vote.

13 **[15-0057](#)**

Receive an update on the new SB 1022 Adult Local Criminal Justice Facilities Project; and Adopt a resolution in fulfillment of the Board of State and Community Corrections requirements under SB 1022 including the submittal of Schematic Design documents, accepting the Facility Staffing Plan and acknowledging the 30-Year Operational Cost Projection

Attachments: [A - Resolution](#)
[B - Staffing Plan](#)
[C - 30-Year Operational Cost](#)
[D - Project Construction Timeline](#)
[Adopted Resolution](#)
[Presentation](#)

Sheriff Tom Ferrara introduced the item.

Custody Lieutenant Mitch Mashburn provided the Board with an overview of the SB 1022 Adult Local Criminal Justice Facilities Project.

Deputy Director of General Services Kanon Artiche provided the Board with an overview of the timeline of the project.

Chairwoman Hannigan asked about the estimated number of inmates that would be in the training program.

Lt. Mashburn noted that the facility had the capacity to serve up to 100 inmates at a time.

In response to a question from Chairwoman Hannigan, Sheriff Ferrara noted that the goal was to have a job lined up for the inmate when they were released.

Chairwoman Hannigan asked about minimum requirements to enter the program such as a GED or high school diploma.

Sheriff Ferrara noted that the inmates did not have to have a GED or high school diploma to enter the program, but that they would be screened heavily for the training slots with an emphasis on the longer termed inmates. He further noted that achievement of a GED or high school diploma would be part of the training program.

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

A) Donald Tipton, unincorporated Vallejo, commented on the staffing plan list and justification of the operational cost.

B) George Guynn, Jr., Suisun City, commented on the length of the 30-Year Operational Cost Projection, the state releasing more inmates, and the effectiveness of the training program.

Chairwoman Hannigan asked about the basis for the operational cost and the thirty year projection.

Sheriff Ferrara provided the Board with information on the operational cost and requirement of SB 1022 to provide the 30-Year Operational Cost Projection.

Supervisor Thomson requested that the Board receive regular reports on success rates for this program.

Chairwoman Hannigan asked whether smoking was allowed in the jail.

Sheriff Ferrara advised that smoking was not allowed in the jail.

On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board adopted Resolution No. 2015-09 approving the SB1022 Facility Staffing Plan and acknowledging the Thirty Year Operational Cost Projection. So ordered by 4-0 vote. (see Resolution Book)

Enactment No: Resolution 2015-09

BOARD MEMBER COMMENTS AND REPORTS ON MEETINGS

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

A. Supervisor Spering requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Dwight Kemper, Jr., an active member of the Suisun City community.

B. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Jerry Hall, an active member of the Vacaville community.

C. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Judy Zamora Rogers, an active member of the Fairfield community.

D. Supervisor Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Roland Ernest Brown, an active member of the Vacaville community.

E. Chairwoman Hannigan requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of William Romero Garibaldi, an active member of the Napa community.

ADJOURN:

This meeting of the Solano County Board of Supervisors adjourned at 10:40 a.m. in memory of Dwight Kemper, Jr., Jerry Hall, Judy Zamora Rogers, Roland Ernest Brown and William Romero Garibaldi. Next meeting of the Solano County Board of Supervisors will be January 27, 2015 at 8:30 a.m., Board Chambers, 675 Texas Street, Fairfield, California.

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By _____
Jeanette Bellinder, Chief Deputy Clerk