



# Solano County

675 Texas Street  
Fairfield, California 94533  
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## Minutes - Final Board of Supervisors

*Erin Hannigan (Dist. 1), Chairwoman  
(707) 553-5363*

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

*James P. Spering (Dist. 3)  
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*John M. Vasquez (Dist. 4)  
(707) 784-6129*

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

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Tuesday, February 2, 2016

1:30 PM

Board of Supervisors Chambers

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### CALL TO ORDER - 1:30 p.m.

*The Solano County Board of Supervisors met on the 2nd day of February 2016 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 1:30 p.m. Present were Supervisors Seifert, Spering, Thomson, Vasquez and Chairwoman Hannigan. Chairwoman Hannigan presided. Also present were County Administrator Birgitta E. Corsello and County Counsel Dennis Bunting.*

### ROLL CALL

**Present** 5 - Linda J. Seifert, Erin Hannigan, James P. Spering, John M. Vasquez and Skip Thomson

### CLOSED SESSION

*The Solano County Board of Supervisors recessed to Closed Session at 1:31 p.m. to discuss the following matters:*

**1**      [16-127](#)      Conference with Labor Negotiators:

Solano County representatives: Marc Fox, Jeannine Seher, David Pak, Georgia Cochran, Birgitta E. Corsello, and Nancy Huston. Employee organizations: Solano County Sheriff's Custody Association for Unit 13 (Correctional Officers); Teamsters, Local 856 for Unit 14 (Correctional Supervisors)

Public Employee Appointment: Superintendent of Juvenile Detention Facility

Conference with Legal Counsel - Potential Litigation: One case

Attachments:      [A - Memorandum](#)

**RECONVENE**

*This meeting of the Solano County Board of Supervisors reconvened at 2:00 p.m. All members were present and Chairwoman Hannigan presided.*

**REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)**

*County Counsel Dennis Bunting advised that the Board, on a unanimous vote, had confirmed the appointment of Dean Farrah as the new Superintendent of the Juvenile Detention Facility.*

**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      [16-124](#)      Adopt and present a resolution recognizing the Vacaville Christian School 2015-16 Volleyball Team for winning the Sac-Joaquin Section Division Five Championship in Solano County (Supervisor Vasquez)

*Attachments:*      [A - Resolution](#)  
                                 [Adopted Resolution](#)  
                                 [Minute Order](#)

**On motion of Supervisor Vasquez, seconded by Supervisor Seifert, the Board adopted and presented Resolution No. 2016-17 recognizing the Vacaville Christian School 2015-16 Volleyball Team for winning the Sac-Joaquin Section Division Five Championship in Solano County. So ordered by 5-0 vote. (see Resolution Book)**

**Enactment No: Resolution 2016-17**

- 3      [16-53](#)      Present Certificates of Appreciation recognizing the agencies and community partners that participated in the 2015 New Dawn Vallejo Corporation’s Late Night iBall Basketball event held during the summer 2015 (Chairwoman Hannigan)

**Received**

**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:*



- 6        [16-116](#)        Accept the Solano County Treasurer's Quarterly Report for the period of October 1, 2015 through December 31, 2015

*Attachments:*        [A - Executive Summary](#)  
                              [B - Executive Summary PARS](#)  
                              [C - PARS 115 Reports](#)  
                              [D - Statement of Compliance](#)  
                              [E - Maturities Report](#)  
                              [Minute Order](#)

**Accepted**

- 7        [16-117](#)        Adopt a resolution authorizing the Treasurer-Tax Collector-County Clerk to hold a sale of tax-defaulted property at Chapter 7 (Public Auction) sale via the Internet within 180 days of Board approval

*Attachments:*        [A - Resolution](#)  
                              [B - Parcel List](#)  
                              [Adopted Resolution](#)  
                              [Minute Order](#)

**Adopted**

**Enactment No: Resolution 2016-18**

- 8        [15-1198](#)        Adopt a resolution accepting a California Health Facilities Financing Authority (CHFFA) Crisis Residential Treatment (CRT) Grant as co-applicant with Bay Area Community Services for a one-time award of \$2,000,000 to expand the current Crisis Residential Treatment Center and for property acquisition to provide additional crisis residential services for adults 18 years and over; Delegate authority to the County Administrator to sign any grant related documents to accept the award; Authorize the Department of Health and Social Services to identify a property for acquisition; and Approve an Appropriation Transfer Request in the amount of \$2,000,000 to recognize the unanticipated grant revenue (4/5 vote required)

*Attachments:*        [A - Resolution](#)  
                              [B - Allocation letter](#)  
                              [Adopted Resolution](#)  
                              [Minute Order](#)

**Adopted**

**Enactment No: Resolution 2016-19**

- 9      [16-101](#)      Approve an agreement with the City and County of San Francisco to receive \$119,000 in accordance with the Department of Homeland Security Urban Area Security Initiative (UASI) for the period of November 1, 2015 through February 29, 2017; Authorize the County Administrator to execute the agreement; Approve an Appropriations Transfer Request of \$119,000 to recognize unanticipated grant revenue and related appropriations to support response and recovery efforts in the Solano Operations Area (4/5 vote required); Approve fixed assets purchase of a network server; and Adopt a resolution under the 2015 Urban Area Security initiative authorizing the Sheriff and his designees to take action necessary to accept and administer this grant and to sign associated modifications, contracts and reimbursement forms

Attachments:      [A - Agreement](#)  
                              [B - Resolution](#)  
                              [Executed Agreement](#)  
                              [Adopted Resolution](#)  
                              [Minute Order](#)

**Approved**

**Enactment No: Resolution 2016-20**

## REGULAR CALENDAR

- 10      [16-123](#)      Receive a presentation and accept the Solano County Comprehensive Annual Financial Report, the Report to the Board of Supervisors, the Single Audit Reports for the fiscal year ended June 30, 2015 and the Report on Applying Agreed-Upon Procedures (GANN Limit) for the fiscal year ended June 30, 2016

Attachments:      [A - Comprehensive Annual Financial Report](#)  
                              [B - Report to the Board of Supervisors](#)  
                              [C - Single Audit Report](#)  
                              [D - Report on Applying Agreed-Upon Procedures \(GANN Limit\)](#)  
                              [Minute Order](#)

*Auditor-Controller Simona Padilla-Scholtens introduced the item.*

*Vavrinek, Trine, Day & Company, LLP representative David Showalter provided the Board with an overview of the Solano County Comprehensive Annual Financial Report, the Report to the Board of Supervisors, the Single Audit Reports for fiscal year ended June 30, 2015 and the Report on Applying Agreed-Upon Procedures (GANN Limit) for the fiscal year ended June 30, 2016.*

*In response to a question from Chairwoman Hannigan, Ms. Padilla-Scholtens advised that the Solano Court's pension liability was completely excluded as it was now the state's responsibility to cover this liability.*

*Mr. Showalter continued to provide the Board with information on pension liability.*

*Ms. Padilla-Scholtens advised that the OPEB (Other Post-Employment Benefits) liability was currently a footnote but would also be moved to the face of the balance sheet in a couple years.*

*In response to a question from Supervisor Vasquez, Mr. Showalter advised that GASB (Governmental Accounting Standards Board) standards must be implemented first and then the employer can adopt the plan the following year that shows the OPEB liability on the balance sheet.*

*In response to a comment from Supervisor Vasquez, Ms. Padilla-Scholtens noted that the pension liability was already shown within the report and that it was an accounting requirement that it be brought into the balance sheet.*

*Supervisor Vasquez noted that it also shows the taxpayers what the County was doing to reduce the liability.*

*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 Board expenditures, the East Vallejo Fire Protection District service area, Consolidated County Service Lighting funding, revenue from wind projects and the list of principal employers.*

*Ms. Padilla-Scholtens noted that she was happy to meet with Mr. Tipton to review the reports. She then thanked her staff and the other County departments for their efforts and assistance on the reports.*

**On motion of Supervisor Vasquez, seconded by Supervisor Spering, the Board accepted the Solano County Comprehensive Annual Financial Report, the Report to the Board of Supervisors, the Single Audit Reports for the fiscal year ended June 30, 2015 and the Report on Applying Agreed-Upon Procedures (GANN Limit) for the fiscal year ended June 30, 2016. So ordered by 5-0 vote.**

- 11      [16-129](#)      Confirm the decision of the Solano County Deferred Compensation Plan Advisory Committee to terminate, effective April 10, 2016, the County's participation in the California Public Employees' Retirement System (CalPERS) Internal Revenue Code section 457 deferred compensation plan administered by Voya, with assets of the CalPERS (Voya) accounts transferred to the County's two other Internal Revenue Code 457 deferred compensation providers

*Attachments:*      [A - New Investment Menu for ICMA and Nationwide Presentation](#)  
[Minute Order](#)

*Director of Human Resources Marc Fox provided the Board with an overview of the County's deferred compensation plans, participation and yearly fees of the plans, the actions taken and the decision of the Solano County Deferred Compensation Plan Advisory Committee to terminate participation in the California Public Employees' Retirement System (CalPERS) Internal Revenue Code section 457 deferred compensation plan.*

*Supervisor Vasquez commented on the \$2 million more that the plans would now have as a result of the decision and thanked staff for the work done.*

*Supervisor Seifert complimented staff on the worked done and then asked if the decision had been discussed with the unions before actions were taken or if there had been any pushback or negative response from employees about it. She then commented that it was likely that many employees would move to the Nationwide plan, which was a partner of CSAC (California State Association of Counties).*

*Mr. Fox noted that the Committee evaluated investment choices and did not normally share this with employees in advance, however in this case the Committee had sent notification and information in advance to employees and unions and had not heard any objections.*

**On motion of Supervisor Seifert, seconded by Supervisor Thomson, the Board confirmed the decision of the Solano County Deferred Compensation Plan Advisory Committee to terminate, effective April 10, 2016, the County's participation in the California Public Employees' Retirement System (CalPERS) Internal Revenue Code section 457 deferred compensation plan administered by Voya, with assets of the CalPERS (Voya) accounts transferred to the County's two other Internal Revenue Code 457 deferred compensation providers. So ordered by 5-0 vote.**

**12**      [16-66](#)

Approve the establishment of a Child Advocacy Center One Year Pilot Project (The Courage Center 2) at the Solano Family Justice Center; and Approve an Appropriation Transfer Request in the amount of \$20,000 in the Office of Family Violence Prevention Administrative Unit to recognize contractual expense for the Child Advocacy Center Pilot Project, offset by \$20,000 in Vital Record Fee revenue, for the period of November 6, 2015 through June 30, 2016 (4/5 vote required)

Attachments:      [Presentation](#)  
                              [Minute Order](#)

*District Attorney Krishna Abrams provided the Board with an overview of the proposed child advocacy center one-year pilot project called The Courage Center 2.*

*Supervisor Vasquez asked how the project could be continued, noting the previous loss of the Rainbow Center.*

*Ms. Abrams advised that interviews were moved to the District Attorney's Office when the Rainbow Center closed. She then commented on Napa's success in receiving a continuing grant from Kaiser for their program.*

*Supervisor Vasquez commented on concerns that the program would not continue after the first year.*

*Ms. Abrams advised that staff would bring the program back to the Board in one year to review the success of the program and recommend how to continue to financially support the program.*

*In response to a question from Supervisor Vasquez, Ms. Abrams advised that the program timeframe was from December 2015 to December 2016 with a verbal commitment from Kaiser for grant support until December 2017.*

*Chairwoman Hannigan asked if there was a service that helps navigate the child through the interviews and steps of the program.*

*Ms. Abrams commented on the process for interviewing children and noted that they are navigated through each step.*

*Supervisor Seifert asked if there were any downsides to the Family Justice Center providing these services and whether this would be considered a separate program within the center.*

*Ms. Abrams commented on the role of the Family Justice Center in helping sexual assault victims and noted that these services were consistent with the center's guidelines.*

*Supervisor Seifert noted that the services looked like a separate program given the way it was being presented and expressed the importance of having it fall under the umbrella of the Family Justice Center.*

*Supervisor Thomson commented on the success of the Rainbow Center and recommended that the Board review whether or not to fund this program during the budget process.*

*In response to a question from Supervisor Spering, County Administrator Birgitta Corsello advised that the Board was being asked to approve the pilot program. She noted that once approved, the pilot would be funded for the current year and could be included in the next year's budget hearings to get the program on the budget cycle.*

*In response to a question from Chairwoman Hannigan, Ms. Abrams confirmed that the program was modeled after Napa County's program and that Napa had received funding for their program for approximately 6 years so far.*

*In response to a question from Supervisor Seifert, Executive Director Lisa Lewis Javar advised that the Napa program was funded partially through a national accreditation process and the remainder from the District Attorney's office.*

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

*A) George Guynn, Jr., Suisun City, commented on limited funding, in support of the program being reviewed during budget hearings and balancing the budget.*

*Supervisor Spering noted that the program had been well thought out and planned and that it was cost effective. He noted that the grant from Kaiser was substantial and with a modest investment from the County, the benefits to the victims were tremendous.*

**On motion of Supervisor Spering, seconded by Supervisor Seifert, the Board approved the establishment of a Child Advocacy Center One Year Pilot Project (The Courage Center 2) at the Solano Family Justice Center; and Approved an Appropriation Transfer Request in the amount of \$20,000 in the Office of Family Violence Prevention Administrative Unit to recognize contractual expense for the Child Advocacy Center Pilot Project, offset by \$20,000 in Vital Record Fee revenue, for the period of November 6, 2015 through June 30, 2016. So ordered by 5-0 vote.**

**13**      [16-17](#)

Approve a ten-year loan agreement of \$720,000 (MHSA funds) to Bay Area Community Services (BACS), for purchase of an 8-unit residential property located at 345 East Travis Boulevard in Fairfield to house the BACS Crisis Aftercare Program and provide 10 or more additional beds of transitional housing for Solano County clients/placements recovering from mental illness using one-time California Housing and Finance Agency funds received by the County; and Authorize the County Administrator to execute the agreement and any subsequent amendments

Attachments:      [A - Loan Agreement](#)  
[B - Loan Note](#)  
[C - Presentation](#)  
[Executed Loan Agreement](#)  
[Minute Order](#)

*Director of Health and Social Services Gerald Huber introduced the item.*

*Deputy Director of Health and Social Services - Mental Health Halsey Simmons provided the Board with an overview of the ten-year agreement to Bay Area Community Services (BACS) for purchase of an 8-unit residential property located at 345 East Travis Boulevard in Fairfield to house the BACS Crisis Aftercare Program and provide ten or more additional beds of transitional housing for clients/placements recovering from mental illness.*

*In response to a question from Supervisor Vasquez, Mr. Simmons confirmed that funds for the purchase were coming from Mental Health Services Act funding.*

*Supervisor Seifert commented that this was a much needed service, that there was much more that needed to be done but that the County was doing the best it could to address the needs.*

*In response to a question from Chairwoman Hannigan, Mr. Simmons advised that the number of individuals served annually depended on turnover rates and housing placements.*

*Chairwoman Hannigan asked if the individuals served were followed up on afterwards for assistance if needed and Mr. Simmons confirmed that they were.*

*Supervisor Spering asked for clarification on what happened in the case of a default on the loan.*

*Mr. Simmons advised that staff had worked through the requirements closely with County Counsel. He also noted that should a default happen, BACS would have to pay back the loan plus interest and further noted that the County could also extend or terminate after a loan term of ten years.*

*Supervisor Spering asked if the County was in the first position in the case of a default through bankruptcy and Mr. Simmons confirmed that it was.*

*Chairwoman Hannigan asked if there were any local requirements to have a house like this to serve youth clients like this.*

*Mr. Simmons advised that the number of people served in the peer respite program are five and under, therefore it didn't meet the threshold for requiring permits.*

*Mr. Huber noted that this was a very competitive grant that Mr. Simmons was successful in getting, that the homeless issue was complex and that this was just one piece of addressing it.*

*Supervisor Thomson asked if the interest was deferred for the ten years and Mr. Simmons confirmed that it was.*

**On motion of Supervisor Seifert, seconded by Supervisor Vasquez, the Board approved a ten-year loan agreement of \$720,000 (MHSA funds) to Bay Area Community Services (BACS), for purchase of an 8-unit residential property located at 345 East Travis Boulevard in Fairfield to house the BACS Crisis Aftercare Program and provide 10 or more additional beds of transitional housing for Solano County clients/placements recovering from mental illness using one-time California Housing and Finance Agency funds received by the County; and Authorized the County Administrator to execute the agreement and any subsequent amendments. So ordered by 5-0 vote.**

14

[16-131](#)

Approve a twenty-year Purchase Agreement for 20 Transitional Housing Beds at the Mission Solano Bridge to Life Center located at 310/360 Beck Avenue, Fairfield, CA. for Solano County Health and Social Services clients/placements utilizing \$300,000 of one-time housing reserve funds (4/5 vote required); Approve a H&SS Service Agreement to provide housing meals and basic needs at a rate of \$15.00 per person per day; and Authorize the County Administrator to execute the agreements, any security instruments to be used as collateral and any necessary agreements to move the temporary showers located at 740 Travis to the Bridge to Life Center.

Attachments:     [A - Purchase Agreement](#)  
                          [B - H&SS Service Agreement](#)  
                          [C - Presentation](#)  
                          [Executed Purchase Agreement](#)  
                          [Executed H&SS Service Agreement](#)  
                          [Minute Order](#)

*Director of Health and Social Services Gerald Huber introduced the item.*

*Principal Management Analyst Ron Grassi provided the Board with an overview of the purchase agreement for 20 transitional housing beds at the Mission Solano Bridget to Life Center and a service agreement to provide housing meals and basic needs at a rate of \$15 per person per day.*

*Supervisor Thomson complimented staff and Mission Solano on their work.*

*Supervisor Vasquez thanked the County Administrator for putting the money to use in this way and commented on the City of Fairfield's support of the agreement.*

*Mr. Grassi noted that the Fairfield City Manager had sent a positive communication to him regarding the purchase.*

*Chairwoman Hannigan thanked staff and commented on other homeless populations throughout the County. She noted that the Board members often hear that the County wasn't doing enough, but this was evidence that this was not true and that the County was doing everything it could to address homelessness countywide.*

*County Administrator Birgitta Corsello advised that this was an effort that had been worked on for a long time. She noted that it took a lot of willingness from the partners to make it happen. She then commented that staff was working with other cities as well to partner on addressing several issues around needs of the homeless. She advised that the CAP Solano (Community Action Partnership of Solano) consultant would be coming to the Board to talk about developing a strategic plan and working with the seven cities on how to do that. She also commented on language in the Governor's budget regarding funding for this issue. Lastly, she commented on the importance of communities being willing to work with the County on this issue.*

*Chairwoman Hannigan advised that the County does a lot of good work assisting the homeless in Vallejo and offered to assist with efforts between the city and County if needed.*

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

*A) George Guynn, Jr., Suisun City, commented on socialism in a capitalist economy, programs that contribute to homelessness, money previously borrowed by Mission Solano to build their facilities and limiting spending.*

**On motion of Supervisor Thomson, seconded by Supervisor Vasquez, the Board approved a twenty-year Purchase Agreement for 20 Transitional Housing Beds at the Mission Solano Bridge to Life Center located at 310/360 Beck Avenue, Fairfield, CA. for Solano County Health and Social Services clients/placements utilizing \$300,000 of one-time housing reserve funds; Approved a H&SS Service Agreement to provide housing meals and basic needs at a rate of \$15.00 per person per day; and Authorized the County Administrator to execute the agreements, any security instruments to be used as collateral and any necessary agreements to move the temporary showers located at 740 Travis to the Bridge to Life Center. So ordered by 5-0 vote.**

- 15      [16-118](#)      Consider introducing a proposed ordinance adding Article XVII to Chapter 11 of the Solano County Code imposing a general countywide transactions and use tax of one-half of one percent in Solano County for a period not to exceed five years to be placed on the ballot at the June 7, 2016 election (4/5 vote required)

Attachments:      [A - Ordinance](#)  
                                 [Presentation](#)  
                                 [Minute Order](#)

***On motion of Supervisor Vasquez, seconded by Supervisor Seifert, the Board approved reading the proposed ordinance adding Article XVII to Chapter 11 of the Solano County Code imposing a general countywide transactions and use tax of one-half of one percent in Solano County for a period not to exceed five years to be placed on the ballot at the June 7, 2016 election by title only and waived further reading by a majority vote. So ordered by 5-0 vote.***

*Senior Management Analyst James Bezek provided the Board with an overview of the proposed ordinance adding Article XVII to Chapter 11 of the Solano County Code imposing a general countywide transactions and use tax of one-half of one percent in Solano County for a period not to exceed five years to be placed on the ballot at the June 7, 2016 election.*

*Supervisor Thomson commented on the public trust factor and the need for the ordinance to be more robust to address oversight. He commented on a resolution by the City of Benicia that addressed this kind of thing, including holding a quarterly review of revenues. He then asked if there would be an allocation discussion at budget hearings. He advised that having the revenue allocation and oversight committee in place beforehand was important to maintaining the public's trust.*

*County Counsel Dennis Bunting advised that there was not normally an oversight committee on a general sales tax measure, but that this case was different. He noted that the Board could give the oversight committee additional duties but that the committee was limited to providing advice and could not tell the Board how to spend the money.*

*Supervisor Thomson advised that the public trust factor may be difficult to overcome and again commented on the need to put everything in place that makes voters comfortable about how the money would be spent first.*

*County Administrator Birgitta Corsello advised that County Counsel had provided the legal requirements and that staff now needed policy direction from the Board. She suggested that the Board identify stakeholder groups that could be part of the oversight committee. She advised that staff could draft the oversight committee guidelines for the Board to review.*

*Supervisor Thomson noted that the cities had a lot to gain by the passing of this measure and suggested that a discussion be brought to the 4Cs about this. He then suggested a member of each city be on the oversight committee along with a representative from each Board district. He commented that this was transparency thing for him and that it was important to show money coming in and how it was being spent.*

*Mr. Bunting noted that the Board had the authority to set the requirements of the oversight committee.*

*Chairwoman Hannigan noted that the committee would just be making recommendations to the Board and the issue was what the makeup of the committee would be.*

*Supervisor Seifert commented that there was nothing in the document that states that it was about transportation and asked how the voter would know that they were voting on a transportation measure.*

*Mr. Bunting advised that it would be part of the ballot measure before the Board at the next meeting and noted that the ordinance needed to be introduced first.*

*Supervisor Seifert recommended that the name of the measure should be part of the staff report.*

*Mr. Bezek advised that the staff report's discussion section addressed the importance of transportation and listed the activities and discussions that had taken place previously before the Board.*

*Supervisor Seifert asked how the public would know that the ordinance addressed transportation and recommended that the ballot label should be identified with the ordinance in order to show the intent of the measure.*

*Deputy County Counsel Peter Miljanich commented on the process for the adoption of the ordinance and placement of the advisory measure on the ballot.*

*Mr. Bunting noted that the entire agenda item was written to address transportation concerns and advised that if introduced, the ordinance and an advisory measure would come back to the Board the following week for consideration and adoption. He then commented on the importance of making sure that the public was not misled into thinking that the funds were dedicated when they were not.*

*Supervisor Seifert commented that she agreed on being as clear as possible with the public and noted that it would be helpful to have what the anticipated full package would look like next week when the Board considered adoption of the ordinance.*

*Mr. Bezek advised that staff was limited on the legal language that could be used in the ordinance and that they had attempted to provide additional background information in the staff report.*

*Ms. Corsello advised that if formally introduced, the ordinance would come back the following week along with a proposed title or question that could be placed on the ballot for the Board's consideration. She also advised that County Counsel would need the Board's authorization to write an independent analysis for the measure and that a separate advisory measure resolution would also be coming the following week for the Board to consider.*

*Chairwoman Hannigan noted that it would be helpful to the Board to have the next steps in the process provided in more detail.*

*Supervisor Vasquez commented that the public now knows about the proposal and asked how the Board members could explain what it was about when approached by the public. He advised that it would be helpful to have the name of the measure available to help explain what it was about.*

*Supervisor Sperring noted that it was already known what the ordinance was about and that the County had received letters from its seven mayors and the STA (Solano Transportation Authority) requesting support for this local sales tax measure. He then advised that the ballot language cannot mention any specific use, that the advisory measure would indicate what the use was for meaning that there were two parallel statements being made. He noted that the key issue was the advisory measure and commented on the importance of putting this forward as a resolution before the Board. He recommended that organizations like the taxpayer's association that didn't support the sales tax measure be part of the oversight committee in order to maintain the public's trust. He then commented on the importance of the expense being approved before the expenditure was made instead of looking back to make sure the funds were used correctly. He then commented on the importance of having emphasis on maintenance of effort, noting that a condition should be made that the county or city cannot cut current spending and divert the funds to something else. He advised that the next steps in the process would clarify what the intent was and what would be heard from the public.*

*Mr. Bunting advised that an impartial analysis would come later and not the following week. He then advised that the ballot language could list certain services as examples of the what the general sales tax could be used for.*

*Chairwoman Hannigan clarified that a certain allocation percentage could not be identified in the ballot language and Mr. Bunting confirmed that it could not.*

*Supervisor Sperring commented on the importance of ensuring that the allocation reference for the 96% include that it was a return to source so residents knew that 96% of dollars raised were coming back to their cities.*

*Mr. Bezek advised that the ordinance would come back the following week for a second reading and adoption and that a separate resolution to place it on the June 2016 ballot would accompany it. He then advised that another resolution would also come forward addressing the advisory measure and placement of that advisory measure on the June 2016 ballot.*

*Supervisor Seifert asked if the advisory measure could provide further details about the duties and the identities of the oversight committee and Mr. Bezek confirmed that it could.*

***Supervisor Vasquez made a motion to introduce the ordinance.***

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

*A) Richard Giddens, Suisun City, commented on taxes, the amount of traffic on roads, his lack of trust and confidence in government and in opposition to the local sales tax measure.*

*B) Donald Tipton, unincorporated Vallejo, commented on the trust factor for the public, past tax measures and recommended not extending the proposed sales tax after five years.*

*C) George Guynn, Jr., Suisun City, commented on past sales tax proposals that were unsuccessful, oversight of the tax revenue, recommended that a forensic audit be required on the tax revenues and remarks made by readers on a recent Daily Republic newspaper article.*

*Supervisor Seifert asked if the motion could be amended to include language describing that the intent was to allocate funds to maintain local streets and roads and for senior and disabled transportation.*

*Mr. Bunting noted that this language could not be put in the ordinance but that it could be made part of the motion to establish a priority for the Board.*

*Supervisor Seifert noted her discomfort with not having the intent of the local sales tax measure stated and made a motion to amend the main motion to add language stating that the intent of the local sales tax measure was to allocate funds to maintain local streets and roads and for senior and disabled transportation.*

*Mr. Bunting advised that the word "intent" could not be used and would establish a dedication of funds.*

*Ms. Corsello advised switching the order and noted that the Board had accepted a report that said that there was a need for additional funding for local streets and roads and that it would now move forward with a half-cent sales tax measure based on those needs.*

*Supervisor Seifert commented that there should be some kind of end clause that ties the ordinance to why it was being done.*

*Mr. Miljanich advised that it would pass legal muster to refer to the intent to consider the advisory measure.*

*Mr. Bunting advised that the Board could put all of this language in the advisory measure but that it could not be in the ordinance because it would be considered lobbying and would not be approved by the Board of Equalization. He then advised that a motion could be made to establish a policy, but that it couldn't be part of the ordinance.*

*In response to Supervisor Seifert, Mr. Bunting suggested that the motion could be made to establish a preference by stating that the Board member wanted to introduce the ordinance because there was an issue with transportation and that he/she believed that this was a way in which it could be addressed. He noted that this would establish a policy or preference that wasn't binding and would be part of the motion instead of the measure.*

*Supervisor Seifert advised that this was what she was suggesting that the Board do.*

***Supervisor Seifert made a substitute motion to introduce the proposed ordinance based on the previous decision of the Board to seek funding for streets, roads and senior and disabled transportation. She noted that this would not change the ordinance and would, in a way, establish what the money would be used for.***

*Supervisor Spering asked for clarity that the ordinance wouldn't change and that she was just stating the reason why the Board was doing it.*

*Supervisor Seifert confirmed Supervisor Spering's remark.*

***Supervisor Spering seconded the motion.***

*Supervisor Vasquez asked if the ordinance should be introduced separately.*

*Supervisor Spering advised not to do it separately and that the way the motion was made was better because it would show the intent of the Board.*

*Supervisor Seifert and Chairwoman Hannigan both commented that "purpose" was a better term to use instead of "intent".*

*D) John Takeuchi, Fairfield, commented that the Board should not pass the tax and suggested putting the burden back on the cities to put a special tax on the ballot on their own behalf and then commented on limits of appropriation amounts for the County and cities.*

*Mr. Bunting noted that the revenue would come into the County and then be allocated to the cities as if they were a non-profit and that the limit would not penalize them.*

*Supervisor Thomson commented in agreement with Supervisor Vasquez's comments about the public trust factor and reminded the Board that they were only placing a local sales tax measure on the ballot and that the citizens would decide whether they wanted to tax themselves.*

*Supervisor Vasquez commented that he didn't want to vote for the substitute motion and asked if the original motion went away.*

*Mr. Bunting advised that a vote of four Board members to approve the substitute motion would then mean that the substitute motion stands and the original motion went away.*

*Supervisor Vasquez asked that his voting screen be cleared so that he could vote again.*

***The substitute motion was passed 5-0.***

**Introduced**

## **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 Vasquez requested that this meeting of the Solano County Board of Supervisors be adjourned in memory of Herman Marfil, an active member of the Vacaville community.*

## **RECESS**

*This meeting of the Solano County Board of Supervisors recessed at 4:36 p.m. and reconvened at 7:00 p.m. All members were present and Chairwoman Hannigan presided.*

- 16      [16-113](#)      Conduct a Public Hearing to consider the Woodcreek66 project which would permit 66 residential lots on 33 acres of land southwest of the intersection of Rockville Road and Suisun Valley Road, including consideration of a Final Environmental Impact Report, a Rezoning Petition (Z-11-01) to rezone 33 acres from R-TC-1AC to R-TC-10, with a Policy Plan Overlay District (PP-11-01) and a 66 lot Major Subdivision Application (No. S-11-01)

Attachments:      [A - Links to Attachments](#)  
[Adopted Resolution Certifying the Final EIR for the Woodcreek 66 Project](#)  
[Adopted Resolution Approving Major Subdivision S-11-01 \(Woodcreek 66\) in Adopted Ordinance](#)  
[Presentation](#)  
[Correspondence - Holland & Knight](#)  
[Correspondence - Shute Mihaly & Weinberger LLP](#)  
[Fairfield General Plan - Attachment to Shute, Mihaly & Weinberger](#)  
[Summary of LAFCO Commissions - Attachment to Shute, Mihaly & Weinberg](#)  
[Prop. sub.revisions to draft CEQA Findings of Fact & Stat. of Overriding Cons](#)  
[CEQA Findings of Fact & Stat. of Overriding Considerations - Res. Mgtt](#)  
[Correspondence from Amber Kemble](#)  
[Revisions from Res. Mgt during discussion](#)  
[Correspondence from Maureen Crawford](#)  
[Minute Order](#)

*Director of Resource Management Bill Emlen introduced the item.*

*Chairwoman Hannigan opened the public hearing.*

*Mr. Emlen noted that an updated CEQA Findings and Statement of Overriding Considerations and summary of additions and deletions to that document had been placed on the dais for the Board and in the back of the chamber for the public. He further noted that the corresponding documents in the agenda packet were not the correct version and that these updated documents were.*

*Principal Planner Jim Leland provided the Board with an overview of the Woodcreek66 project including a project recap and project description.*

*Chairwoman Hannigan asked for clarification on the sanitary sewer services agreement with the property owners.*

*Mr. Leland advised that the current sanitary sewer services agreement was between the Fairfield-Suisun Sewer District and the County to provide services to specific parcels on Suisun Valley Road. He then noted that if the Woodcreek66 project was approved, the sewer services agreement would come back before the Board for an amendment to expand services to include the project's proposed properties and potentially some properties on Oakwood Drive.*

*Mr. Leland continued to provide the Board with the overview of the project including the areas of project review, public hearings, response to public comments, subsequent review, and recommendations.*

*Supervisor Seifert asked where the handout noting revisions to the CEQA Findings of Face and Statement of Overriding Considerations came from.*

*Deputy County Counsel Jim Laughlin noted that the revisions were to the CEQA Findings of Face and Statement of Overriding Considerations and that the summary showed the strikeouts and additions to that document.*

*Supervisor Seifert noted that the changes seemed to be significant and asked why it was provided to the Board right before the meeting.*

*Mr. Laughlin noted that the revisions were included in the document that was reviewed by the Planning Commission on October 1, 2015. He further noted that staff had inadvertently attached a prior version to the Board's agenda item and advised that these revisions were provided to correct the error so that the Board had the same document that the Planning Commission had approved previously.*

*Supervisor Seifert commented on the importance of allowing the Board members enough time to review the documents.*

*Mr. Laughlin noted that the revised statements of overriding considerations would need to be adopted if the project were approved and further noted that two revisions pointed out that sewer and water infrastructure be provided for the existing homes along Oakwood Drive. He advised that this would be a benefit of the project considering the expensive nature of the homes having to extend to sewer and water services on their own.*

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

*A) Lu Mines, Fairfield, commented on increased developments causing traffic congestion, disappearing rural environment and in opposition to the project.*

*B) Keith Martin, Cordelia Fire District Chief, asked if there were any past concerns entered by the Cordelia Fire District about the project and noted concerns with narrow roads, hydrant systems and road marking.*

*Mr. Leland noted that he had all of the district's correspondence and conditions of approval identified on the project and that they were included in the resolution approving the tentative map.*

*Mr. Emlen advised that staff would be happy to sit down with Chief Martin to go over the plans.*

C) *Trudy Weins, Fairfield, commented on a sewer system back up that was currently happening at the corner of Rockville Road and Green Valley Road and the impacts it was having on her ability to open her salon business.*

D) *Jerry Moore, Fairfield, commented that the project was not ready yet and in opposition to the project.*

E) *Don Mooney, attorney representing the Rockville Homeowner's Association, commented on uncertainty of water, two court rulings in the Upper Green Valley case against the County regarding water availability, CEQA requirements for an analysis in water supply, legal uncertainty in sewer availability, narrow project objectives and in opposition to the project.*

F) *David Martin, Fairfield, commented on lack of answers to the public's previous comments, other housing developments in the area impacting safety and traffic concerns along Rockville and Suisun Valley Roads and in opposition to the project.*

G) *Lawrence Herzig, Fairfield, commented on concerns with plans for a retention pond, nearness of his well to the retention pond and lack of language that shows monitoring of wells near the retention pond, impacts on the aesthetics of Rockville Park and in opposition to the project.*

H) *Maureen Crawford, Fairfield, read a summary of an opposition letter she submitted to the Board that day regarding project impacts on Native American sites and wildlife.*

I) *Roberto Valdez, Vacaville, commented on impacts on wildlife and Native American sites from the project, lack of time for public to respond to the revised CEQA documents provided at the meeting and in opposition to the project.*

J) *George Guynn, Jr., Suisun City, commented on traffic concerns, lack of Mello-Roos to assist with costs, recent court rulings the County lost, issues with the water and sewer system in the area, impacts of additional residents on school facilities, increased amount of units on each acre and the amount of speakers in opposition to the project.*

K) *David Marianno, Suisun City, commented on past developments within the county that were not successful, sewer concerns in Green Valley, concerns with public safety and in opposition to the project.*

L) *Judy Barone, Fairfield, commented against connecting to city water and sewer, on concerns with schools being full in the area, heavy water runoff from rain and in opposition to the project.*

M) Dana Dean, representing the Upper Green Valley Homeowners, agreed with Mr. Mooney's remarks, commented on a letter to the Board from her co-counsel Amber Kemble, revisions to the CEQA Findings of Fact and Statement of Overriding Considerations concerning findings that there would be costs that needed to be borne by the County, extension of water services to Oakwood Drive and temporary construction job creation.

N) Duane Kromm, representing the Orderly Growth Committee and the Solano Group of the Redwood Chapter of the Sierra Club, commented in opposition to the project, on previous remarks made about the court rulings on water provision, failing septic systems along Suisun Valley Road and inability of the system to handle future development, an information request to the Fairfield-Suisun Sewer District noting that no communication had happened between the district, city and county.

O) Herbert Hughes, Fairfield, commented on community and zoning impacts of the project, lack of open space consideration and in opposition to the project.

P) Larry Welch, Fairfield, commented in agreement with Mr. Hughes' remarks.

Q) Esther Pryor, Fairfield, commented in opposition to the project and noted concerns with not having enough time to review the latest revisions to the CEQA Findings of Face and Statement of Overriding Considerations, whether the existing residents would be included in the Mello-Roos tax and funding, where the new children would go to school because of currently full schools and unequal comparison of other projects to this one that fell within the city limits and were not in the rural section of the county.

Chairwoman Hannigan commented on the density of the project and advised that there needed to be a reduction in the number of lots along Oakwood Drive in order to ease the development into the rural area. She then noted concerns with design guidelines included in the project, noting that they should be looked at as design standards and that the developer needed to be very specific about the design of the homes. She suggested that the Board take a short break to review the revisions to the CEQA Findings of Fact and Statement of Overriding Considerations that had been distributed.

This meeting of the Solano County Board of Supervisors recessed at 8:17 p.m. and reconvened at 8:32 p.m. All members were present and Chairwoman Hannigan presided.

Jim Grassi, representing applicant Woodcreek Homes, commented on the density of the project, advising that there were some adjustments that could be made to the project and then noted that design standards could be worked on in the next phases of the project.

Mr. Leland introduced Matthew Gerken, Project Manager for AECOM.

*Mr. Gerkin noted that there was only one new topic that had been brought up earlier in the evening by the public that had not been previously brought up in the draft EIR (Environmental Impact Report) and responded to in writing in the final EIR. He noted that the new topic concerned greenhouse gases and he then provided the Board with information on greenhouse gas emissions thresholds that were addressed in the EIR, the County's Climate Action Plan as it applied to the project and whether project would impede the plan. He also provided the Board with information on transportation impacts of the project that been addressed.*

*Chairwoman Hannigan asked staff to address the issue of impacts of the project to the schools in the area.*

*Mr. Leland provided the Board with information on interagency review of the project, noting that the school district didn't comment on the project but that all homes built in the project would be subject to a school impact fee that would be collected for the school district, which he noted was a standard process.*

*Mr. Leland advised that staff had received conditions of approval from the Cordelia Fire District that were already incorporated into the project. He noted that improvement plans of everything that had to be built to serve the project were referred to the impacted agencies for approval and that each individual building plan had to be reviewed by the fire district in addition to being reviewed by the County's building department. He then noted that these same agencies would get an opportunity to review the building plans again at subsequent reviews of the project.*

*Mr. Laughlin provided the Board with a review of the timeline of activities and deliverables for the project, noting that the CEQA findings were provided to the Planning Commission for their mid-September 2015 meeting and that the document had "AECOM" printed on the footer of the document. He noted that the Planning Commission meeting had been continued and that staff had made improvements to the document that went before the Planning Commission at their October 1, 2015 meeting, resulting in a document that had a blank footer. He then advised that the Planning Commission had approved the document and that the only change made since then was to fill in the date for the Board's review. Lastly, he noted that the Board's agenda packet had inadvertently included the first document with AECOM on the footer and that staff was simply distributing the correct version of the document to the Board to be consistent with what the Planning Commission approved.*

*Supervisor Vasquez asked if the new version were more refined findings.*

*Mr. Laughlin advised that the finding revisions were clarifications and then proceeded to provide an explanation of each of the revisions.*

*Chairwoman Hannigan asked about public remarks made that concerned a Mello-Roos district to fund maintenance costs and whether it would include only the Woodcreek homes or also the existing homes.*

*Mr. Laughlin noted that this district would come before the Board for consideration in the future.*

*Supervisor Seifert asked if there was a mitigated measure proposed for impacts of groundwater recharge.*

*Mr. Laughlin noted that it was an unavoidable impact.*

*Mr. Gerkin advised that there were two mitigation measures cited in the EIR under that impact and that it concluded that the impact was significant and unavoidable.*

*Supervisor Seifert commented on the project's zoning category, suggesting that growth would be induced by the potential for other developers that would want to bring forward a similar project in other areas and that approval of the project would make it difficult to deny other projects that come along.*

*Mr. Laughlin advised that a growth inducing impact under CEQA was different than a precedent setting action by the Board, noting that the definition under CEQA related to oversized infrastructure that would be larger than necessary for the project and would encourage growth. He further advised that political policy or setting precedent was outside the jurisdiction of CEQA.*

*Supervisor Seifert asked if the Board was required to make a finding that the project was economically unfeasible noting that reliance on the applicant to make the finding was unwise as they were not objective.*

*Mr. Laughlin advised that this came back to the nature of the environmental review document and that the document was a review of environmental impacts and not an economic study. He noted that they did not have economic experts on hand to assess the real estate market to decide what kind of projects were profitable or not, therefore staff had to rely on the applicant to make this determination. He then noted that the EIR could determine feasible alternative projects and that economic infeasibility could be a legitimate reason to reject the project; however it was the applicant that supplied the information.*

*Supervisor Vasquez commented on the groundwater statements noting that the ground did not drain well and asked if the developer would be required to put retention basins in place. He then asked how it could be that the captured water runoff would not increase the recharge.*

*Mr. Gerkin provided the Board with information from the EIR finding regarding the soil composition and noted that the project would add impervious surfaces and swells that would have a tendency to percolate, therefore an abundance of caution had been used in making the determination of significant and unavoidable mitigation.*

*Supervisor Vasquez commented that this was making two statements in one, that it was not a recharge right now but that hardscape would be covering at least nineteen acres and would have runoff that the basins would capture.*

*Engineering Services Supervisor Nick Burton provided the Board with information about retention basin requirements for pre and post construction runoff noting that it does impact recharge but that recharge was not the purpose of the basin.*

*Supervisor Vasquez noted that the retention basin was to capture water on site and not for recharge purposes and Mr. Burton confirmed that this was correct.*

*Supervisor Seifert asked about the impact of the retention pond on private wells in the area.*

*Mr. Burton noted that improvement plans are required to have setbacks for wells and septic tanks and that permits were evaluated based on standards for environmental health to make sure the requirements were adhered to.*

*Supervisor Spering asked if there would be monitoring on the impacts to wells in the area and Mr. Burton advised that there would not be monitoring of the wells.*

*County Administrator Birgitta Corsello advised that the Board could require this if it chose to do so. She noted that environmental health requirements were intended to protect inundation of a well head from surface water, ensure that leech fields are not too close to well points, to keep wells separate from groundwater, surface water and septic and advised that these rules have been tightened over the years to protect groundwater and individual wells.*

*Mr. Emlen advised that they could add a condition to address monitoring and could work with the property owner on this to monitor impacts.*

*Chairwoman Hannigan advised that she had two main concerns outside of the issues already addressed, the first being how the density reduction could be addressed as it related to the properties on Oakwood Drive, without adding properties to another area of the development. She advised that her second concern was that the design standards needed to be more robust and detailed and noted that the policy plan overlay indicated 66 lots and talked about design concepts.*

*Mr. Emlen advised that they could make some changes or adjustments to the overlay documents, design standards and density if the Board chose to direct them to do so.*

*Supervisor Seifert commented that the developer was asked to talk to homeowners and address comments from public but had elected to make no changes to the plan that was presented two months ago. She asked for confirmation from staff that no changes had been made.*

*Mr. Emlen advised that no changes were made to the development proposal, and that a fair amount of time had been spent reviewing the comments made by the public and the findings of the EIR.*

***Supervisor Seifert made a motion to deny the certification of the EIR and not move forward with the project plan overlay and tentative map. Supervisor Thomson seconded the motion.***

*Supervisor Thomson commented on his concerns about water provision through SID (Solano Irrigation District) and the City of Fairfield to be provided to a County project. He noted that officials were dealing with SGMA (Sustainable Groundwater Management Act) legislation and were struggling to figure out if groundwater yields were sustainable. He noted that there was no real analysis of water being done on projects. He then commented that he had concerns about the Fairfield-Suisun Sewer District not being authorized to extend services unless there was a public threat to the health or safety of the residents, noting that using this as a guise to allow the sewer district to provide services was inappropriate.*

*Supervisor Seifert commented that her motion to deny the project was appropriate because of the same reasons that Supervisor Thomson had given and also because the project did not fit in the area. She noted that the area was the entrance to Suisun Valley, that it was a suburban Fairfield project going into a rural area that was part of a scenic corridor. She agreed with Chairwoman Hannigan about the need for design standards for the County before approving these kinds of projects. She noted that setting up a facilities district was not something done before and advised that it was bad decision for the County to do that. Lastly, she commented that approving the project would set a bad precedent and that these kinds of developments should be within the cities and not in the county.*

*Supervisor Sperring advised that he was not going to support the motion and didn't agree with a lot of comments that had been made. He commented that the number one issue in the state and region is housing, that this was in the general plan and cities were ok with it. He noted that one concern he had was how to build a good project and noted that a lack of housing created compaction and dictated types of policies that spoke to how individuals should live. He advised that the project could be designed and would be an improvement to the gateway to Green Valley and that it was an appropriate location for the project. He suggested that the impression was being given that unless one had money, they couldn't live in rural Solano County. He advised that he was on the sewer district board when extensions out in the area were approved and advised that this project was an opportunity clean up the area of contaminants from septic systems. He advised that the project provided a small opportunity for people to live in the rural county, that the comments made could be mitigated and that this project would help with housing needs.*

*Supervisor Vasquez advised that this project was an infill project, that it was in the General Plan and that folks had an opportunity to speak against it when that plan was being made, that it wasn't growth inducive, and that it was well within what's been asked as far as density was concerned. He then noted that he saw the project as infill project that would provide housing that was designated for in the General Plan.*

*Chairwoman Hannigan advised that she still had concerns about the density of the project and how to better the project in a way she could support.*

*Mr. Emlen advised that staff could make minor adjustments to the policy plan overlay to tweak density and beef up architectural requirements.*

*Chairwoman Hannigan noted that she was interested in having staff look into this and that it was important to her to have these concerns addressed. She commented that this was something that shouldn't be continued to another venue.*

*Mr. Emlen requested a short break to review this with staff and the developer.*

*Supervisor Spering advised that the Board should vote on the motion on the table and then bring forward conditions and concerns if the motion failed.*

*Supervisor Seifert suggested that Chairwoman Hannigan was asking for more information so that she could make her decision on the motion and Chairwoman Hannigan confirmed this.*

*Supervisor Thomson commented that Mr. Emlen had mentioned 64 units and that Mr. Grassi had said that they could move parcels away from Oakwood Drive to another location. He asked where the parcels would be moved to.*

*Chairwoman Hannigan advised that this was one of her concerns and that she was looking for reduction in the number to at least 60 units, not moving them around to other areas away from Oakwood Drive.*

*Mr. Emlen noted that adjustments to the policy plan overlay would be necessary and that some conditions of approval and the tentative map would have to be modified, but that it was feasible to do this.*

*This meeting of the Solano County Board of Supervisors recessed at 9:40 p.m. and reconvened at 9:45 p.m. All members were present and Chairwoman Hannigan presided.*

*Chairwoman Hannigan noted that Mr. Emlen had just submitted revisions to the EIR certification and tentative map resolution.*

*Mr. Emlen advised that they would still have to hear from the applicant concerning the numbers. He then provided the Board with explanations of the revisions that staff were putting forward including a reduction of four lots along Oakwood Drive and reducing the density to 60.*

*Chairwoman Hannigan noted the concern voiced earlier by the Cordelia Fire District concerning the hammerhead areas.*

*Mr. Emlen advised that the goal was to get the hammerheads modified or that staff could likely eliminate that feature from the project. He then continued to review the revisions from staff concerning cleanup of some references to dates, the policy plan overlay final approval and references to findings of overriding consideration, clarity on utilization of quality materials on all sides of buildings, design guidelines on recessing garages to make a more inviting residential environment, clarity on designs for fencing, clarification that elevations for proposed dwellings be submitted before building permits are submitted, increases in setbacks in some cases for lot configurations, and the potential for allowing attached garages.*

*Chairwoman Hannigan commented on setback from Rockville Road, landscape buffers and minimum setback of twenty five feet from the parcel.*

*Mr. Emlen advised that they were open to using averages in setbacks.*

*Mr. Laughlin advised that the setback distance from Rockville Road was a mitigation measure recommended in the EIR.*

*Mr. Emlen noted that the applicant could make adjustments in their plan as a way to address the setback. He then provided the Board with information on landscaping in regards to using native plant materials and using decorative lighting and concrete that would create a quality look.*

*Supervisor Seifert commented on the staff's production of the revised document within the timeframe given and asked if this had been created prior to the meeting and whether it had been considered as an alternative prior to tonight's discussion that should have been provided to the Board and audience prior to the meeting.*

*Mr. Emlen advised that these items had been contemplated by staff and discussed with the applicant. He noted that revisions were considered right up until the meeting.*

*Supervisor Seifert suggested that the revisions appeared to be based on discussions with Chairwoman Hannigan and that they should have been brought to the attention of all of the Board members in advance.*

*Chairwoman Hannigan advised that she had a discussion with staff earlier in the day but did not have all of the details that were just given to the Board prior to the meeting. She advised that the document had been given to the Board and had now been reviewed by the Board.*

*Mr. Grassi commented on the staff revisions noting that he did not have an issue removing four lots along Oakwood Drive and increasing the setbacks, possibly getting rid of three hammerheads and modifying the fourth, and then advised he would rather not drop the number of lots below 62.*

*Supervisor Seifert commented that the applicant had come to the Board with 33 lots in the past.*

*Mr. Grassi noted that the approval for those lots happened over five years ago but that it was litigated. He noted that the full EIR had been done and that they were coming back with the new number of 66 lots. He further noted that he would rather move the four lots than eliminate them but that they would be ok with 62 lots. He then commented on housing designs within the plan consisted of setback garages and noted that fencing would be part of the landscaping plan that would come back to the Board. He noted that the twenty five foot setback on Rockville Road needed to be average of twenty five feet instead of a minimum in order to allow single story homes in that area.*

*Chairwoman Hannigan commented that no changes had been made to the density or the tentative map since November and that it was troubling that the applicant had not made any changes when adequate time had been given to address the public's concerns.*

*Mr. Grassi commented that they were agreeable to dropping the four lots and that they hadn't received direction from the Board previously regarding a reduction in density.*

*Chairwoman Hannigan advised that the public had voiced concerns previously over the density and that the applicant should have looked into this and offered to address it, but had not.*

*Mr. Grassi advised that in his experience, giving in to density never worked well for the developer.*

*Chairwoman Hannigan advised that 60 lots worked better for her.*

*Mr. Grassi advised that they would work with whatever the Board decided but that they preferred to have 62 lots.*

*Supervisor Spering commented that the applicant could decide to adhere to what the Board decided or not.*

*Supervisor Seifert asked if there could be a commitment for 20-25% for low income housing in the project area.*

*Mr. Grassi advised that they had not considered low income housing.*

*Mr. Emlen advised that there was no requirement in the ordinances for this and that counties do not normally have low income housing requirements. He further advised that the only way staff could do this would be to look at variation in sizes.*

*Supervisor Seifert noted that her motion on floor was to deny certification of the EIR, deny requests for rezoning and deny approval of the tentative map.*

*The motion failed 3-2 with Supervisors Vasquez, Spering and Hannigan voting no.*

*Supervisor Spering asked if all of the agreements for sewer and water provision would be in place before the project got underway.*

*Mr. Emlen noted that a map could not be recorded for the project until those agreements were in place.*

*Supervisor Spering asked if the size of the utilities were such that they were just to meet the requirements of this particular project and Mr. Emlen confirmed that they were.*

*Supervisor Spering noted that he had asked for a development agreement previously and asked why it was not being considered. He then commented on the importance of a design standard for the project and a development agreement to control that.*

*Mr. Emlen advised that development agreements were good tools and that he was not opposed to having one, however state law did not mandate development agreements therefore the County and applicant would need to mutually agree upon the agreement.*

*Mr. Laughlin advised that a development agreement was a contract and would give both sides some benefits if it could be structured to do so.*

*Supervisor Spering noted that he had the same concerns about design standards and then asked if a judge had ruled on the water issue.*

*County Counsel Dennis Bunting advised that Judge Beeman has expressed his opinion and that it was not binding on any other judge. He advised that the case was still in the writ stage and not final yet.*

*Supervisor Spering advised that it was likely that this project would be litigated. He then asked if it would be appropriate to ask the developer to agree to a development agreement.*

*Mr. Laughlin advised against making a condition on the project about a development agreement but that the applicant could speak to the request.*

*Mr. Grassi asked when a development agreement would need to be entered into.*

*Mr. Emlen advised that a development agreement should be done prior to final map and that adjustments would need to be made for the environmental review. He then advised that the development standards in the policy plan overlay did give some assurances but that creating a development agreement would take it to another level.*

*In response to Supervisor Sperring, Mr. Emlen noted that a development agreement had to come back to the Board for approval.*

*Supervisor Sperring advised that a development agreement would give leverage and would help mitigate the issues raised by the residents.*

*Chairwoman Hannigan asked if the applicant would be willing to work on a development agreement and Mr. Grassi advised that he would.*

*Chairwoman Hannigan advised that she would like to stick with 60 units in order to feel comfortable moving forward on the project and asked if this would require an amendment to the policy plan overlay.*

*Mr. Laughlin advised that all of the amendments were included on the handout to the Board.*

*Chairwoman Hannigan asked for the new recommendation in terms of voting on the items.*

*Mr. Laughlin advised that there needed to be a motion to move the certification of the EIR resolution as amended by the document which adds the February 2, 2016 date and then move on in sequence to the resolution approving the tentative map with the conditions of approval as amended by the document and then move on to the zoning.*

*Chairwoman Hannigan asked how the changes proposed would be captured in the resolution that approved the tentative map.*

*Mr. Laughlin noted that the tentative map showed 66 lots and that the combined effect of the resolution with the amendments would approve the map as proposed except that it was being amended to reduce the number of lots along Oakwood Drive and the overall density of the project down to 60 lots, that it wasn't yet known how that would all work out but that the Board was instructing the developer to come back with a map that met those parameters, at which point the Board would be willing to consider a final map for approval.*

*Chairwoman Hannigan asked about the policy plan overlay and the changes requested.*

*Mr. Laughlin advised that there needed to be a motion to enact the proposed zoning ordinance with the amendments shown on the document.*

On motion of Supervisor Hannigan, seconded by Supervisor Spering, the Board adopted Resolution No. 2016-21 certifying the Final Environmental Impact Report for the Woodcreek66 Project as amended. Supervisors Seifert and Thomson voted no. So ordered by 3-2 vote.

On motion of Supervisor Hannigan, seconded by Supervisor Vasquez, the Board adopted Resolution No. 2016-22 approving Major Subdivision Application S-11-01 of Woodcreek Homes for the Woodcreek66 Project as amended. Supervisors Seifert and Thomson voted no. So ordered by 3-2 vote.

On motion of Supervisor Hannigan, seconded by Supervisor Vasquez, the Board adopted Ordinance No. 2016-1769 amending chapter 28 of the Solano County Code to rezone 33± acres located southwesterly of the intersection of Suisun Valley Road and Rockville Road from Residential Traditional Community 1-acre minimum lot size (R-TC-1AC) to Residential Traditional Community 10,000-square-foot minimum lot size (R-TC-10) and to adopt a Policy Plan Overlay district for such property(Z-11-01 & PP-11-01) as amended. Supervisors Seifert and Thomson voted no. So ordered by 3-2 vote.

**ADJOURN:**

*This meeting of the Solano County Board of Supervisors adjourned at 10:18 p.m. in memory of Herman Marfil. Next meeting of the Solano County Board of Supervisors will be February 9, 2016 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