

BOARD OF SUPERVISORS
Yolo County, California

May 22, 2001

MINUTES

The Yolo County Board of Supervisors met on the 22nd day of May, 2001 in regular session in its Chambers in the Erwin Meier Administration Center, Woodland, California at 9:00 A.M. pursuant to County Code Section 2-1.103.* Present were Supervisors Rosenberg, McGowan, Wolk and Chair Stallard. Supervisor Pollock arrived at 9:30 A.M. Chair Stallard presided. Victor Singh, County Administrator and Steve Basha, County Counsel were present. Sam Fortney, Yolo County District Attorney's Office, led all in attendance in the Pledge of Allegiance to the Flag.

Agenda Item No. 2
Public Comment

The Chairman invited individuals of the public to make statements on matters relating to County business. The following individuals addressed the Board of Supervisors:

- A. Ed Beauchamp requested the election precinct in West Plainfield be brought back to its original boundaries and that their polling place be at the West Plainfield Fire Station. The Board referred this request to the Yolo County Elections Department.
- B. Former Yolo County Supervisor Ernie Pfanner invited the Board to Memorial Day services at all cemeteries throughout the County.

Agenda Item No. 3
Presentations

The following presentations were made:

- A. Presented Resolution No. 01-76 to the California School Board Association acknowledging their West Sacramento Christmas Basket Holiday Toy Drive.
- B. Yolo County Health Department Director Dr. Bette Hinton briefed the Board on a recent campaign held to help prevent Sudden Infant Death Syndrome (SIDS) in Yolo County.
- C. Chair Stallard announced the award of \$7.5 million to Yolo County, through the State Board of Corrections, toward the construction of a new Juvenile Hall facility for Yolo County.
- D. Chair Stallard announced a grant award to Yolo County of \$3.2 million for a Mentally Ill Offender program with the goal of trying to assess people, who may have mental issues, at the time that they are subject to arrest or incarceration and help them get into a treatment program which reflects their physical needs.

Agenda Item No. 5
Consent Agenda

Minute Order No. 01-126: Acted on the Consent Agenda as follows:

1. Ratified **Resolution No. 01-76** acknowledging the California School Board Association's West Sacramento Christmas Basket Holiday Toy Drive.
2. Took the following action for terms of employment for the new Assistant County Administrative Officer:
 - A. Approved the granting of 120 hours accrued vacation time, 120 hours accrued sick leave, and a moving allotment of up to \$3000 upon the start of employment of the new Assistant County Administrative Officer.
 - B. There will be no accrual of leave for the first year of employment, but at the start of the second year, vacation will accrue at 120 hours (15 days) per year and sick leave will accrue at 96 hours (12 days) per year.
3. Approved the Esparto Community Services District's request to consolidate its election with the regular election held on November 6, 2001.
4. Adopted and authorized the chair to sign **Resolution No. 01-77** approving a Supplemental Indenture to amend the 2000 Indenture Agreement and authorized issuance of the Woodland Joint Unified School District's "2001 Series" bonds.
5. Approved and authorized the Chair to sign **Agreement No. 01-110** with Yolo-Solano Air Quality Management District for the County Counsel of Yolo County to provide legal services to the District.
6. Approved revisions to the Yolo County Transfer of Paid Leave Policy.
7. Approved and authorized the Chair to sign **Agreement No. 01-111** with Bay Area Economics for a Development Impact Fee Study.
8. Approved the reclassification of a check Prosecution Representative to a District Attorney Enforcement Officer and adopted and authorized the Chair to sign **Resolution No. 00-144.49** amending the Authorized Position Resolution and **Resolution No. 95-15.194** amending the Salary Resolution to reflect this reclassification.
9. Received and filed the monthly investment report.
10. Approved and authorized the Chair to sign **Agreement No. 01-112**, the combined Negotiated Net Amount (NNA) and Drug Medi-Cal (DMC) agreement with the State Department of Alcohol and Drug Programs for FY 2001/02.
11. Approved and authorized the Chair to sign **Agreement No. 01-113** with Suicide Prevention of Yolo County for mobile crisis mental health services, increasing the maximum agreement amount for FY 00/01.

12. Approved and authorized the chair to sign **Agreement No. 01-114** with Woodland Youth Services to increase reimbursement rates for children's mental health (EPSDT) counseling services for FY 00/01.
13. Approved and authorized the Chair to sign **Agreement No. 01-115** with Yolo Family Services Agency to increase the maximum payment amount for children's mental health (EPSDT) counseling services.
14. Approved and authorized the Chair to sign **Agreement No. 01-116** with Washington Unified School District to increase the maximum reimbursement amount to Yolo County and extend the provision of school-based mental health services for FY 99/01.
15. Approved and authorized the Chair to sign **Agreement No. 01-117** (State Agreement No. 00-70097-000) with the State Department of Mental Health to provide Community Services for FY 00/01 to continue to employ a consumer on a part time basis of 10 hours per week who will provide support to the B.E.S.T. (Building Employment Services Team) network.
16. Approve the submission of the following grant applications:
 - A. Medi-Cal/Health Families Outreach for the rural areas of Yolo County.
 - B. California Nutrition Network Local Incentive Award to increase nutrition and exercise activities.
17. Approve the new classification of Children's Services Lead Worker and adopted and authorized the Chair to sign **Resolution No. 00-144.50** amending the Authorized Position Resolution and **Resolution No. 95-15.195** amending the Salary Resolution to reflect this new classification.
18. Adopted and authorized the Chair to sign **Resolution No. 00-142.50** amending the Budget Resolution to receive unanticipated revenues for the Emergency Medical Services Budget Unit 525-3.
19. Adopted and authorized the Chair to sign **Resolution No. 00-142.51** amending the Budget Resolution to accept funding awarded to Yolo County under the Governor's 15 Percent Discretionary Fund.
20. Approved and authorized the Chair to sign **Agreement No. 01-118** with Woodland Youth Services for emergency shelter of children.
21. Approved and authorized the Chair to sign **Agreement No. 01-119** with the Regents of the University of California to continue Eligibility and Employment Services training in FY 00/01.
22. Adopted and authorized the Chair to sign **Resolution No. 01-78** authorizing Gang Violence Suppression Multi-Component Program Grant Application with Office of Criminal Justice Planning.
23. Adopted and authorized the Chair to sign **Resolution No. 01-79**, Resolution of Certification of Mileage.

24. Took the following action for the entryway improvements at the El Macero Subdivision:
- A. Approved and authorized the Chair to sign **Agreement No. 01-120**, Memorandum of Understanding (MOU), with El Macero Homeowners' Association and El Macero Country Club Regarding Road Maintenance Services", approved by the Board on February 27, 2001.
 - B. Accepted a grant deed transferring title of the median island in North El Macero Drive near Mace Boulevard to the County, and authorize the Chair to sign the Certificate of Acceptance.
 - C. Approved and authorized the Chair to sign **Agreement No. 01-121** with Olympic Land-Construction for the construction of the El Macero Entries Refurbishment Project.
 - D. Adopted and authorized the Chair to sign **Resolution No. 00-142.52** revising the El Macero County Service Area (CSA) Fund No. 481 budget to authorize the placement of Homeowners' Association funds for the project into the special account created for the project.
25. Approved and authorized the Chair to sign **Agreement No. 01-122** with IT Corporation to continue assisting with permitting and feasibility analysis for the Yolo County Central Landfill.
26. Approved and authorized the Chair to sign **Agreement No. 01-123** with Questa Engineering Corporation to continue to provide engineering services for erosion control projects at the Rumsey, Guinda, and Cache Creek Nature Preserve Bridge sites.
27. Took the following action regarding the relocation of a concrete batch plant for Solano Concrete Company, Inc:
- A. Adopted and authorized the Chair to sign **Ordinance No. 1263** amending Title 8, Chapter 10, Article 10 of the Yolo County Code relating to the approval of Development Agreements.
 - B. Adopted and authorized the Chair to sign **Ordinance No. 1264** approving the amendment to Development Agreement No. 96-287 with Solano Concrete Company, Inc. relative to the project known as the Solano Long-Term Off-Channel Mining Permit Application.
 - C. Adopted and authorized the Chair to sign **Ordinance No. 681.190** rezoning land from Agriculture General (A-1) to Agricultural Preserve (AP) for the Solano Long-Term Off-Channel Mining Permit Application.
 - D. Adopted the Findings and the following Conditions of Approval:
- CONDITIONS OF APPROVAL
- 1. The project shall be in compliance with all adopted conditions of approval for Zone File #2000-087 as contained herein and

identified below. In addition, the project shall be in compliance with all existing permits and conditions of approval, including Zone Files 1901, 95-093, and ZA 736.

2. The project shall be completed in compliance with all applicable Federal and State laws, Yolo County Code Regulations and Engineering Design Specifications and Standards.
3. In accordance with Yolo County Code Section 8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attach, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperates fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.
4. Caltrans shall be forwarded a copy of any future development on the subject parcels to ensure that no significant impact to State Highway 16 and right-of-way are created.
5. Properties which are subject to a single Williamson Act Contract shall not be divided for the purpose of sale, non-agricultural lease or financing unless a division of the Williamson Act Contract is first approved as provided in the Yolo County Zoning Ordinance and Land Conservation Act of 1965 (Williamson Act).
6. Upon acceptance and approval of the Williamson Act Contracts by the Yolo County Board of Supervisors, a recorded copy shall be provided by the applicant to the Planning and Public Works Department.
7. A "Certificate of Compliance" will be issued by the Planning and Public Works Department within 30 days of receiving the recorded contracts.
8. Within thirty (30) days of the issuance of the "Certificate of Compliance" the applicant shall record the certificate accompanied by map and legal description of the approved Lot Line adjustment and Williamson Act Contract Division with the County Recorder's Office, or it shall be deemed null and void.

9. Prior to final Building Approval for the new batch plant, any areas of bare ground at the abandoned batch plant site in the town of Madison shall be re-vegetated to the satisfaction of the Planning and Public Works Director to increase infiltration and prevent erosion and runoff onto State Highway 16.
 10. The applicant shall obtain all necessary building permits for any demolition, construction and/or repair of any existing structures on either site, including approval from the County Environmental Health Division and the Madison Fire District, if appropriate, for compliance with adopted Health, Safety, Building, and Fire Codes, as amended.
 11. Relocation of the batch plant shall commence within one (1) year of the effective date of the Planning Commission's approval, or said Use Permit shall be deemed null and void without further action.
 12. The site of the existing batch plant shall be cleared of all weeds, brush and debris, prior to issuance of the Final Building Permit for the relocated batch plant.
 13. Prior to issuance of the Final Building Permit, the applicant shall submit a bond or other financial instrument acceptable to the Planning and Public Works Director in the amount of \$30,000 to provide financial assurance for the new plant area.
 14. Failure to comply with the Conditions of Approval, as approved by the Board of Supervisors, may result in the following actions:

Non-issuance of future building permits;
Revocation of the Conditional Use Permit and/or Mining Permit;
Legal action.
- E. Approved and authorized the Chair to sign **Agreement No. 01-124** amending Development Agreement No. 96-287 with Solano Concrete Company, Inc.
 - F. Approved and authorized the Chair to sign **Agreement No. 01-125**, Williamson Act Successor Agreement for boundary adjustment of Williamson Act Contract No. 71-367.
 - G. Approved the modification of financial assurances.
 - H. Approved the Lot Line Adjustment for Zone File #2000-087.
 - I. Approved the Modification of Use Permit, Zone File No. 1901, and Mining and Reclamation Plan, Zone File No. 95-093.

28. Adopted and authorized the Chair to sign **Resolution No. 00-142.53** amending the Budget Resolution to receive unanticipated revenue and to purchase computerized spray equipment for the Agriculture Department.

MOTION: Rosenberg. SECOND: McGowan . AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 4
Approval of Minutes

Minute Order No. 01-127: Approved the minutes of the Yolo County Board of Supervisors meeting of May 8, 2001 with the following corrections:

- Page 1 Public Comment to indicate that Frank Siefertman and Ernie Pfanner expressed concern for the conditions of County roads in western Yolo County.
- Page 9 Minute Order No. 01-122: to read "Approved and authorized the Chair to sign a letter of support for the Yolo County Flood Control and Water Conservation District's grant application for an AB 303 grant regarding the development of a groundwater monitoring program.

MOTION: Pollock. SECOND: Wolk. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 9
Indigent Defense Panel

Minute Order No. 01-128: Took the following action:

1. Approved in concept contract terms for the members of the Conflict Indigent Defense Panel that include the following terms:
 - A. For three attorney full-time positions available for appointment by the Court due to a conflict on the part of the Public Defender to represent minors, parents, and other persons in Juvenile Court matters with compensation for each position as follows:
 - i. \$6500/month for the first three years of the contract;
 - ii. \$6700/month for the fourth year of the contract;
 - iii. \$6900/month for the fifth year of the contract;
 - B. For four attorney full-time positions available for appointment by the Court due to a conflict on the part of the Public Defender to represent adults charged with misdemeanors and felonies and to provide backup as needed to attorneys handling Juvenile Court matters with compensation for each position as follows:
 - i. \$5750/month for the first three years of the contract;
 - ii. \$5925/month for the fourth year of the contract;

iii. \$6100/month for the fifth year of the contract;

C. For two attorney half-time positions available for appointment by the Court due to a conflict on the part of the Public Defender to represent adults charged with misdemeanors and felonies, to handle appeals of misdemeanor cases and to provide backup as needed to attorneys handling Juvenile Court matters with compensation for each half-time position as follows:

- i. \$2875/month for the first three years of the contract;
- ii. \$2962.50/month for the fourth year of the contract;
- iii. \$3050/month for the fifth year of the contract;

D. Attorneys to be responsible for retention and payment of investigators and experts subject to reimbursement from the County so long as the annual cumulative total reimbursement for all nine attorneys does not exceed \$70,000.00;

E. A contract term of five years with a 60 day termination for any reason clause; and

F. All other terms and conditions contained in the County's present independent contractor agreement with persons providing professional services as needed by the County.

MOTION: McGowan. SECOND: Rosenberg. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 11
Arts Council

Minute Order No. 01-129: Adopted and authorized the Chair to sign **Resolution No. 01-80** designating Yolo County Arts Council as the State-Local partner with the California Arts Council.

MOTION: Stallard. SECOND: McGowan. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 20
Family Resource Council

Minute Order No. 01-130: Approved and authorized the Department of Alcohol, Drug & Mental Health Services and the Answers Benefiting Children (ABC) Collaborative to relocate the Yolo County Family Resource Center from the Mario G. Obledo Community Center to 409 Lincoln Street in Woodland, California, and directed a letter of thanks be sent to the current landlord.

MOTION: Wolk. SECOND: Rosenberg. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 32
Bikeway Feasibility Study

Minute Order No. 01-131: Took the following action:

- A. Received the Davis-Woodland Bikeway Feasibility Study prepared by Alta Consulting.
- B. Certified a Categorical Exemption for the State Bicycle Transportation Account (BTA) funding application pursuant to the California Environmental Quality Act (CEQA) Guidelines, Sections 15301 (c)(Class 1 Minor Alterations to Existing Facilities) and 15304(a), (c), (f)-(h) (Class 4 Minor Alterations to Land).
- C. Adopted and authorized the Chair to sign **Resolution No. 01-81** Certifying the Availability of Match Funds for State BTA Funds.
- D. Authorized the submittal of an application for State BTA funding for bikeway improvements along the section of County Road (CR) 99 between CR 27 and CR 29.
- E. Directed staff to submit quarterly status reports on the consent agenda regarding bikeway connections between the cities of Davis and Woodland.
- F. Directed staff to make funding opportunity a part of the legislative calendar.

MOTION: Stallard. SECOND: Wolk. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 37
Electricity Generation at Landfill

Minute Order No. 01-132: Approved submittal of a proposal to California Energy Commission (CEC) for Yolo County to act as a subcontractor to FlexEnergy to demonstrate electricity generate using Flex-Microturbine from landfill gas at the Yolo County Central Landfill's Full-scale Landfill Bioreactor Project.

MOTION: Wolk. SECOND: Rosenberg. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 38
MultiDisciplinary Interview Center (MDIC)

Minute Order No. 01-133: Took the following action for the Multidisciplinary Interview Center (MDIC) in Yolo County:

- A. Received and filed a status report regarding the development of a MDIC.
- B. Authorized the Central Services Division to work cooperatively with MDIC staff in establishing a location for the center.

MOTION: Wolk. SECOND: Pollock. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 42
Legislation

On motion of Supervisor Wolk and seconded by Supervisor Pollock, the Board considered a letter of support for AB 1497 (Negrete/McLeod).

Supervisor Rosenberg expressed concern that the money that would come to pay for this would come from the Victims Compensation Fund and suggested that this matter be tabled for clarification that funding will not be taken from another program that is relied upon.

Supervisor Wolk withdrew her motion, Supervisor Pollock withdrew her second and directed that a letter of support for AB 1497 (Negrete/McLeod) be considered at a future Board of Supervisors meeting after further information is available.

Agenda Item No. 39
Children's Network Exploratory Meeting

Minute Order No. 01-134: Took the following action for the Children's Network Exploratory meeting:

- A. Authorized the Chair to sign a letter inviting community leaders to a meeting to explore the formation of a Children's Network on June 27 from 4:30 pm to 7:30 pm at St. Johns United Church of Christ at 434 Cleveland Street in Woodland.
- B. Directed the Board to designate two or three representatives from each supervisorial districts with a demonstrated interest in children's issue to participate in the planning meeting.
- C. Directed Supervisor McGowan and Supervisor Wolk to continue as the subcommittee to assist with the planning process.
- D. Directed the Chair to welcome the group and discuss the purpose of the meeting.

MOTION: Wolk. SECOND: Pollock. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 44
Smoking Policy

Minute Order No. 01-135: Repealed previously adopted Resolution No. 85-4 and policy and adopted a revision of the County smoking policy, Section 2-7 of the County Administrative Policy Manual. The revision would make the county's written smoking policy consistent with State and Federal laws and introduce new policy prohibiting smoking within 20 feet of entrances, open

windows, and ventilation intake systems of all county offices and/or building.

MOTION: Wolk. SECOND: McGowan. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 40
RFP for Indigent Health

Minute Order No. 01-136: Took the following action for Indigent Health Request for Proposals (RFP):

- A. Authorized staff to develop a Request for Proposals (RFP) for Indigent Health.
- B. Appointed the following as a committee to develop the RFP and evaluate proposals received in response to the RFP:
 - Esther Castillo Alcohol, Drug & Mental Health (or designated representative)
 - Roger Clarkson Health
 - Cecilia Garcia Employment and Social Services
 - John Freeby Health
 - Bill Hall Health
 - Dr. Bette Hinton Health
 - Randy Margo County Administrator's Office
 - Celestino Mojica Health
 - Carolyn Pierson Salud Clinic Advisory Board (development process)
 - Katie Villegas Salud Clinic Advisory Board (proposal evaluation phase)
 - John Siden Central Services
 - Stella Taylor Public Member, Health Council
- C. Directed staff to return in June with a draft RFP for consideration and possible approval to distribute.
- D. Directed appointment of Board of Supervisors' subcommittee to be considered at a subsequent meeting.

MOTION: Rosenberg. SECOND: Wolk. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 41
CalWORKs Program

Minute Order No. 01-137: Received and filed the CalWORKs report, authorized the Department of Employment and Social Services (DESS) to enter into contract negotiations with Temporary Aide to Needy Families (TANF) Contractors, and approved the criteria for entering into contract negotiations.

MOTION: Wolk. SECOND: Rosenberg. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 42A-1
CSAC Committee Appointment

Supervisor Wolk moved, seconded by Supervisor McGowan to table consideration of a CSAC Committee appointment. Motion failed by the following vote.

MOTION: Wolk. SECOND: McGowan. AYES: Wolk, McGowan.
NOES: Pollock, Stallard.
ABSTAIN: Rosenberg.

Chair Stallard moved, seconded by Supervisor Pollock to assign Supervisor Pollock to the CSAC Committee on Agriculture and Natural Resources. After further discussion the motion was dropped.

Agenda Item No. 42 B-1
Energy Status Report

Received a verbal report regarding the upcoming Yolo County Energy Summit to be held June 1, 2001 and a report on internal efforts being taken within Yolo County to conserve energy.

Agenda Item No. 42 C
Correspondence

Letter was received from the U.S. Fish and Wildlife Service regarding a Notice of the re-opening of the comment period for the Sacramento Splittail. The Board directed a letter of response be submitted to the Board for consideration on June 5, 2001.

Agenda Item No. 43
Advisory Boards

Minute Order No. 01-138: Took the following actions:

- A. Accepted the resignation of Jeannette Baird from the Knights Landing Cemetery District
- B. Approved the following appointments:
 - 1. Catherine Portman to the Commission on Aging, representing District 5
 - 2. Betty Girtman to the Esparto Citizen's Advisory Committee
 - 3. Vince Salaiz to the Knights Landing Cemetery District
 - 4. Erik Vink to the Yolo County Flood Control & Water Conservation District, representing District 1
 - 5. Wyatt Cline to the Yolo County Resource Conservation District

C. Approved the reappointment of Don Keoppen to the Capay Cemetery District

MOTION: Rosenberg. SECOND: Pollock. AYES: Rosenberg, Pollock, McGowan, Wolk, Stallard.

Agenda Item No. 45
Adjournment

This meeting of the Board of Supervisors was adjourned at 12:05 P.M. in memory of the following:

- A. Barbara Santoni
- B. John Winn Jr.
- C. Elizabeth Graeser

The Board convened in closed session on the following item:

Conference with Labor Negotiator, Victor Singh, CAO: Sharon Jensen,
Assistant CAO: Gina Rowland, Personnel Analyst.
Bargaining Units: *G

Tom Stallard, Chair
Yolo County Board of Supervisors

Patty Crittenden, Clerk to the
Board of Supervisors

California as the Senior Advisor to the Governor and Director of Intergovernmental Relations and as such technically has a financial interest in any contract made by this Board with the State of California. He recuses himself from participating in any county decision-making concerning a contract between the County and the State of California which directly involves the department known as the Office of the Governor. He is not otherwise disqualified from participation in contracts with the State.