ORDINANCE NO. 1603

AN URGENCY ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE SOLANO COUNTY BOARD OF SUPERVISORS AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE EMPLOYEES CREDIT FOR UNUSED SICK LEAVE AT RETIREMENT

Whereas, the Solano County Board of Supervisors recently approved salary and benefit changes to the Management and Confidential groups, Local 1280, Units 2, 7, 8, 9 and 12, Local 535, Unit 6 and Local 39; and

Whereas, as part of those agreements, the County agreed to provide credit for unused sick leave at retirement no later than March 1, 2001; and

Whereas, CalPERS requires the County to adopt an ordinance authorizing an amendment to the contract between the Board of Supervisors and the Board of Administration of the California Public Employees' Retirement System to provide for this credit; and

Whereas, to comply with the terms of the agreements to provide this benefit no later than March 1, 2001, the Board of Supervisors needs to immediately adopt this ordinance;

Whereas, although this Board adopted both a Resolution of Intention and Ordinance No. 1600 authorizing the amendment to the contract on February 6, 2001, twenty (20) days must elapse between the adoption of the resolution and the adoption of the ordinance.

The Solano County Board of Supervisors ordains as follows:

Section 1.

Ordinance No. 1600 is repealed.

Section 2.

The Solano County Board of Supervisors authorizes an amendment (section 10, subd. (m)), to the contract between the County of Solano and the Board of Administration of the Public Employees' Retirement System to provide Solano County employees a credit for unused sick leave at retirement, a copy of which is attached as Exhibit A and incorporated by this reference.

Section 3.

The Chairman of the Solano County Board of Supervisors is authorized to execute the amendment for Solano County.
Section 4

This uncodified, urgency ordinance shall be effective immediately, or February 27, 2001.

Section 5.

A summary of this uncodified, urgency ordinance shall be published once within fifteen (15) days after its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

This uncodified, urgency ordinance was introduced and adopted at a regular meeting of the Solano County Board of Supervisors on February 27, 2001, by the following vote:

AYES: Supervisors Carroll, Kondylis, Kromm, Silva, and Chairman Thomson

NOES: Supervisors None

EXCUSED: Supervisors None

Skip Thomson, Chairman
Solano County Board of Supervisors

ATTEST:
Michael D. Johnson, Clerk
Board of Supervisors

By: Deputy
AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
Board of Supervisors
County of Solano


A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective July 24, 1998, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members, age 50 for those County Peace Officers in the Deputy Sheriff's Association, Units #3 and #4, and age 55 for other local safety members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1945 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
   a. Local Fire Fighters (herein referred to as local safety members);
   b. County Peace Officers (included as local safety members);
   c. Employees other than local safety members (herein referred to as local miscellaneous members).

4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

   NO ADDITIONAL EXCLUSIONS

5. Public Agency and the Vacaville Unified School District Library District have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Vacaville Unified School District Library District, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1979. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Vacaville Unified School District Library District. Legislation repealed said Section effective January 1, 1988.

6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified and Full).

7. The percentage of final compensation to be provided for each year of credited prior and current service for those local safety members other than those County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4, who did not elect within 90 days of January 1, 1984 to continue under the provisions of Section 21366 shall be determined in accordance with Section 21369 of said Retirement Law (2% @ 55 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service for those local safety members other than those County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4, who did not elect within 90 days of January 1, 1984 to continue under the provisions of Section 21366 shall be determined in accordance with Section 21366 of said Retirement Law (One-half pay at age 55 Full).

9. The percentage of final compensation to be provided for each year of credited prior and current service for those local County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4 only shall be determined in accordance with Section 21362 of said Retirement Law (2% @ 50 Full).

10. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.

   b. Section 21222.2 (Special 5% Increase-1971). Legislation repealed said Section effective January 1, 1980.

   c. Section 21571 (Basic Level of 1959 Survivor Benefits) for local fire members only.

   d. Section 21319 (Special 15% Increase for Local Miscellaneous Members Who Retired or Died Prior to July 1, 1971).

   e. Section 21325 (Special 3% to 15% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to January 1, 1974).

   f. Section 20042 (One-Year Final Compensation).

   g. Section 20903 (Two Years Additional Service Credit).

   h. Section 20437 ("County Peace Officer" shall include constables, deputy constables, marshals and deputy marshals as described in Government Code Section 20437).

   i. Section 20439 ("County Peace Officer" shall include county jail, detention or correctional facility employees as described in Government Code Section 20439).

   j. Section 20438 ("County Peace Officer" shall include probation officers, deputy and assistant probation officers, juvenile hall employees, and persons employed as peace officers pursuant to Section 830.5 of the Penal Code as described in Government Code Section 20438).
k. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.

l. Section 21574 (Fourth Level of 1959 Survivor Benefits) for County Peace Officers only.

m. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.

11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on October 2, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.

12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

13. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local County Peace Officers members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the ___ day of _____________, ___________.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY ________________________________
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF SUPERVISORS
COUNTY OF SOLANO

BY ________________________________
PRESIDING OFFICER

Witness Date

Attest

Clerk
ORDINANCE NO. 1607

AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE
AMENDING SECTIONS 28-10 AND 28-21 RELATIVE TO AGRICULTURAL
EMPLOYEE HOUSING, AGRICULTURAL PROCESSING FACILITY WITH SPECIAL
EVENTS, AGRICULTURAL EDUCATION, AND ROADSIDE STAND.

The Board of Supervisors of the County of Solano, State of California does hereby
ordain as follows:

SECTION I:
Chapter 28, Section 21. Exclusive Agricultural (A) Districts is amended by adding
Subsection 28.21.030b to read as follows:

"B. Agricultural employee housing. A temporary manufactured dwelling unit for an
employee on parcels of twenty (20) acres or more is permitted for a maximum five (5)
year period upon approval of a conditional use permit and subject to the following
conditions as well as the development standards delineated in Table 28-21B.

1. One or more occupants of the dwelling are employed by the owner or the
lessee of the parcel;

2. Non-employee occupants of the dwelling are members of the employee's
family;

3. The employee occupant(s) of the dwelling has rent deducted from his or her
wages; and

4. The employee occupant is required to live in the dwelling as a condition of his
or her employment."

SECTION II:
Chapter 28, Section 10. Definitions is amended by adding a definition of
Agricultural Processing Facility with Special Events to read as follows:

"Agricultural processing facility with special events. A facility that handles
agricultural products in which the nature of the product is changed or altered, that as
an accessory use, conducts social gatherings for hire at the facility."

SECTION III:
Chapter 28, Section 10. Definitions is amended by adding a definition of
Agricultural Education to read as follows:
"Agricultural Education. The provision of information, knowledge and skills pertaining to agriculture conducted concurrently with the production of agricultural crops and is accessory to the primary agricultural use of the property. Examples include demonstration gardens and interactive seminars that model best practices in farm and ranch management and resource conservation."

SECTION IV:
Chapter 28, Section 10. Definitions is amended by adding a definition of Roadside Stand to read as follows:

"Roadside stand. An area of an agricultural property set aside for the sale of processed and unprocessed crops that are grown on and off the property. Crops that have been grown or produced off the property may only be sold in conjunction with the sale of crops grown on the property. A roadside stand includes pumpkin patches and other similar promotional uses."

SECTION V:
Chapter 28, Section 21. Table 28-21A is amended to read as follows:
## TABLE 28-21A

<table>
<thead>
<tr>
<th>LAND USE (1)</th>
<th>ALLOWED USE (2)</th>
<th>PERMIT REQUIRED BY DISTRICT</th>
<th>USE NOT ALLOWED</th>
<th>USE PERMIT REQUIRED (3)</th>
<th>SPECIFIC USE REGULATIONS (4)</th>
</tr>
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<tbody>
<tr>
<td>A-20</td>
<td>A</td>
<td>A</td>
<td>A</td>
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<td>28.53(i)(1)</td>
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<tr>
<td>A-40</td>
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<td>A</td>
<td>28.53(i)(4)</td>
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<td>A-80</td>
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<td>A</td>
<td>28.53(i)(5)</td>
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<tr>
<td>A-160</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>28.50(b)(4)</td>
</tr>
</tbody>
</table>

### AGRICULTURAL LAND USES

- **Agricultural accessory structures**: A, A, A, A
- **Agricultural processing facility - On-site products**: A, A, A, A
- **Agricultural processing facility - Off-site products**: UP, UP, UP, --- 28.53(i)(1)
- **Agricultural processing facility with special events**: UP, UP, UP, UP 28.10
- **Animal facilities and operations**:
  - **Veterinary facilities**: UP, UP, UP, UP 28.53(i)(4)
  - **Kennels**: UP, UP, UP, UP 28.53(i)(4)
  - **Fowl and poultry ranches**: A, UP, UP, UP
  - **Grazing**: A, A, A, A
  - **Hog ranches**: UP, UP, UP, UP
  - **Sales and feed lots, stockyards, dairy**: UP, UP, UP, UP 28.53(i)(4)
  - **Aquaculture**: UP, UP, UP, UP
  - **Crop production, including orchards and vineyards**: A, A, A, A
  - **Stable, private**: A, A, A, A
  - **Wind turbine generators, non-commercial (over 100 ft.)**: UP, UP, UP, UP 28.50(b)(4)

### RESIDENTIAL USES

- **Single family dwelling**: A, A, A, A 28.58
- **Accessory dwelling unit**: A, A, A, A 28.21.030A
- **Agricultural employee housing**: UP, UP, UP, UP 28.21.030B
- **Home occupations**: A, A, A, A 28.50(b)(7)
- **Rural resident enterprise**: UP, UP, UP, UP 28.50(b)(6)
- **Storage, manufactured home**: A, A, A, A 28.50(b)(8)
- **Temporary single family dwelling**: UP(5), UP(5), UP(5), UP(5)

### RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES

- **Boating and swimming facilities on existing waterways**: UP, UP, UP, UP 28.50(b)(1)
- **Stable, public and horse show**: UP, UP, UP, UP 28.10
- **Hunting and fishing clubs**: UP, UP, UP, UP
- **Agricultural education**: UP, UP, UP, UP
TABLE 28-21A

<table>
<thead>
<tr>
<th>LAND USE (1)</th>
<th>A-20</th>
<th>A-40</th>
<th>A-80</th>
<th>A-160</th>
<th>PERMIT REQUIRED BY DISTRICT</th>
<th>Specific Use Regulations (4)</th>
</tr>
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<tbody>
<tr>
<td>A-20</td>
<td>UP</td>
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<td>UP</td>
<td>Use Permit required (3)</td>
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<tr>
<td>A-160</td>
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<td>UP</td>
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<td>Use Permit required (3)</td>
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RETAIL TRADE USES

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<tr>
<th>USE</th>
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<th>A-20</th>
<th>A-40</th>
<th>A-80</th>
<th>A-160</th>
<th>PERMIT REQUIRED BY DISTRICT</th>
<th>Specific Use Regulations (4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farm supplies and farm equipment sales</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td></td>
</tr>
<tr>
<td>Roadside stands, 80 feet or more from street centerline</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td></td>
</tr>
<tr>
<td>Roadside stands, less than 80 feet from street centerline</td>
<td>A-160</td>
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SERVICE USES

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<tr>
<th>USE</th>
<th>LAND USE (1)</th>
<th>A-20</th>
<th>A-40</th>
<th>A-80</th>
<th>A-160</th>
<th>PERMIT REQUIRED BY DISTRICT</th>
<th>Specific Use Regulations (4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural trucking services and facilities</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td></td>
</tr>
<tr>
<td>Airfields and heliports, Agricultural</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
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<td>Use Permit required (3)</td>
<td></td>
</tr>
<tr>
<td>Custom farm services, e.g. hay bailing</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td></td>
</tr>
<tr>
<td>Farm equipment fabrication and repair</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
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<td>Use Permit required (3)</td>
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COMMUNICATIONS AND INFRASTRUCTURE USES

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<tr>
<th>USE</th>
<th>LAND USE (1)</th>
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<th>A-40</th>
<th>A-80</th>
<th>A-160</th>
<th>PERMIT REQUIRED BY DISTRICT</th>
<th>Specific Use Regulations (4)</th>
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</thead>
<tbody>
<tr>
<td>Injection wells</td>
<td>A-160</td>
<td>UP</td>
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<td>UP</td>
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<td>Use Permit required (3)</td>
<td>Chapter 13.6</td>
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<tr>
<td>Oil and gas wells</td>
<td>A-160</td>
<td>UP</td>
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<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td>28.50(b)(5)</td>
</tr>
<tr>
<td>Pipelines, transmission and distribution lines in R.O.W.</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td>28.50(a)(6)</td>
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<tr>
<td>Public service facility</td>
<td>A-160</td>
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<tr>
<td>Refuse dumping, disposal, processing, composting (7)</td>
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<td>UP</td>
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<td>28.53(i)(16)</td>
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<td>Surface mining operation</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td>Chapter 29</td>
</tr>
<tr>
<td>Utility facilities or infrastructure, outside of R.O.W.</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td>28.50(a)(7)</td>
</tr>
<tr>
<td>Wind turbine generators, commercial</td>
<td>A-160</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>UP</td>
<td>Use Permit required (3)</td>
<td>28.50(b)(4)</td>
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<tr>
<td>Wireless communication facilities</td>
<td>A-160</td>
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<td>UP</td>
<td>UP</td>
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<td>28.50.01</td>
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</tbody>
</table>

Notes:

(1) See Section 28.10 for land use definitions.
(2) See Building site special provisions; Section 28.50(d). Architectural Review may also be required; see 28.58.
(3) See Section 28.53 for Use Permit processing requirements.
(4) Section refers to the section of Chapter 28, Zoning Ordinance. Chapter refers to the referenced chapter of the Solano County Code.
(5) Allowed only when the main dwelling is under construction.
(6) Allowed subject to the issuance of an Oil and Gas Well Drilling permit (Section 28.50(b)(5)).
(7) During or subsequent to final closure of any waste disposal site, the Planning Commission may approve any beneficial reuse of the waste disposal site that (i) is compatible with the approved closure and/or post-closure plans for the site, (ii) would not be detrimental to existing or anticipated agricultural land uses in the vicinity, and (iii) would not subject occupants of the site, neighbors, or the environment, to risks associated with the wastes which have been disposed of at the site.
(8) Permit requirement determined by Section 28.50.01 (Wireless Communication Facilities).
SECTION VI:

If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this Ordinance. The Board of Supervisors declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION VII:

This ordinance will be effective thirty (30) days after its adoption.

SECTION VIII:

A summary of this ordinance will be published once within fifteen (15) days after its adoption in the Fairfield Daily Republic, a newspaper of general circulation.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on June 12, 2001, by the following vote:

AYES: Supervisors Carroll, Kondyils, Silva, and Chairman Thomson

NOES: Supervisors Kromm

EXCUSED: Supervisors None

Skip Thomson, Chairman

ATTEST:
Michael D. Johnson, Clerk
of the Board of Supervisors

By: Maggie Jimenez, Deputy Clerk

R: Planning\Long Range Projects\Zoning Ordinance\Updated Zoning Ordinance\Section 28.21 Agricultural Districts\Agricultural Districts Ordinance for June 12 Bd Mtg