



A Tradition of Stewardship
A Commitment to Service

MINUTES OF THE
NAPA COUNTY - BOARD OF SUPERVISORS MEETING
COUNTY OF NAPA

March 1, 2011

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in regular session on Tuesday, March 1, 2011, at 9:00 a.m. with the following supervisors present: Chairman Bill Dodd, Supervisors Mark Luce, Diane Dillon, and Keith Caldwell. Supervisor Brad Wagenknecht was excused. The meeting was called to order by Chairman Bill Dodd.

2. PLEDGE OF ALLEGIANCE

District Attorney Investigator Andy Lewis led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

- A. Presentation of a proclamation to Frank Lucier, Executive Director of the Napa County Chapter of the American Red Cross, declaring March 2011 as American Red Cross Month. (Chairman Dodd)

Presented proclamation.

- B. Presentation of a proclamation to Daniel Mufson declaring March 2011 as Napa County Grand Jury Awareness Month. (Chairman Dodd)

Presented proclamation.

- C. Director of Human Resources to introduce new County employees.

Presented new employees.

5. PUBLIC COMMENT

Angwin resident Herb Ford commented on the color of the Administrative Building.

6. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Director of Environmental Management Steve Lederer reported on local vender preference.

Director of Public Works Don Ridenhour reported a contracting workshop will be held on March 9, 2011 from 10 a.m. to Noon in the library community room.

7. CONSENT ITEMS

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chairman to sign Amendment No. 3 to Agreement No. 4569 with County of Del Norte decreasing the number of reserved placements for court ordered wards from six (6) to five (5) at a monthly rate of \$3,300 per ward.

A-4569 (Amend. 3)

Public Safety

- B. Sheriff requests the following actions regarding the State Department of Boating Safety and Enforcement Financial Aid Program:
1. Approval of and authorization for the Chairman to sign Revenue Agreement No. 3446-4 with the State of California Department of Boating and Waterways for a maximum of \$308,150 for the term July 1, 2011 through June 30, 2012 for the provision of law enforcement services; and
 2. Approval for Sheriff or his designee to sign quarterly activity reports and other documents for the State Department of Boating and Waterways.

A-3446-4

- C. Sheriff requests authorization to sign the State of California, Department of Parks and Recreation grant application for Fiscal Year 2011-2012 in the amount of \$64,708 for partial reimbursement of salaries and benefits for law enforcement efforts in isolated areas of the County.

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the following agreements to provide Prevention and Early Intervention (PEI) services under the County's State approved Mental Health Services Act PEI Plan, each for the term January 1, 2011 through June 30, 2012:
1. Agreement with Area Agency on Aging Serving Napa and Solano, Inc., for a maximum of \$182,700 to provide outreach and education to older adults and participate in the Prevention and Early Intervention (PEI) Collaborative;
 2. Agreement with California Institute for Mental Health, Inc., for a maximum of \$94,900 to provide technical assistance to support the local coalition-building

program evaluation design, data analysis and reporting and provide Quality Management Evaluation Development;

3. Agreement with Napa Valley Unified School District for a maximum of \$108,800 to provide a Student Assistance Program, establish a Student Assistance Program Core Team, collaborate with the American Canyon Home Visitation PEI Project, create a Friday Night Live Kids program, and participate in the PEI Collaborative; and
4. Agreement with Spectrum Center for Lesbian, Gay and Bisexual Concerns, Inc., for a maximum of \$87,000 to provide community development, advocacy and outreach, and cultural competency support and participate in the PEI Collaborative.

A-7543

A-7544

A-7545

A-7546

- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with University of Southern California for the term March 1, 2011 through June 30, 2012, with a provision for annual renewal, for the placement of students as interns for field work to be performed at the Health and Human Services Agency, at no cost to the County.

A-7547

- F. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 6523 with Project Ninety, Inc., modifying the Specific Terms and Conditions regarding the receipt, use or disclosure of protected health information and incorporating Addendum 1 to the Scope of Work to reflect the conversion of ten beds from the detoxification program to the short-term residential substance abuse program.

A-6523 (Amend. 1)

- G. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 7205 with Fitch & Associates, LLC, increasing the amount by \$43,240 for a new maximum of \$192,460 and extending the term through June 30, 2012 to assist staff to complete the State-mandated competitive process to select the provider(s) of ambulance transport services for Napa County.

7205 (Amend. 2)

- H. Director of Health and Human Services requests approval of and authorization for the Chairman to sign a revenue agreement with the U.S. Department of Housing and Urban Development (HUD) for the term April 1, 2011 through March 31, 2012 for a maximum of \$13,500 for Homeless Management Information System expansion funding.

A-7540

Community Resources & Infrastructure

- I. Director of Public Works requests adoption of a resolution authorizing the filing of an application for federal Surface Transportation Program and/or Congestion Management and Air Quality funding for Fiscal Year 2011-12, and stating the assurance to complete the proposed project, a pavement overlay project on the following roads: Silverado Trail between Zinfandel Lane and Skellenger Lane, Old Sonoma Road between Napa City Limit and State Route 12/121, South Kelly Road between State Route 12 and Devlin Road, and Oak Knoll Avenue between State Route 29 and Silverado Trail.

R-2011-13

- J. Director of Public Works requests acceptance of the work as complete and authorization for the Chairman to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 10-01, " Napa River Rutherford Reach Restoration Project Reach 3".

General Admin & Finance

- K. Auditor-Controller requests the Board accept the Audit Report for the Napa County Local Transportation Fund for Fiscal Year 2009-2010 issued by Gallina, LLP.
- L. Community and Intergovernmental Affairs Manager requests approval of and authorization for the Chairman to sign an agreement with the Napa Valley Destination Council for the term March 1, 2011 through June 30, 2011, with an automatic renewal provision for up to 3 years, for destination marketing services for the County utilizing unincorporated county funds from the Tourism Improvement District.

A-7548

- M. County Executive Officer requests authorization for out-of-state travel for Supervisor Diane Dillon to attend the 2011 National Association of Counties (NACo) Legislative Conference and potentially to advocate on behalf of Napa County with certain federal offices in Washington, D.C., from March 2 - 13, 2011.
- N. County Executive Officer requests authorization for out-of-state travel for Supervisor Keith Caldwell to lobby in support of the North Bay Water Reuse Program in Washington, D.C., from March 2 - 4, 2011.
- O. County Executive Officer requests the following appointments/reappointments to the Board of Directors of the Watershed Information Center and Conservancy of Napa County (WICC) with the terms of office to commence immediately.

| <u>Appointee</u> | <u>Representing</u> | <u>Term Expires</u> |
|------------------|---------------------------------------|---------------------|
| Gary Kraus* | City Council - Calistoga | August 2014 |
| Peter White | City Council - St. Helena | August 2014 |
| Richard Hall | Town Council - Yountville | August 2012 |
| Rita Steiner | Natural Resource Conservation Service | August 2012 |

**Incumbent*

- P. Second reading and adoption of an ordinance amending the procedures for corrections, cancellations, and refunds for assessments levied by County Service Area Nos. 3 and 4 and the Winegrape Pest and Disease Control District, and making technical amendments to conform to Senate Bill 1458.
ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

O-1354

- Q. Second reading and adoption of an ordinance amending nuisance abatement lien procedures and clarifying conditions constituting a public nuisance and liability for such conditions in Chapter 1.20 and Section 15.04.080 of the Napa County Code.
ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

O-1355

- R. Second reading and adoption of an ordinance providing for an additional tenant member on the Napa County Housing Commission and changing the quorum requirement of the Commission.
ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

O-1356

Motion moved by Diane Dillon, seconded by Keith Caldwell, to approve consent items. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

9. SET MATTERS OR PUBLIC HEARINGS

- A. 9:15 AM Recess to the Lake Berryessa Resort Improvement District (LBRID) meeting (**See LBRID Minutes**).
- B. 9:20 AM Recess to the Napa Berryessa Resort Improvement District (NBRID) meeting (**See NBRID Minutes**).
- C. 9:30 AM Director of Conservation, Development and Planning, Director of Public Works, Director of Environmental Management and County Fire Chief request the Board receive an interim report from the Halle Group on their assessment of customer service in the permitting departments.

Director of Conservation, Development and Planning Hillary Gitelman presented the item.

Halle Group representatives Carrie Hays and Dan Whitehurst made presentation.

- D. 10:00 AM
Chief Information Officer to present the updated "My Property" application within the County Web site.

Chief Information Officer Jon Gjestvang made presentation.

- E. 1:30 PM Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (**See NCFCWCD Minutes**).

10. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. Community and Intergovernmental Affairs Manager and Director of Conservation, Development and Planning requests appointment of one (1) member of the Board of Supervisors to serve on the Napa County Transportation and Planning Agency's (NCTPA) Sub Regional Housing Needs Allocation (RHNA) Policy Advisory Board.

Community and Intergovernmental Affairs Manager Larry Florin presented item.

Motion moved by Keith Caldwell, seconded by Diane Dillon, to appoint Chairman Bill Dodd. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

- B. County Executive Officer requests two (2) appointments/reappointments from the following applicants to the Wildlife Conservation Commission (WCC) with the terms of office to commence immediately and expire February 1, 2014:

| <u>Applicants (choose two)</u> | <u>Representing</u> |
|--------------------------------|---------------------|
| Richard Dee | Public At Large |
| Thomas M. McNicholas * | Public At Large |
| Stephen Orndorf * | Public At Large |
| Stephen L. Pittavino | Public At Large |
| Gene Rose | Public At Large |
| Steven Bradely Schellhamer | Public At Large |
| Brian Gary Shelton | Public At Large |
| George G. Watson | Public At Large |
| Susan A. Wilkinson | Public At Large |

** Incumbent*

Motion moved by Mark Luce, seconded by Diane Dillon, to appoint incumbents Thomas M. McNicholas and Stephen Orndorf. Motion passed 4 -

0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

Community Resources & Infrastructure

- C. Director of Public Works and Director of Health and Human Services request approval of and authorization for the Chairman to sign any and all documents as approved by County Counsel and required to acquire the property at 3281 Solano Avenue for the purpose of relocating the Adult Resource Center, known locally as People Empowering People (PEP), which is a resource center for adults facing mental health issues.

A-7541

Public Works Engineering Manager Juan Arias presented item.

Motion moved by Mark Luce, seconded by Keith Caldwell, to approve requested item. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

11. LEGISLATIVE ITEMS

- A. Community and Intergovernmental Affairs Manager, Auditor-Controller and Director of Human Resources, on behalf of the Legislative Subcommittee, requests approval of and authorization for the Chairman to sign letter of support for Assembly Bill 36 which would conform California tax treatment of health benefits for nondependent adult children to the recently enacted federal law. (Unanimous vote required).

Community and Intergovernmental Affairs Manager Larry Florin introduced item.

Motion moved by Keith Caldwell, seconded by Diane Dillon, to approve requested action. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

- B. Community and Intergovernmental Affairs Manager, on behalf of the Legislative Subcommittee, requests approval of an amendment to the 2011 Legislative Platform to include language that will permit the support of legislation to conduct Special Elections by an all-mail ballot. (Unanimous vote required)

Community and Intergovernmental Affairs Manager Larry Florin introduced item.

Motion moved by Keith Caldwell, seconded by Mark Luce, to approve requested action. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

None.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Supervisor Diane Dillon requested staff monitor a constitutional amendment to secure funding for realignment.

Supervisor Keith Caldwell requested a letter of support be sent to Christ Church, New Zealand due to the recent earthquake.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

15. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (One case)

Closed session held. No reportable action.

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)
Property: Skyline Park, 2201 Imola Avenue, Napa, California
Agency Negotiator: Community and Intergovernmental Affairs Manager Larry Florin and Park and Open Space Program Manager John Woodbury
Negotiating Parties: County of Napa and State of California
Under Negotiation: Price and terms of payment

Closed session held. No reportable action.

- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)
Property: 3281 Solano Avenue, Napa, California 94559
Agency Negotiators: Don Ridenhour, Napa County Director of Public Works and Jim Featherstone, Assistant Director of Health and Human Services
Negotiating Parties: Michael and Claudia Davis
Myles and Elayne Davis
Under Negotiation: Price and/or terms of payment

Closed session held. No reportable action.

- D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))
Names of Cases:

1. Carol Vendrillo v. County of Napa (Court of Appeals Case No. A130968)
2. Latinos Unidos de Napa vs. County of Napa, et. al. (Napa County Superior Court Case No. 26-50568)

Closed session held. No reportable action.

- E. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Designated Representative: Suzanne Mason, Human Resources Director
Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa); Napa County Deputy Sheriffs' Association (Employee Unit and Supervisory Unit of the County of Napa)
Unrepresented Employees: Non-Classified Management, Classified Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

Closed session held. No reportable action.

- F. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (One case)

Closed session held. No reportable action.

16. ADJOURNMENT

Adjourned to the Board of Supervisors regular meeting, Tuesday March 15, 2011 at 9:00 a.m.

BILL DODD, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board