



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday March 15, 2011 9:00 A.M.

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Bill Dodd
District 4

Keith Caldwell
District 5

Nancy Watt
County Executive Officer

Gladys I. Coil, CCB
Clerk of the Board

Robert Westmeyer
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets each Tuesday at 9:00 A.M. at 1195 Third Street, Suite 305, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580 (253-6088TDD).

The agenda is divided into three sections:

CONSENT ITEMS - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any item on the CONSENT CALENDAR will be discussed separately at the request of any person. CONSENT CALENDAR items are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the CONSENT CALENDAR, if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Board of Supervisors, 1195 Third Street, Suite 310, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the rostrum and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board.

AGENDA AVAILABLE ONLINE AT www.countyofnapa.org

1. **CALL TO ORDER; ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
4. **PRESENTATIONS AND COMMENDATIONS**
5. **PUBLIC COMMENT**

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

6. **DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**
7. **CONSENT ITEMS**

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chairman to sign a revenue agreement with the Napa County Office of Education for a maximum of \$9,663 for the term March 15, 2011 through June 30, 2011 to offset a portion of the cost of a Deputy Probation Officer.
- B. District Attorney requests adoption of a resolution to discontinue the Napa County District Attorney's Special Investigations Unit Revolving Fund effective March 15, 2011 and provide the Napa County Auditor with authorization to close the Special Investigations Unit Revolving Fund.

Public Safety

- C. Director of Corrections requests approval of Budget Transfer No. COR003 increasing appropriations in the amount of \$8,900 with offsetting revenues from the Corrections budget and establishment of a fixed asset in the amount of \$8,900 for the purchase of two ground water pumps and a duplex control panel. (4/5 vote required)
- D. Director of Corrections and Chief Probation Officer request approval of and authorization for the Chairman to sign a revenue agreement with Securus Technologies, Inc. to provide collect call telephone service to the inmates of the Napa County Department of Corrections and wards of Juvenile Hall at a commission rate to the County of 53% of the gross revenue billed, for the term March 15, 2011 through March 14, 2016.

Human Services

- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the following amendments relating to HIV/AIDS services:
1. Amendment No. 1 to Agreement No. 3236 with Queen of the Valley Medical Center, Inc., providing services through its Care Network Program, decreasing the amount by \$2,177 for a new maximum of \$70,292, revising the the Scope of Work and Compensation exhibits and incorporating the details of the grant agreement between the County and the California Department of Public Health outlining the requirements of the grant; and
 2. Amendment No. 2 to Agreement No. 6835 with Jim Carr incorporating the details of the grant agreement between the County and the California Department of Health Services outlining the requirements of the grant.

Community Resources & Infrastructure

- F. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chairman to sign Amendment No. 1 to Revenue Agreement No. 4168 with the California Department of Food and Agriculture (CDFA), increasing the amount of the agreement to \$163,470 for the term of July 1, 2010 through June 30, 2011 for reimbursement of expenditures associated with the placing and inspecting of traps for the detection of exotic pests.
- G. Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 7174 with Quincy Engineering, Inc. increasing the amount by \$33,797 for a new maximum of \$124,452 and amending the scope of work to include completing final plans and specifications, and providing construction administration support services for the "Dry Creek Road Repair Project," RDS 07-18.
- H. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Chaudhary and Associates of Napa, California for a maximum of \$485,899 for the term March 15, 2011 through June 30, 2012 with an automatic extension provision for the design of an extension of Devlin Road and a bridge spanning Fagan Creek in southern Napa County.
- I. Director of Public Works requests approval of plans and specifications for the "Napa County Airport General Aviation Apron Rehabilitation - Phase 2A Project," PW 11-12, authorization to advertise for sealed bids and opening of the bids at a time, date and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.
- 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 09-01, "Rutherford Dust Restoration Project Reaches 1 and 2, West Bank Project."
- K. Director of Public Works requests adoption of a resolution approving the submittal of a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation.

- L. Director of Public Works requests adoption of a resolution temporarily closing a portion of Henry Road from 7:00 A.M. to 10:00 A.M. on Saturday, March 26, 2011, for the Carneros Vineyard Run.

General Admin & Finance

- M. Auditor-Controller requests authorization to disburse the following Fiscal Year 2010-2011 funds to the Napa County Fair Association, upon receipt by the Treasurer-Tax Collector:
1. Division of Fairs and Expositions Expenditure Plan Allocation of \$143,200
 2. Fair Performance Rating Program (formally named Flex Capital) Allocation of \$35,000
 3. Infrastructure Fund Program funds of \$28,000
- N. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Internal Audit Report for the Napa County District Attorney's Office - Special Investigation Revolving Fund for the fiscal year ended June 30, 2010.
- O. Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file the quarterly report of gifts, bequests and devices (donations) accepted on behalf of Napa County by the Napa County Auditor-Controller for the quarter ended December 31, 2010.
- P. Chief Information Officer requests approval of and authorization for the following agreements for the term February 1, 2011 through September 30, 2012 for aerial imagery acquisition and orthoimagery production:
1. For the Chairman to sign a Joint Funding Agreement with the U.S. Department of Interior U.S. Geological Survey (USGS) for a maximum of \$132,577; and
 2. For the Chief Information Officer to sign a revenue agreement with the cities of American Canyon, Napa, St. Helena and Calistoga, town of Yountville and Napa Sanitation District for a maximum of \$38,000 for sharing the cost of the project.
- Q. County Counsel and the Napa County Deferred Compensation Board of Control recommend adoption of a resolution amending and restating the Napa County 457 Deferred Compensation Plan.
- R. County Counsel requests approval of and authorization for the Chairman to sign an agreement with the law firm of Nixon Peabody LLP, for the term of January 1, 2011 through June 30, 2011 with the provision for automatic renewal, for a maximum amount of \$75,000 to provide additional specialized legal services concerning *Mishewal Wappo Tribe of Alexander Valley v. Ken Salazar (U.S. District Court # 5:09-CV-02502-JW)*.
- S. County Counsel and Director of Public Works request adoption of a resolution delegating authority to the Director of Public Works to approve individual change orders pursuant to the authority set forth in

Public Contract Code § 20142 and other relevant code sections, and setting twenty-five percent of the original contract amount as the aggregate maximum change order authority where state law sets no such maximum.

- T. Treasurer-Tax Collector requests appointment of the following nominees to serve on the Napa County Treasury Oversight Committee with the term of office to commence April 1, 2011, and expire on March 31, 2012:

<u>Nominee</u>	<u>Representing</u>
Tracy Schulze Alternate: Robert G. Minahen, Assistant Auditor-Controller	Auditor-Controller
Mark Luce Alternate: Brad Wagenknecht, Supervisor	Representative of the Board of Supervisors
Barbara Nemko Alternate: Josh Schultz, Chief Business Official	County Superintendent of Schools
Vacant: Alternate: Jose Hurtado (Napa Valley Unified)	Representative selected by a majority of the presiding officers of the governing bodies of the school districts and community college district
Jill Techel (Special Districts)	Representative selected by a majority of the presiding officers of the legislative bodies of the special districts in the county which are required or authorized to deposit funds in the County Treasury

- U. Treasurer-Tax Collector requests approval of the County's Statement of Investment Policy in accordance with California Government Code Section 53646(a)(1).
- V. County Executive Officer requests approval of and authorization for the Chairman to sign the following agreements relating to lockbox services provided under the Franchise Agreement between the County and Napa County Recycling & Waste Services, LLC, for Garbage Zone One - County Agreement No. 6431 ("Franchise Agreement"):
1. Mutual Agreement of Termination of Lockbox Agreement between the County of Napa, Napa County Recycling and Waste Services, LLC, and Umpqua Bank (Exhibit J of Franchise Agreement); and
 2. Lock Box Agreement between the County of Napa, Napa County Recycling & Waste Services, LLC, and Mechanics Bank (Exhibit J-1 of Franchise Agreement).
- W. County Executive Officer requests appointment of Peter F. Kilkus representing Public At Large to serve on the Independent Hearing Panel for Solid Waste Issues with the term of office to commence immediately and expire August 1, 2014.

- X.** County Executive Officer requests reappointment of Charles R. Burton as Public Member representative to serve on the Emergency Medical Care Committee (EMCC) with the term of office to commence immediately and expire January 31, 2014, and requests removal of two (2) members due to unexcused absences.
- Y.** County Executive Officer requests the appointment of Belia R. Bennett representing the City Council of American Canyon on the Board of Directors of the Watershed Information Center and Conservancy of Napa County (WICC) with the terms of office to commence immediately and expire August 2014.
- Z.** County Executive Officer requests adoption of a resolution renewing the delegation of authority granted to the Napa County Treasurer-Tax Collector to invest and re-invest funds held in the County treasury for a one-year period beginning April 1, 2011.
- AA.** County Executive Office and Agricultural Commissioner/Sealer of Weights and Measures requests two (2) appointments to the Napa County Local Food Advisory Council with terms of office to be determined upon appointment:

<u>Applicant</u>	<u>Representing</u>
Kathy Arizon	City of American Canyon
Annette Shafer	City of St. Helena

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

9. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM

Recess to the Board of Equalization Meeting (See BOE Agenda).

B. 9:30 AM

Recess to the Napa County Housing Authority (NCHA) meeting (See NCHA Agenda).

10. ADMINISTRATIVE ITEMS

General Admin & Finance

A. County Executive Officer requests that the Board:

1. Review and accept the Fiscal Year 2010-11 Mid-Year Fiscal Review; and

2. Approve Budget Transfer No. CEO 012, making budget adjustments in a number of departments. (4/5 vote required)

11. LEGISLATIVE ITEMS

- A. County Executive Officer requests consideration of and possible action on the Governor's Realignment proposal including the proposed constitutional amendment.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

- A. County Executive Officer to present a status report on the Strategic Objectives.

15. CLOSED SESSION

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

Agency Designated Representative: Rick Bolanos, Liebert Cassidy and Whitmore and 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)

- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Government Code Section 54956.9(a))

Name of Case: Latinos Unidos de Napa vs. County of Napa, et. al. (Napa County Superior Court Case No. 26-50568)

16. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY, MARCH 22, 2011
AT 8:00 A.M.**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON MARCH 11, 2011 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Gladys I. Coil (By e-signature)
GLADYS I. COIL, Clerk of the Board