



A Tradition of Stewardship
A Commitment to Service

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

June 8, 2010

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, June 8, 2010 at 9:00 a.m. with the following supervisors present: Chair Diane Dillon, Supervisors Mark Luce, Keith Caldwell and Brad Wagenknecht. Supervisor Bill Dodd was excused. The meeting was called to order by Chair Diane Dillon.

2. PLEDGE OF ALLEGIANCE

Library Director Danis Kreimeier led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

A. Presentation of Certificates of Completion to participants of the Napa County Management Academy.

County Executive Officer Nancy Watt and Chair Diane Dillon presented certificates.

B. Director of Human Resources to introduce new County of Napa employees.

Presented new employees.

5. PUBLIC COMMENT

Director of Suscol Intertribal Council Charlie Toledo commented on Community Development Block Grant (CDBG) and requested the Board's approval for filing an application.

On the Move staff member Victoria Gonzales commented on Item 7.D.

Denise Madrigal Youth Founding Member of Explorations and Leadership Academy Youth Leaders in Action (L.A.Y.L.A.) commented on the benefits of On the Move program.

Tom Andrews of Napa requested that Item 7.F and 7.T be pulled for discussion.

Tom Falcon of St. Helena commented on Code Enforcement employees.

6. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Assessor-Recorder-County Clerk John Tuteur reminded everyone to vote.

7. CONSENT ITEMS

Human Services

- A. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 3579 with the California Department of Alcohol and Drug Programs for a maximum of \$4,215,168 for the term July 1, 2010 through June 30, 2013, to provide funding for outpatient treatment, residential treatment, and prevention services for Drug Medi-Cal and non-Drug Medi-Cal clients.

A-3579

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 6461 with Aldea, Inc., increasing the amount by \$200,000 for a new maximum of \$1,100,000 for Fiscal Year 2009-2010, incorporating an Addendum to the Scope of Work to include additional services, and establishing a maximum of \$1,500,000 for Fiscal Year 2010-2011 for the provision of Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services, with no impact to the General Fund.

A-6461 (Amend. 4)

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 7050 with the National Council on Crime and Delinquency, Inc., increasing the amount by \$1,000 for a new maximum of \$21,000 and extending the term through June 30, 2012 for a subscription to the SafeMeasures reporting system for Child Welfare Services programs.

A-7050 (Amend. 1)

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 7287 with On The Move, Inc., increasing the amount by \$422,200 for a new maximum of \$527,200, revising the Scope of Work and Compensation sections, incorporating provisions to comply with Workforce Investment Act Title 1-Y (WIA Title 1 Youth Formula) funding requirements, and extending the term through June 30, 2011 to provide employment services programs for eligible youth in Napa County.

A-7287 (Amend. 1)

- E. Director of Health and Human Services requests approval of and authorization for

the Chair to sign agreements with the following entities for services to be provided pursuant to the Homeless Management Information System (HMIS) expansion grant, each for the term June 8, 2010 through June 30, 2010:

1. Catholic Charities of the Diocese of Santa Rosa, Inc., for a maximum of \$2,292;
2. Community Action of Napa Valley, Inc., for a maximum amount of \$2,292;
3. Greater Napa Valley Fair Housing Center, Inc., dba Fair Housing Napa Valley, for a maximum of \$2,292;
4. Legal Aid of Napa Valley, Inc., for a maximum of \$2,292; and
5. Napa Emergency Women's Services, Inc., for a maximum of \$2,292.

A-7408

A-7409

A-7410

A-7411

A-7412

- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue subgrant agreement with the State of California Employment Development Department (EDD) for a maximum of \$243,286 for the term April 1, 2010 through June 30, 2012 to initiate Program Year 2010-2011 local Workforce Investment Act (WIA) funding.

A-7413

Item removed for separate discussion. See Item 8.

- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with SYA Group, Inc., for a maximum of \$41,600 for the term June 8, 2010 through July 30, 2010, for the revision of the Pandemic Influenza, Countermeasure Distribution and Risk Communications Plans.

A-7414

- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Walden University, LLC, a subsidiary of Laureate Education, Inc., for the term June 8, 2010 through June 30, 2011 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-7415

Community Resources & Infrastructure

- I. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 7218 with Luhdorff & Scalmanini Consulting Engineers increasing the amount by \$42,200 for

a new maximum of \$86,200 for purposes of assisting the County in its assessment of groundwater issues as part of the California Environmental Quality Act (CEQA) review for the Circle S erosion control plan application P06-01508-ECPA.

A-7218 (Amend. 1)

- J. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No.1 to Lease Agreement No. 6438 with Waltraud and John Tuteur 1989 Revocable Family Trust for space located at 1917 First Street, Napa, for a five year term beginning July 1, 2010 through June 30, 2015 with no increase in the annual rental amount of \$32,880 for the first two years, and a 2% annual increase for the remaining three years.

A-6438 (Amend. 1)

- K. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Lease Agreement No. 6830 with MKD Soscol Partner, LP, for leased space at 1710 Soscol Avenue, extending the term three years through June 30, 2013 with a reduced annual rental rate for fiscal year 2010-2011 from \$283,060 to \$261,448, with an annual three percent (3%) increase beginning in fiscal year 2012.

A-6830 (Amend. 1)

Item removed for separate discussion. See Item 8.

General Admin & Finance

- L. Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign a revenue agreement with the California Department of Public Health for a maximum of \$6,881 for the term June 28, 2010 through June 30, 2011 for the reimbursement of costs related to the mandated provision of electronic marriage indices.

A-7416

- M. Auditor-Controller requests approval of and authorization for the Chair to sign closeout documents for the United States Department of Labor, Office of Disability Employment Policy's Customized Employment Demonstration Grant (Project INCLUSION) for \$3,230,821 for the period September 30, 2001 to September 29, 2006.
- N. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Internal Audit Report for Child Support Services for the nine (9) months ended March 31, 2009, and its Fiduciary Funds for the year ended June 30, 2009.
- O. Clerk of the Board and County Counsel request the Board acknowledge the request of the Napa Valley Community College District's Bond Counsel, Stradling, Yocca, Carlson & Rauth, to not authorize the issuance of a tax and revenue anticipation note, thereby allowing the community college district to issue the note in its name, and authorize the Clerk of the Board to sign and return the acknowledgement to the District's Bond Counsel.

- P. County Counsel requests adoption of a resolution amending Section 3.29 of the County of Napa 457 Deferred Compensation Plan so that the definition of "Accumulated Vacation Pay" allows employees to defer compensation upon severance from employment, consistent with IRS regulations effective July 1, 2010.
R-2010-62

- Q. County Counsel requests adoption of a resolution authorizing the Napa Valley Unified School District to borrow funds for Fiscal Year 2010-11 and for the issuance and sale of 2010-11 Tax and Revenue Anticipation Notes (TRANS) in a principal amount not to exceed \$40,000,000.
R-2010-63

- R. County Executive Officer requests approval of the following:

1. Accept and file the 2009-10 Grand Jury Final Reports on the Napa County Criminal Justice Facilities Juvenile Justice Center/Juvenile Hall and Napa County Department of Corrections/County Jail; and
2. Direct the County Executive Officer to prepare a response to the Grand Jury Report as prescribed by law.

- S. County Executive Officer requests adoption of a resolution authorizing the following:

1. Submittal of an application to the Department of Resources Recycling and Recovery for a solid waste Local Enforcement Agency Grant in the amount of \$19,531 for Fiscal Year 2010-2011; and
2. Execution of the necessary grant documents by the Assistant County Executive Officer.

R-2010-64

- T. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6858-1 with Mark Carey increasing the amount by \$25,000 for a new maximum of \$195,000 and amending the scope of work to include additional consultation and technical assistance services related to the Adult Correctional Master Plan and the implementation of evidence-based practices in the criminal justice and public safety departments.

A-6858-1 (Amend. 2)

Item removed for separate discussion. See Item 8.

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

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 7.F:

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to approve item 7.F. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

Item 7.K:

Motion moved by Mark Luce, seconded by Keith Caldwell, to approve item 7.K. Motion passed 3 - 1, with Brad Wagenknecht, Mark Luce, and Keith Caldwell voting yes / Diane Dillon voting no / Bill Dodd absent.

Item 7.T:

Motion moved by Brad Wagenknecht, seconded by Mark Luce, to approve item 7.T. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

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 County Executive Officer, Community and Intergovernmental Affairs Manager, Director of Public Works, Director of Environmental Management and Purchasing Manager request approval of the following recommendations regarding the County's contracting process:
 - 1. Relating to Local Vendor Preference for professional and other services and construction projects:
 - a. Develop and implement a policy stating that where allowed by law and qualifications and cost are otherwise equal, local vendors will be awarded contracts for services;
 - b. Refine and adopt a county-wide outreach program, as described in Outline of Proposed Program, that encourages local vendor participation through marketing, education and awareness;
 - c. Establish a performance measure that tracks local vendor participation in County contracting; and
 - d. Direct staff to develop and return in August with a draft ordinance and resolution implementing the Uniform Construction Cost Accounting procedures as allowed under Public Contract Code sections 22030-22045 (Uniform Construction Cost Accounting) which allows for a simplified, alternative procedure for bidding and awarding public construction projects.
 - 2. Relating to First Source Hiring: Adopt a county-wide program, as described in

Outline of Proposed Program, that encourages local hiring through marketing, education, and awareness of the services provided by the Workforce Investment Board (WIB).

3. Relating to Project Labor Agreements: As project labor agreements do not necessarily facilitate the hiring of local residents do not pursue the creation of project labor agreements at this time.

Assistant County Executive Officer Britt Ferguson introduced the item.

Held discussion.

Testimony presented.

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to approve Items C1. a-d (a through d). Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

Motion moved by Mark Luce, seconded by Brad Wagenknecht, to approve Item C.2. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

No action needed on Item C.3.

- D. 10:30 AM PUBLIC HEARING First reading and intention to adopt an ordinance adding a new Division VI, Emergency Medical Services, Chapter 8.70 (Ambulance) to the Napa County Code.

ENVIRONMENTAL DETERMINATION: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. The project will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity may have a significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, cause substantial adverse change in the significance of a historical resource or extract groundwater in excess of the Phase 1 groundwater extraction standards as set by the Department of Public Works. [See Class 5 (?Minor Alterations in Land Use Limitations?) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

Deputy Director of Health and Human Services-Public Health Officer Dr. Karen Smith made presentation and requested continuance of the Public Hearing.

Motion moved by Brad Wagenknecht, seconded by Mark Luce, to continue the Public Hearing to June 29, 2010 at 2:30 p.m. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

- 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. County Executive Officer requests:

1. Review and acceptance of the Fiscal Year 2009-10 Third Quarter Fiscal Review; and
2. Approval of Budget Transfer No. CEO 023, making budget adjustments in a number of departments to provide sufficient appropriation authority for projected year-end expenditures (4/5 vote required).

BT-CEO023

**Assistant County Executive Officer Britt Ferguson introduced item.
Held discussion.**

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

B. County Executive Officer requests the following actions regarding a request for a loan of County General Fund money to the Napa Berryessa Resort Improvement District (District):

1. Adoption of a resolution approving issuance of a Note on funds loaned on a one time only basis for the purpose of funding operation and maintenance of the District's facilities and authorizing the Chair and Clerk of the Board to sign the Note; and
2. Approval of Budget Transfer No. CEO024 appropriating \$395,000 in the General Expenditure budget (18600) and reducing the General Fund Contingency by an equivalent amount to fund the District's loan. (4/5 vote required)

**R-2010-65
BT-CEO024**

Principal Management Analyst Helene Franchi introduced item.

Motion moved by Keith Caldwell, seconded by Brad Wagenknecht, to approve adoption of resolution in Item B.1. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

Motion moved by Keith Caldwell, seconded by Mark Luce, to approve budget transfer in Item B.2. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Bill Dodd absent.

11. LEGISLATIVE ITEMS

- A. Community and Intergovernmental Affairs Manager requests that the Board adopt a resolution amending Section 8 of the County Policy Manual regarding Board of Supervisors' letter writing policy for support of federal and state legislation.

R-2010-66

Community and Intergovernmental Affairs Manager Larry Florin introduced item.

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

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Supervisor Keith Caldwell reported on:

- 1. California State Association of Counties (CSAC) Legislative Conference and a class on realignment he attended;**
- 2. Housing Land Use and Transportation Policy Committee meeting regarding the League of Cities Public Safety and Transportation Act;**
- 3. Subcommittee meeting with Department of Mental Health;**
- 4. Meeting with Department of General Services regarding Skyline Park;**
- 5. Supervisor Keith Caldwell stated that the Skyline Park/Syar Lot Line Adjustment was recorded.**

Supervisors Brad Wagenknecht and Mark Luce attended the Local Agency Formation Commission (LAFCO) meeting and reported that the agreement between American Canyon and Napa County will move forward.

Supervisor Diane Dillon congratulated the Wine Auction on a successful year.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Supervisor Brad Wagenknecht would like an update from the California Highway Patrol on the Jamieson Canyon crash that occurred last week.

Supervisor Mark Luce would like an update on the Jamieson Canyon road widening project.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

County Executive Officer Nancy Watt reported on:

- 1. The request by Charlie Toledo regarding the Community Development Block Grant and she would look into it further**
- 2. Attended the California State Association of Counties (CSAC) Board of Directors meeting and the vote for local taxpayers initiative.**

15. CLOSED SESSION

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

Name of Case: St. Helena Unified School District v. Napa County Office of Education; County of Napa; et al. (Solano County Superior Court # FCS033906)

Closed session held. No reportable action.

- B. 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 not held.

16. ADJOURNMENT

Adjourned to the Board of Supervisors regular meeting, Tuesday, June 15, 2010 at 9:00 a.m.

DIANE DILLON, Chair

ATTEST:

GLADYS I. COIL, Clerk of the Board