

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

July 25, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JULY 25, 2006 WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN BILL DODD, SUPERVISORS DIANE DILLON, HAROLD MOSKOWITE, AND BRAD WAGENKNECHT. SUPERVISOR MARK LUCE WAS PREVIOUSLY EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN DODD AT 9:04 A.M.
2. Pledge of Allegiance.
ED HENDERSON, FORMER CITY OF NAPA MAYOR, LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
BARBARA NEMKO, NAPA COUNTY SUPERINTENDENT OF SCHOOLS, THANKED THOSE WHO HELPED ON "PROJECT PREPARED." THANKS TO THIS PROJECT, EIGHT SCHOOL OFFICIALS ARE ABLE TO ATTEND A MULTI-HAZARD EMERGENCY PREPAREDNESS TRAINING IN EMMITSBURG, MARYLAND. THIS WILL ENABLE SCHOOLS IN NAPA COUNTY TO BE BETTER PREPARED IN THEIR RESPONSE TO ANY EMERGENCY SITUATION.

PETE OPATZ, LISA BELDORMAY OF CLINIC OLE, AND MS. MIKIE LEVIE, ARTIST AND EDUCATOR, SPOKE IN SUPPORT OF THE CONTINUED OPERATION OF THE HIGHWAY #29 FLEA MARKET.
5. Department Heads' Reports and Announcements.
JIM FEATHERSTONE, ASSISTANT DIRECTOR OF HEALTH AND HUMAN SERVICES, AND DR. KAREN SMITH, PUBLIC HEALTH OFFICER, GAVE AN UPDATE ON THE LABOR NEGOTIATIONS BETWEEN PINERS AMBULANCE AND THE UNION.

Consent Calendar

- 6A. District Attorney requests the following actions in connection with the State of California Department of Justice Domestic Violence Spousal Abuser Program for Fiscal Year 2006-2007:
 1. Authorization to sign a grant award in the amount of \$33,261; and
 2. Adoption of a resolution approving \$6,652 in County General Fund monies as match.
Public Safety .

R-06-145

- 6B. Sheriff requests the following actions relating to the revenue agreement (State Agreement No. 06G-LA22) with the California Department of Alcoholic Beverage Control (ABC) to provide training and law enforcement services relating to issues involving sale and consumption of alcohol:
1. Adoption of a resolution approving and authorizing the Sheriff to sign an agreement for reimbursement of funds up to a maximum of \$95,268 for the term July 1, 2006 through June 30, 2007; and **R-06-146**
 2. Approval of Budget Transfer No. 2 increasing appropriations by \$95,268 with offsetting revenues in the Sheriff's budget. (4/5 vote required) **BT-2**
- 6C. Sheriff requests authorization to sign the State of California, Department of Parks and Recreation grant application for Fiscal Year 2006-2007 in the amount of \$69,000 for partial reimbursement of salaries and benefits, off highway vehicle equipment and repairs in regards to law enforcement efforts in isolated areas of the County.
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with the California Department of Veterans Affairs:
1. Renewal of Agreement No. 946, Subvention Certificate of Compliance, for Fiscal Year 2006-2007 State subvention funding for the County Veterans Service Office; and **A-946**
 2. Renewal of Agreement No. 946-1, a Medi-Cal Certificate of Compliance, committing the County to assist veterans in obtaining benefits from non-Medi-Cal funding sources. **A-946-1**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 6488 with the U.S. Department of Housing and Urban Development (HUD) for a maximum of \$19,950 for the term July 1, 2006 through June 30, 2007 for the data collection in relation to the Homeless Management Information System (HMIS). **A-6488**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments with Cope Family Center, Inc.:
1. Amendment No. 3 to Agreement No. 2731 decreasing the amount by \$3,000 for a new maximum of \$22,000, revising the Scope of Work to incorporate performance measures, and revising the budget to fund a Child Abuse Prevention Council director for Fiscal Year 2006-2007; and **A-2731**
(AMEND. 3)
 2. Amendment No. 4 to Agreement No. 3724 decreasing the amount by \$13,074 for a new maximum of \$143,023, revising the Scope of Work to incorporate performance measures and further delineate services, and revising the budget to provide parent education, home visiting services, child care, and emergency aid for Fiscal Year 2006-2007. **A-3724**
(AMEND.4)

- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 3784 with The ARC-Solano, Inc., incorporating Agency-wide changes to the General Terms and Conditions, revising the Scope of Work and Compensation sections to incorporate performance measures for the provision of day program services to mental health clients, with no change to the contract maximum. **A-3784 (AMEND. 1)**
- 6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Memorandum of Understanding with the County of Sonoma for a maximum of \$1,280 for the term June 1, 2006 through July 30, 2008 for the development of a North Coast Communicable Disease Control Region website. **A-6668**
- 6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Inge Asman, LCSW, for the term July 25, 2006 through June 30, 2007:
1. Agreement for a maximum of \$5,000 to provide services in the Mental Health Outpatient Managed Care Program; and **A-6669**
 2. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule. **A-6669-1**
- 6J. Director of Health and Human Services requests approval of the following actions regarding the purchase of an electronic clinical record and billing system and corresponding software maintenance support services from Anasazi Software, Inc. for the Mental Health and Substance Abuse divisions:
1. Authorization for the Chair to sign an agreement with a maximum of \$574,480 for the term July 25, 2006 through June 30, 2010 to purchase a software license and obtain related installation, training and maintenance services; **A-6670**
 2. Authorization for the Chair to sign a Software Source Code Escrow agreement between R. Stewart Halstead, Anasazi Software, Inc. and the County of Napa relating to the software license portion of the agreement; and **A-6670-1**
 3. Budget Transfer No. 3 increasing appropriations by \$379,438 in the Mental Health budget with offsetting revenues of \$351,912 from the Mental Health Services Act (Prop. 63) and \$27,526 from the cancellation of a portion of the Anasazi designation. (4/5 vote required) **BT-3**
- 6K. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6666 (formerly No. AUD-5835) with DHI, Inc. increasing the amount by \$96,873 for a new maximum of \$146,803, amending the Scope of Work to include additional analysis needed to support future development scenarios identified in the General Plan Update process and to provide impact analysis in support the General Plan's Program Environmental Impact Report. **A-6666 (AMEND. 2)**

- 6L. Director of Public Works requests award of the contract for the "Animal Shelter Generator Project," PW 06-03, to KDM Electric, Inc., of Elk Grove, California, for their low base bid of \$147,242 and authorization for the Chair to sign the construction contract.
- 6M. Director of Public Works requests award of the contract for the "650 Imperial Way Mechanical and Lighting Improvements Project," PW 06-02, to Bell Products of Napa, California, for their low base bid of \$653,422 and authorization for the Chair to sign the construction contract.
- 6N. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6667 (formerly No. AUD-5820) with Costa Engineers Inc. increasing the amount by \$11,415 for a new maximum of \$58,235 and amending the Scope of Work to include additional professional mechanical and electrical engineering services. **A-6667 (AMEND. 1)**
- 6O. Auditor-Controller requests authorization to prepare the necessary accounting entries to close the financial books for the Fiscal Year ended June 30, 2006.
- 6P. County Counsel requests adoption of a resolution approving the following requests for exemption and partial exemptions from the Fiscal Year 2006-2007 assessments for County Service Area No. 4:

<u>Owner</u>	<u>Assessor's Parcel No.</u>
John Monhoff	020-210-013
Lewis Carpenter	009-030-022, 009-030-002, 009-030-003, 009-030-004, 021-110-004, 021-110-008 021-110-010, 021-353-012, 022-220-023
Alfred Wastlhuber	033-140-048

R-06-147

- 6Q. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with the Workforce Investment Board for a maximum of \$20,000 for the term July 1, 2006 through June 30, 2007 to provide part-time Executive Director services for the Workforce Investment Board. **A-6671**
- 6R. County Executive Officer requests the reappointment of the following applicants to serve on the Board of Directors of the Area Agency on Aging Serving Napa and Solano Counties with all terms of office to commence immediately and expire July 1, 2008:

<u>Applicant</u>	<u>Representing</u>
Carolyn F. Wrage	Supervisory District #1
Kenneth P. Lee	Supervisory District #4
Albert Iliff	Supervisory District #5

- 6S. County Executive Officer requests the appointment of Kevin Groom to serve on the Advisory Board on Alcohol and Drug Programs representing the Alcohol Industry with the term of office to commence immediately and expire January 1, 2007.

- 6T. County Executive Officer requests authorization for out of state travel for Board of Supervisors Chair, Bill Dodd, to attend the National Association of Counties Annual Conference in Chicago, Illinois, from August 4 - August 7, 2006.
7. Discussion of Items Removed from the Consent Calendar.
NONE

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6T.
BW-DD-HM-ML-DD
X**

Set Matters or Public Hearings

- 8A. 9:15 a.m.
County Executive Officer to provide an update on the Adult Correctional System Master Plan, including a baseline projection report from the County's Correctional Planning consultants regarding the adult offender population.
UPDATE PRESENTED
- 8B. 1:30 p.m.
Recess to the Napa County Flood Control and Water Conservation District special meeting. **(SEE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES)**
- 8C. 3:30 p.m.
Recess to a joint meeting with the Napa City Council. (Napa City Hall, 955 School Street)
1. Discussion and possible direction to staff to proceed with the design of a parking garage on the County Superblock, south of the jail facility.
REPORT PRESENTED

STAFF TO PREPARE BID DOCUMENTS, PREPARE PRIVATE PARTICIPATION AGREEMENTS, AND PREPARE AMENDMENTS TO THE CITY/COUNTY CO-OP AGREEMENT AND THE OPERATIONS AND USE AGREEMENT.

2. Discussion and possible direction to staff regarding recommendations from the Joint City/County Dangerous Dog Task Force formed to consider whether or not to Implement SB 861. (STAFF REPORTS TO BE PROVIDED SEPARATELY)
REPORT PRESENTED

STAFF TO AMEND CITY AND COUNTY ORDINANCES TO INCLUDE RECOMMENDATIONS OF THE DANGEROUS DOG TASK FORCE WITH THE POSSIBILITY OF HAVING IDENTICAL ORDINANCES FOR BOTH CITY AND COUNTY.

Administrative Items

- 9A. Director of Conservation, Development and Planning to summarize the Planning Division's work program for Fiscal Year 2006-2007 and seek direction from the Board of Supervisors regarding prioritization of Board-initiated special projects and ordinance changes.
REPORT PRESENTED

9A. Continued.

THE BOARD GAVE STAFF THEIR PRIORITIES.

9B. County Executive Officer requests discussion and possible action regarding amending the Board of Supervisors' Policy, Part 1, Section 8, concerning legislative issues of international, nationwide, statewide or regional significance. (Supervisor Dodd)

THE BOARD AUTHORIZED AMENDING THE POLICY PURSUANT TO THE RECOMMENDATION OF STAFF.

BD-DD-BW-HM-ML

N X

9C. County Executive Officer requests the following:

1. Discussion on the creation of the Napa County Arts and Culture Commission; and
PRESENTATION MADE

2. Direction to staff to request that the Napa County League of Governments (NCLOG) Executive Board agree to make the Commission an advisory body to NCLOG rather than the Board of Supervisors.

ITEM 2 AMENDED TO THE FOLLOWING: DIRECTION TO STAFF TO REQUEST THAT THE NAPA COUNTY LEAGUE OF GOVERNMENTS (NCLOG) COUNTY-WIDE COMMUNITY DEVELOPMENT STRATEGY TASK FORCE AGREE TO MAKE THE COMMISSION AN ADVISORY BODY TO NCLOG RATHER THAN THE BOARD OF SUPERVISORS.

APPROVED RECOMMENDATION

BW-DD-HM-ML-BD

X

Legislative Items

10A. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)

NONE

11. Board of Supervisors' Committee Reports and Announcements.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) MEETING LAST WEEK. HE UPDATED THE BOARD ON SPARE THE AIR DAYS.

CHAIRMAN DODD COMMENTED ON THE INCREASED RIDERSHIP ON BAY AREA TRANSIT SYSTEMS ON THE SPARE THE AIR DAYS.

SUPERVISOR DILLON REPORTED ON A MEETING OF THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA) HELD LAST WEEK. ISSUES DISCUSSED INCLUDED FIXING CARNEROS HIGHWAY AND COUNTY/CALTRANS OBSTACLES.

11. Continued.

SHE ALSO COMMENTED ON MEETINGS HELD LAST WEEK IN ANGWIN AND ENCOURAGED ALL SUPERVISORS TO ATTEND THESE MEETINGS. DISCUSSION AT ONE MEETING INCLUDED THE PACIFIC UNION COLLEGE AGREEMENT WITH TRIAD. THE SECOND MEETING WAS A DISCUSSION OF THE GENERAL PLAN.

SUPERVISOR DILLON ALSO REPORTED ON AN ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) MEETING SHE ATTENDED ON BEHALF OF SUPERVISOR LUCE.

12. Board of Supervisors' Future Agenda Items.

SUPERVISOR DILLON REQUESTED A DISCUSSION OF A POSSIBLE POLICY REGARDING CLIMATE CHANGE IMPACTS.

SUPERVISOR WAGENKNECHT REQUESTED A DISCUSSION ON THE POSSIBILITY OR CREATING A HISTORIC TREE ORDINANCE.

13. County Executive Officer Reports and Announcements.
NONE

14. Closed Session

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

Name of case: Melissa Devos, et. al. vs. County of Napa, et. al. (Napa Superior Court Case No. 26-28362)

CLOSED SESSION HELD – NO REPORTABLE ACTION

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: 933 Water Street, Napa (Assessor's Parcel No. 003-242-003)

Agency Negotiator: Robert Peterson, Director of Public Works and Michael Stoltz, Deputy Director of Public Works

Negotiating Parties: Copia

Under Negotiation: Terms of sale

ITEM REMOVED FROM THE AGENDA.

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: Director of Conservation, Development and Planning

CLOSED SESSION HELD – NO REPORTABLE ACTION

D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (One case)

CLOSED SESSION HELD – NO REPORTABLE ACTION.

Adjournment

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
AUGUST 1, 2006 AT 9:00 A.M.**

HAROLD MOSKOWITE, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board

KEY

Vote: DD = Diane Dillon; BD = Bill Dodd; ML = Mark Luce;

HM = Harold Moskowitz; BW = Brad Wagenknecht

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under Vote: N = No; X = Excused; A = Abstain