

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

June 12, 2007

1. Call to Order; Roll Call
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JUNE 12, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS BILL DODD, DIANE DILLON, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:00 A.M.
2. Pledge of Allegiance
NAPA COUNTY PLANNING COMMISSIONER TERRY SCOTT LED THE SALUTE TO THE FLAG.

Presentations and Commendations

3. Presentation of Certificates of Completion to participants of the Napa County Supervisory Academy.
PRESENTATIONS MADE
4. Public Comment.
RICHARD DEE, RESIDENT OF ANGWIN, COMMENTED ON THE PROPOSALS FOR THE DEVELOPMENT OF HOUSING UNITS IN ANGWIN. HE ASKED THAT THE BOARD CAREFULLY CONSIDER THE IMPLICATIONS OF HOUSING DEVELOPMENT IN THIS AREA, ESPECIALLY INCREASED TRAFFIC IMPACTS.
5. Department Heads' Reports and Announcements.
NAPA COUNTY ASSESSOR-RECORDER-COUNTY CLERK JOHN TUTEUR INFORMED THE BOARD THAT THE UPCOMING BALLOT MEASURE REGARDING STANLEY LANE WILL BE IDENTIFIED AS "MEASURE J."

DIRECTOR OF THE CHILD SUPPORT SERVICES NATASHA MERKULOFF UPDATED THE BOARD ON THE IMPLEMENTATION OF THE NEW CHILD SUPPORT SERVICES STATEWIDE AUTOMATED SYSTEM. FULL CONVERSION TO THE NEW SYSTEM WILL TAKE EFFECT JULY 1, 2007.

Consent Calendar

- 6A. Director of Child Support Services requests approval of and authorization for the Chair to sign Amendment No. 1 to an agreement (formerly No. AUD 5949-07) with Informatix, Inc., increasing the amount by \$50,000, for a new maximum of \$100,000, and increasing the scope of conversion related work to be performed for Fiscal Year 2006-2007.
**A-6832
(AMEND. 1)**
ITEM AMENDED TO REFLECT MAY 22, 2007 AS THE EFFECTIVE DATE OF THE AGREEMENT.

- 6B. Sheriff requests approval of Budget Transfer No. 67 appropriating \$12,198 in the Sheriff's budget with offsetting revenue from Santa Clara Sheriff's Department. (4/5 vote required)
BT-67
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4924 with Alternatives for Better Living, Inc., decreasing the amount by \$45,285 for a new maximum of \$102,000 for Fiscal Year 2007-2008 to provide services under the Substance Abuse Treatment Options Program (STOP). **A-4924 (AMEND. 5)**
- 6D. 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 \$3,505,746 for the term July 1, 2007 through June 30, 2010 to provide funding for outpatient treatment, residential treatment, and prevention services for both Drug Medi-Cal and non-Drug Medi-Cal clients. **A-3579**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following renewal agreements regarding Touchpoints trainings, each for a maximum of \$4,000 for the term July 1, 2007 through June 30, 2008:
1. Agreement No. 4440 with Napa County Office of Education; and, **A-4440**
 2. Agreement No. 4445 with Ralph Myers, M.D. **A-4445**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Planned Parenthood-Shasta Diablo, Inc., each for the term July 1, 2007 through June 30, 2008:
1. Renewal of Agreement No. 6480 for a maximum of \$35,506 to provide HIV education, prevention and testing services; and **A-6480**
 2. A new agreement for a maximum of \$24,457 to provide HIV pre- and post-test counseling services specifically for individuals participating in certified alcohol and drug treatment programs. **A-6833**
- 6G. Director of Health and Human Services requests adoption of a resolution supporting the activities and goals of the Napa County Continuum of Care Strategy for Serving the Homeless, and authorizing the submission of an application for Calendar Year 2008 Transitional Residential Alliance and Integrated Network (TRAIN) funding in the amount of \$123,439 to the U.S. Department of Housing and Urban Development.
ITEM AMENDED TO ADD THE WORD "FORMS" AFTER THE WORD APPLICATIONS IN THE FIRST PARAGRAPH OF THE RESOLUTION. R-07-69
- 6H. Director of Health and Human Services and the Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency as follows, effective June 16, 2007, with no net increase in FTEs:
1. DELETE:
 - a. One (1) .5 FTE Mental Health Counselor - Licensed,

6H. Continued.

- b. One (1) .75 FTE Mental Health Counselor,
- c. Ten (10) Mental Health Counselor - Licensed,
- d. Seven (7) Mental Health Counselor,
- e. Two (2) .5 FTE Emergency Response Worker, and
- f. One (1) Supervising Mental Health Counselor I.

2. ADD:

- a. One (1) .5 FTE Mental Health Counselor or Mental Health Counselor-Registered or Mental Health Counselor-Licensed,
- b. One (1) .75 FTE Mental Health Counselor or Mental Health Counselor-Registered or Mental Health Counselor-Licensed,
- c. Seventeen (17) Mental Health Counselor or Mental Health Counselor-Registered or Mental Health Counselor-Licensed,
- d. One (1) Emergency Response Worker, and
- e. One (1) Supervising Mental Health Counselor I/II - Licensed.

R-07-70

- 6I. Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 07-13, "Napa County Child Support Services Re-Carpet."
- 6J. Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for the Contract No. PW 07-09 "Juvenile Court Entrance and Minor Modifications Project."
- 6K. Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 06-26, "Napa County Library Re-Carpet Project."
- 6L. Director of Public Works requests approval of plans and specifications for the "Wooden Valley Road Overlay Project" RDS 06-04; 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.
- 6M. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with RedPhantom Enterprises, Inc., for an annual maximum amount of \$114,338 for the term July 1, 2007 through June 30, 2008 with a provision for automatic renewal under the same terms and conditions unless otherwise amended, to provide security services for the Napa City/County Library, Public Works and other properties occupied by County programs on an as needed basis.

A-4395-1

- 6N. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4846 with Bell Products, Inc., increasing the amount by \$3,076 for a new annual maximum of \$32,996 for preventative maintenance of heating, ventilation and air conditioning systems in County facilities from July 1, 2007 through June 30, 2008.
**A-4846
(AMEND. 5)**
- 6O. Director of Public Works requests adoption of a resolution temporarily closing a portion of Duhig Road from 6:00 A.M. to 8:00 A.M. on Sunday, July 15, 2007 for the Napa to Sonoma Wine Country Half Marathon.
R-07-71
- 6P. Director of Public Works requests approval to sign and accept a grant in the amount of \$503,234 from the California Air Resource Board (ARB) for the purchase of low emission construction equipment.
- 6Q. Assessor-Recorder-County Clerk in his capacity as ex-officio Registrar of Voters requests the Board of Supervisors grant authority to the Registrar to implement the provisions of Elections Code 2166.7 allowing certain public safety officials to apply for confidential voter status.
- 6R. Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign Amendment No. 2 to Revenue Agreement No. 6585 with California Secretary of State extending the term through June 30, 2008 and amending the scope of work to allow for reimbursement of voter education and poll worker training expenses related to the 2008 election cycle.
**A-6585
(AMEND. 2)**
- 6S. Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Postini, Inc. for a maximum of \$40,002 for the term June 12, 2007 through June 30, 2009 for Postini Perimeter Manager software.
A-6834
- 6T. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Revenue Agreement No. 6671 with the Workforce Investment Board increasing the amount by \$24,500 for a new maximum of \$44,500 amending the Scope of Work to include additional project activities.
**A-6671
(AMEND. 1)**
- 6U. County Executive Officer request the appointment of Bonnie K. Schoch as the City Selection Nominee to the Napa County Housing Commission with the term of office to be determined by lottery at the first meeting held on June 25, 2007.
7. Discussion of Items Removed from the Consent Calendar.
**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6U.
DD-BW-BD-ML-HM**

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Recess to the Silverado Community Services District special meeting.
(SEE SILVERADO COMMUNITY SERVICES DISTRICT MINUTES)

- 8B. 9:00 a.m. - Recess to Monticello Public Cemetery District special meeting.
(SEE MONTICELLO PUBLIC CEMETERY DISTRICT MINUTES)
- 8C. 9:00 a.m. - Recess to the Lake Berryessa Resort Improvement District special meeting.
(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)
- 8D. 9:15 a.m. - Joint Meeting of the Board of Supervisors and the Planning Commission, with discussion and possible action concerning the following topics:
 - 1. The process/schedule for completing the General Plan update;
 - 2. The Conservation, Development and Planning Department's work program for Fiscal Year 2007-2008; and,
 - 3. Other Commissioner/Supervisor comments or concerns.

**NAPA COUNTY DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING
HILLARY GITELMAN PRESENTED AN UPDATE ON THE GENERAL PLAN AND
THE WORK PROGRAMS FOR THE 2007-2008 FISCAL YEAR.**

**DIRECTOR GITELMAN SUMMARIZED COMMISSIONER/SUPERVISOR
COMMENTS ON THE PRIORITIES FOR THE FOLLOWING YEAR AS:**

- 1. WORK ON THE WORKFORCE HOUSING ORDINANCE INCLUDING HOLDING INFORMATION SESSIONS, GATHERING INFORMATION AS TO WHAT IS DONE IN OTHER COMMUNITIES, AND COLLECTING DEMOGRAPHICS AND OTHER DATA IN ORDER TO CRAFT SUCH AN ORDINANCE;**
- 2. STUDY THE SUBJECT OF WINERY SIZE AND INTENSITY BASED ON LOCATION; AND,**
- 3. DETERMINE THE THRESHOLD FOR MODIFICATIONS WHICH REQUIRE ACTION BY THE ZONING ADMINISTRATOR.**

- 8E. 10:45 a.m. - Agricultural Commissioner/Sealer of Weights and Measures requests the following:
 - 1. Second reading and adoption of an ordinance amending Chapter 5.52 of the Napa County Code as it relates to weights and measures, establishing a registration and inspection program and fees for retail point-of-sale (bar code scanner and price lookup) systems, and establishing fees for such services; and **O-1291**
 - 2. Adoption of a Resolution establishing, increasing, and decreasing fees for services provided by the Agricultural Commissioner/Sealer.
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.

APPROVED REQUESTS

BW-BD-DD-ML-HM

R-07-72

Administrative Items

- 9A. First reading and intention to adopt an ordinance amending Napa County Code section 15.04.090 to change the composition of the Board of Appeals that decides appeals of orders, decisions or determinations made relative to the application and interpretation of the various Building and

9A. Continued.

Construction Regulations adopted by Chapters 15.12, 15.16, 15.20, 15.24, 15.28, 15.30, 15.32, 15.34, 15.36, and 15.44 of Title 15 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.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BD-ML-DD-BW-HM

THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.

BW-BD-DD-ML-HM

9B. County Executive Officer requests review and acceptance of the Fiscal Year 2006-07 Third Quarter Fiscal Review and approval of Budget Transfer No. 73, making budget adjustments in a number of departments to provide sufficient appropriation authority for projected year-end expenditures. (4/5 vote required)

APPROVED REQUEST

DD-BW-BD-ML-HM

BT-73

9C. County Executive Officer requests discussion and possible action regarding appointments to be made to the Napa County Transportation and Planning Agency (NCTPA) and the Napa Valley Transportation Authority (NVTa) from members of the Board of Supervisors as follows:

A. Napa County Transportation Planning Agency (NCTPA)

Harold Moskowitz Member

Bill Dodd Member

To be determined by Board of Supervisors Alternate member

B. Napa Valley Transportation Agency (NVTa)

Harold Moskowitz Member

Bill Dodd Member

To be determined by Board of Supervisors Alternate member

THE BOARD APPOINTED SUPERVISOR DIANE DILLON AS THE ALTERNATE MEMBER TO SERVE ON BOTH AGENCIES.

BW-ML-BD-DD-HM

9D. County Executive Officer requests that the Board of Supervisors make one appointment for a public at large representative to the Board of Directors of the Watershed Information Center and Conservancy of Napa County (WICC) from the following two applicants, with the term of office to commence immediately and expire August 2008.

Applicants (One Position)

Chris Sauer

Susan Garbini

THE BOARD APPOINTED CHRIS SAUER.

BD-BW-DD-ML-HM

10. Legislative Items.
NONE

11. Board of Supervisors' Committee Reports and Announcements.
SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE ALONG WITH CHAIRMAN MOSKOWITE AT A MEETING OF THE NAPA VALLEY HOUSING AUTHORITY HELD MONDAY JUNE 11, 2007. THE RESULTS OF THE RECENT AUDIT WERE DISCUSSED.

SUPERVISOR WAGENKNECHT ALSO REPORTED THAT HE AND SUPERVISOR LUCE ARE MEMBERS OF A NAPA COUNTY DEPARTMENT OF CORRECTIONS SUB COMMITTEE CHARGED WITH THE TASK OF REVIEWING CANDIDATES TO FILL THE DIRECTOR OF CORRECTIONS POSITION. SUPERVISOR LUCE COMMENTED THAT THE CURRENT APPLICANT POOL CONTAINED SOME HIGH QUALITY CANDIDATES.

SUPERVISOR DILLON REPORTED ON HER ATTENDANCE LAST FRIDAY AS CO-CHAIR OF A NEW WORKING GROUP WITHIN THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) TO FORMULATE AND DRAFT POLICIES DEALING WITH THE ISSUE OF CLIMATE CHANGE.

SUPERVISOR WAGENKNECHT INFORMED THE BOARD THAT HE ATTENDED A NAPA COUNTY SCHOOL SUPERINTENDENTS ROUND TABLE DISCUSSION CENTERED ON THE LACK OF COMMUNICATION TO THE SCHOOL DISTRICT BY OTHER COUNTIES IN PROVIDING INFORMATION ON OUT OF COUNTY JUVENILES LIVING IN NAPA COUNTY GROUP HOMES AND ATTENDING NAPA COUNTY SCHOOLS.

12. Board of Supervisors' Future Agenda Items.
SUPERVISOR DILLON REPORTED ON HER ATTENDANCE AT THE MEMORIAL SERVICES HELD FOR POPE VALLEY RESIDENT ELGIE KIRKPATRICK AND REQUESTED THAT THE CHAIRMAN ADJOURN THE MEETING IN THE MEMORY OF MS. KIRKPATRICK.

SUPERVISOR DILLON ALSO REQUESTED STAFF TO EDUCATE THE BOARD ON THE PROCESS FOR CHANGING THE LETTERING USED FOR MEASURES ON A BALLOT.

13. County Executive Officer Reports and Announcements.
COUNTY EXECUTIVE OFFICER NANCY WATT ANNOUNCED THAT THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) HAD HIRED A NEW EXECUTIVE DIRECTOR, PAUL MCINTOSH, FORMER COUNTY ADMINISTRATOR OF BUTTE COUNTY.

14. Closed Session
A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
i. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (One case)

14. Continued.

ii. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:
(Two cases)

ITEM REMOVED FROM THE AGENDA.

B. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
Agency Designated Representatives: Mark Gregersen, Human Resources Director
Employee Organization: SEIU Local 614 - NAPE (Employee Unit & 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 and Confidential Employees of the County of Napa (Excluding Elected Officials)

CLOSED SESSION HELD – NO REPORTABLE ACTION

15. Adjournment.

ADJOURNED IN MEMORY OF ELGIE KIRKPATRICK TO BOARD OF SUPERVISORS SPECIAL MEETING, MONDAY, JUNE 18, 2007 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