

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

June 26, 2007

1. Call to Order; Roll Call
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JUNE 26, 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.
TAXPAYERS ALLIANCE PRESIDENT MICHAEL HALEY LED THE SALUTE TO THE FLAG.

3. Presentations and Commendations.
NONE

4. Public Comment.
NAPA VALLEY TAXPAYER ALLIANCE PRESIDENT MICHAEL HALEY COMMENTED ON NAPA COUNTY EMPLOYEE UNION NEGOTIATIONS. HE STATED THAT HE OBJECTED TO PROBATION OFFICERS GAINING ADDITIONAL SAFETY BENEFITS.

NAPA VALLEY TAXPAYER ALLIANCE MEMBER GEORGE BACHICH COMMENTED THAT WORKERS IN THE PRIVATE SECTOR DO NOT HAVE THE SAME PENSION BENEFITS AS GOVERNMENT WORKERS. HE ASKED THAT WHEN CONSIDERING EMPLOYEE BENEFITS, THE BOARD MAKE SENSIBLE DECISIONS BASED UPON ALL THE ECONOMIC FACTORS.

NAPA VALLEY TAX PAYER ALLIANCE MEMBER JIM HENDRICKSON ALSO COMMENTED REGARDING EMPLOYEE UNION NEGOTIATIONS. HE EXPRESSED HIS CONCERN ON THE ABILITY OF THE COUNTY TO PAY THE LONG TERM COSTS OF EMPLOYEE BENEFITS.

MARJORIE PRESTON, RESIDENT OF NAPA, STATED THAT COUNTY EMPLOYEES HAVE BETTER BENEFITS THAN THE ORDINARY PERSON AND ASKED THE BOARD TO TAKE THIS INTO CONSIDERATION WHEN DECISIONS ARE MADE, ESPECIALLY CONCERNING INCREASED SALARIES.

5. Department Head Reports and Announcements.
NAPA COUNTY FIRE CHIEF ERNIE LOVELESS REPORTED ON A RECENT FIRE THAT OCCURRED ON MOUNTAIN HOME ROAD IN THE PETRIFIED FOREST AREA. ALTHOUGH THE FIRE REMAINED IN SONOMA COUNTY AND DID NOT ENTER NAPA, FIVE NAPA COUNTY FIRE ENGINES WERE SENT TO THE FIRE THROUGH MUTUAL AID.

CHIEF LOVELESS EXPRESSED HIS CONCERNS WITH THE 2007 FIRE SEASON. HE INFORMED THE BOARD THAT FIREFIGHTERS ARE EXPERIENCING CERTAIN

5. Continued.

CONDITIONS NOW WHICH NORMALLY DO NOT OCCUR UNTIL LATE JULY OR AUGUST.

Consent Calendar

- 6A. Chief Probation Officer requests approval of and authorization for the Chair to sign the following renewal agreements for the term July 1, 2007 through June 30, 2008 to provide court ordered placement of wards:
1. Agreement No. 4391 with County of Solano - Fouts Springs Youth Facility at a monthly rate of \$3,600 per ward; **A-4391**
 2. Amendment No. 1 to Agreement No. 4569 with County of Del Norte at the rate of \$2,950 per ward per month to insure availability for seven placements, and at a rate of \$3,150 per ward per month on an as needed basis; and, **A-4569 (AMEND. 1)**
 3. Agreement No. 6119 with County of Sonoma at the rate of \$100 per ward per day for placement services and at a rate of \$40 per ward per day for aftercare services. **A-6119**
- 6B. Chief Probation Officer requests approval of and authorization for the Chair to sign a renewal of Revenue Agreement No. 4434 with the Napa County Office of Education for a maximum reimbursement of \$75,000 for the term July 1, 2007 through June 30, 2008 to fund a Deputy Probation Officer. **A-4434**
- 6C. Chief Probation Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4776 with Aldea Children and Family Services for a maximum of \$81,605 for the term July 1, 2007 through June 30, 2008 to provide therapeutic services to minors under the supervision of the Napa County Probation Department. **A-4776**
- 6D. Chief Probation Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4802 with Isadora Asch for a maximum of \$35,520 for the term July 1, 2007 through June 30, 2008 for Peer Court Services. **A-4802**
- 6E. Chief Probation Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6268 with Wilbur H. Dixon, doing business as Madeira Group International, for a maximum of \$35,775 for the term July 1, 2007 through June 30, 2008 for pre-employment background investigations of certain prospective employees of County's Probation and Juvenile Hall Departments. **A-6268**
- 6F. Director of Child Support Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6453 with the Superior Court of California, County of Napa, for the term July 1, 2007 through June 30, 2008 with no dollar amount to provide coordination and delineation of responsibilities for the Child Support Enforcement Program . **A-6453**

- 6G. Director of Child Support Services requests approval of and authorization for the Chair to sign the following agreements with the California Department of Child Support Services for the term of July 1, 2007 through August 31, 2008 to provide reimbursement for services performed by County employees:
1. Renewal of Agreement No. 6528 (State No. 20-0137-08) for a maximum of \$110,227.88; and, **A-6528**
 2. Renewal of Agreement No. 6678 (State No. 20-0138-08) for a maximum of \$112,570.95. **A-6678**
- 6H. Chief Probation Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6600 with the Loyd Wolfe Juvenile Justice Network for a maximum of \$148,800 for the term July 1, 2007 through June 30, 2008 to provide drug and alcohol treatment services to youth detained in Juvenile Hall and outpatient services and juvenile drug court services to minors and their families under the supervision of the Napa County Probation Department. **A-6600**
- 6I. Chief Probation Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6601 with Drug Abuse Alternatives Center for a maximum of \$35,200 for the term July 1, 2007 through June 30, 2008 to provide substance abuse residential treatment services. **A-6601**
- 6J. District Attorney requests adoption of a resolution authorizing the execution of a revenue agreement with the State Victim Compensation and Government Claims Board for a maximum of \$134,362 for the term of July 1, 2007 through June 30, 2009. **R-07-75**
- 6K. Sheriff requests approval of and authorization for the Chair to sign the following agreements for animal services including animal shelter:
1. Revenue Agreement No. 3585 with the City of Napa increasing the amount by \$16,500 for a new maximum of \$181,500 for the term July 1, 2006 through June 30, 2007; and, **ITEM AMENDED TO REFLECT AMENDMENT NO. 2 TO AGREEMENT 3585 RATHER THAN A NEW AGREEMENT.** **A-3585 (AMEND.2)**
 2. Amendment No. 2 to Revenue Agreement No. 3886 with the City of American Canyon increasing the amount by \$2,750 for a new maximum of \$30,250 in Fiscal Year 2006-2007 and increasing the amount by an additional \$3,025 for a new maximum of \$33,275 in Fiscal Year 2007-2008. **A-3886 (AMEND. 2)**
- 6L. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements, each for the term July 1, 2007 through June 30, 2008 and a provision for automatic annual renewal, to provide counseling services in the Children's Behavioral Health/Child Welfare Services/SB 163 Wraparound programs:
1. Agreement with Bethany Craigie, MFT, for a maximum of \$5,000; **A-6839**
 2. Agreement with Laurel Antonucci, LCSW, for a maximum of \$5,000; and, **A-6840**

6L. Continued.

3. Agreement with Colleen Daugherty, LCSW, for a maximum of \$16,000.

A-6841

6M. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments with Progress Foundation, Inc. for Fiscal Year 2007-2008:

1. Amendment No. 2 to Agreement No. 6380 increasing the amount by \$178 for a new maximum of \$195,178 and revising the contractor's compensation terms for operation of the Supportive Living Program;

A-6380

(AMEND. 2)

2. Amendment No. 4 to Agreement No. 2156 increasing the amount by \$12,890 for a new maximum of \$505,029 and revising the contractor's budget for the operation of a Transitional Residential Mental Health Treatment Program on Bella Drive; and,

A-2156

(AMEND. 4)

3. Amendment No. 4 to Agreement No. 4838 increasing the amount by \$37,460 for a new maximum of \$760,734 and revising the contractor's budget for the operation of Progress Place, a crisis residential treatment program.

A-4838

(AMEND. 4)

6N. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the California Employment Development Department for a maximum of \$35,776 for the term April 1, 2007 through June 30, 2009 to receive federal Workforce Investment Act (WIA) funding.

A-6842

6O. Human Resources Director and the Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Health and Human Services Agency Mental Health Division with regards to adding one (1) MH Provider Services Coordinator Limited Term position through September 28, 2007, effective June 30, 2007.

R-07-76

6P. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Progress Foundation, Inc., for a maximum of \$276,552 for the term July 1, 2007 through June 30, 2008, with a provision for automatic annual renewal, for the Transitional Housing Program-Plus (THP-Plus) for emancipated foster youth in Napa County.

A-6843

6Q. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6725 the Children's Health Initiative Napa County, Inc., for a maximum of \$100,000 for the term July 1, 2007 through June 30, 2008, with an option to renew for one final year, to increase access to health care and health care coverage for children from birth through the age of 18.

A-6725

6R. Director of Health and Human Services requests that the Board authorize termination of the following agreements regarding software, support services and related internet portal services for the Adult Protective Services Program and authorize the Director to send notices of termination:

1. Agreement No. 6357 with CareAccess Silicon Valley, Inc., for internet portal services, to be effective 90 days after the sending of the termination notice as specified in the agreement; and,

A-6357

6R. Continued.

2. Agreement No. 6336 with McWilliams Mailliard Technology Group, Inc., for software license and support services for the AACTS license, to be effective as of June 30, 2007.

THE BOARD APPROVED ITEM 6R-1 AND CONTINUED 6R-2 TO JULY 10, 2007 AT 9:00 A.M. DD-BW-ML-BD-HM

- 6S. Director of Conservation, Development and Planning recommends the Board approve the Conflict of Interest Code adopted by the Napa County Regional Park and Open Space District for District officers and designated employees and contractors.
- 6T. Library Director requests approval to change the Napa Main Library's hours of service on Sundays from 2:00-9:00 p.m. to 2:00-5:30 p.m. effective July 1, 2007.
ITEM REMOVED FROM THE AGENDA.
- 6U. 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 07-31, "Napa County Public Defenders Floor Leveling."
- 6V. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Lease Agreement No. 4883 with The Mosher Family Trust increasing the amount by \$1,428 for a new maximum amount of \$48,984 for the term July 1, 2007 to June 30, 2010, with a three percent annual increase for the second and third year, for leased warehouse space for storage of County equipment.
**A-4883
(AMEND. 2)**
- 6W. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Lease Agreement No. 4852 with Napa Valley Vintners Community Health Center, extending the term through June 30, 2009, for a new annual maximum of \$1,980 which represents a reduction of \$4,509.60 in fiscal year 2007-08, for reduced leased space located at 1141 Pear Tree Lane for Health and Human Services Agency staff and programs.
**A-4852
(AMEND. 2)**
- 6X. Director of Public Works requests approval of plans and specifications for the "Calistoga Library Restroom ADA Modifications Project," PW 07-35, 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.
- 6Y. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6796 with Jim Wallace Environmental Consulting Services increasing the amount by \$30,000 for a new maximum of \$95,871 amending the Scope of Work to provide additional time for biological monitoring of the Napa County Airport Runway 18R-36L Rehabilitation Project.
**A-6796
(AMEND. 1)**
- 6Z. Director of Public Works/Aviation requests the following actions concerning County Service Area No. 3:
1. Acceptance of the Fiscal Year 2007-2008 proposed budget for County Service Area No. 3 with a total appropriation of \$419,471;

6Z. Continued.

2. Adoption of a resolution approving a service plan for County Service Area No. 3 in accordance with Chapter 3.10 of the Napa County Code; **R-07-77**

3. Adoption of a resolution declaring the Board's intent to levy assessments for County Service Area No. 3 for street side landscaping, street and highway lighting, street sweeping, and structural fire protection services pursuant to the Engineer's Report and setting a public hearing to consider any protests with respect to the assessments and the Engineer's Report; **R-07-78**

4. Set Public Hearing for August 7, 2007 at 9:15 A.M. to hear protests to the proposed assessments;

5. Direct the Clerk of the Board to comply with the requirements of Article XIII D of the California Constitution with respect to the public notice requirements for the proposed assessments within County Service Area No. 3; and,

6. Designate Martin Pehl, Airport Manager, as the person to answer questions regarding the assessments and protest proceedings.

6AA. Director of Public Works requests approval and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6643 with Napa County Transportation Planning Agency (NCTPA Agreement No. 06- 06), with no change of financial terms, extending the term to June 30, 2008 to provide additional time for constructing Conn Creek Class II bike lane. **A-6643**
(AMEND. 1)

6BB. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file the Audit Report for the County of Napa - Napa Special Investigations Bureau - Special Investigation Revolving Fund for the Fiscal Year Ended June 30, 2006.

6CC. Chief Information Officer requests approval of and authorization for Chair to sign the following with Megabyte Systems, Inc., effective July 1, 2007:
1. Amendment No. 9 to Agreement No. 4334, increasing the annual amount by \$5,940 for a new annual maximum of \$191,168 for maintenance of the current MPTS 2000+ property tax system and online business property filing software maintenance and support; and, **A-4334**
(AMEND. 9)

2. A Software Upgrade License Addendum to Agreement No. 4334, for \$8,250 monthly from July 1, 2007 through June 1, 2011 for a maximum of \$396,000 to convert the entire property tax system to a .NET environment to become MPTS 2010+.

6DD. Chief Information Officer requests approval of and authorization for the Purchasing Agent to issue purchase orders for annual Peoplesoft software maintenance fees from Oracle USA, Inc. of Palatine, Illinois, for a total of \$274,003 for the term July 1, 2007 through June 30, 2008.

6EE. Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Symphony Services Corporation for the term June 26, 2007 through January 1,

6EE. Continued.

2008, to perform a telecommunications billing audit, billing and network analysis, and inventory cleanse in exchange for;

1. A historical cost success fee in the amount equal to thirty-three percent (33%) of any refunds, credits or discounts issued by the County's telecommunications services providers resulting from the audit; and,

2. A forward looking cost success fee in the amount of fifty percent (50%) of the monthly expense reductions for a period of six (6) months that are negotiated with any telecommunications service providers by Symphony on behalf of the County.

A-6838

6FF. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6422 with Susan McGuigan to renew the contract for the term July 1, 2007 through June 30, 2008. The amendment also increases the maximum compensation amount by \$20,000 for a new maximum of \$30,000.

A-6422

(AMEND. 1)

6GG. Human Resources Director requests adoption of a resolution approving a cost of living adjustment of 3.0% for Law Enforcement and Law Enforcement Supervisory unit employees effective June 30, 2007.

R-07-79

6HH. Human Resources Director requests adoption of a resolution approving a cost of living adjustment of 3.2% for the unrepresented management non-classified, management and confidential employees effective June 30, 2007.

R-07-80

6II. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4198-1 with the Napa Valley Economic Development Corporation (NVEDC) for a maximum of \$100,000 for Fiscal Year 2007/2008 for services related to economic development.

A-4198-1

(AMEND. 2)

6JJ. County Executive Officer requests the Board of Supervisors appoint one (1) member and one (1) alternate member to serve on the Association of Bay Area Governments (ABAG) Executive Board with the term of office to begin July 1, 2007 and expire June 30, 2009.

ITEM REMOVED FROM CONSENT CALENDAR AND PLACED ON ADMINISTRATIVE CALENDAR FOR DISCUSSION.

THE BOARD APPOINTED SUPERVISOR LUCE AS THE REPRESENTATIVE AND SUPERVISOR DODD AS THE ALTERNATE.

BW-DD-BD-ML-HM

6KK. County Executive Officer requests approval of and authorization for the chair to sign the following agreements relating to Conflict Public Defender services for the term July 1, 2007 through December 31, 2008:

1. An agreement with Mervin Lernhart for a maximum of \$207,000; **A-6844**

2. An agreement with Diane Bylund for a maximum of \$180,000; **A-6845**

6KK. Continued.

3. An agreement with Michael Keeley for a maximum of \$180,000; **A-6846**
4. An agreement with Jim McEntee for a maximum of \$180,000; **A-6847**
5. An agreement with James Tucker Smith for a maximum of \$180,000; and, **A-6848**
6. An agreement with Jeffrey Hammond for a maximum of \$94,600. **A-6849**

6LL. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4315 with California Forensic Medical Group, Inc. amending the scope of work to add telepsychiatry as a means for providing mental health services to inmates/minors housed at the County's facilities. **A-4315**
(AMEND. 3)

6MM. County Executive Officer/Director of Emergency Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6404 with Balzac Communications, Inc. increasing the amount by \$55,000 for a new maximum of \$305,000, extending the term through June 30, 2008 and amending the scope of work to continue the public education/public outreach component of the Napa Firewise Program.

ITEM HELD FOR SEPARATE DISCUSSION.

APPROVED REQUEST

DD-BW-ML-BD-HM

A-6404

(AMEND.3)

6NN. Emergency Services Manager requests:

1. Authorization to accept the donation of 12 yurt structures from the Napa Valley Housing Authority subject to the condition that (1) the County dismantles and removes the foundations from their present location at Lake Hennessey at its expense, and (2) agrees that in the event the County receives competing requests for the use of the yurts, that those involving farmworker housing be given first priority; and,

2. Establishment of the yurts as a single fixed asset.

ITEM AMENDED TO REFLECT "EMERGENCY SERVICES MANAGER REQUESTS ADOPTION OF A RESOLUTION."

R-07-81

6OO. Human Resources Director requests adoption of a resolution regarding the following in connection with the Road Division of Public Works-Engineering and the Community and Intergovernmental Affairs Division of County Executive Office effective June 30, 2007:

1. Amend the Table and Index of Classes to delete Assistant Public Works Superintendent, Community Partnership Manager, Community Partnership Analyst I/II, and add Principal Transportation Engineer, Director of Community and Intergovernmental Affairs, and Community and Intergovernmental Affairs Analyst I/II; and,

2. Amend appropriate personnel policies to delete Assistant Public Works Superintendent, Community Partnership Manager, Community Partnership Analyst I/II, and add Principal Transportation Engineer, Director of Community and Intergovernmental Affairs, and Community and Intergovernmental Affairs Analyst I/II. **R-07-82**

6PP. County Counsel requests approval of and authorization for the Chair to sign a revenue agreement with the Napa Valley Housing Authority for a maximum of \$10,000 for the term July 1, 2007 through June 30, 2008 to provide legal services. **A-6850**

7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6R, 6T, 6JJ AND 6MM.

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6Q, 6S, 6U THROUGH 6II, 6KK, 6LL, AND 6NN THROUGH 6PP.

DD-BW-BD-ML-HM

Set Matters or Public Hearings

8A. 9:00 a.m. - Auditor-Controller requests approval of the final appropriation and revenue levels, cancellations and provisions for reserves and designations and adoption of a resolution establishing the total financing requirements for the Fiscal Year 2007-2008 Final Budget for the County of Napa. (4/5 vote required)

APPROVED REQUESTS AND ADOPTED RESOLUTION

R-07-83

DD-BW-ML-BD-HM

8B. 9:00 a.m. - Director of Public Works/Aviation requests the following actions concerning fees charged for hangar rentals at the Napa County Airport:

1. Open Public Hearing to consider any comments with respect to the fees charged for hangar rentals at the Napa County Airport; and

2. Close Public Hearing and adopt a resolution authorizing increasing fees for hangar rentals.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTION

DD-BD-BW-ML-HM

R-07-84

8C. 9:00 a.m. - Recess to the Flood Protection and Watershed Improvement Authority special meeting. **(SEE FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)**

8D. 9:15 a.m. - Department of Environmental Management to present a report on the ABAG Green Business Program, together with Ceil Scandone, ABAG Green Business Coordinator and request direction regarding whether full implementation in Napa County is appropriate, discuss options for implementation, and funding of the program.

REPORT PRESENTED

8E. 9:45 a.m. - Director of Public Works presents CalTrans staff, who will provide information on the Caltrans Highway 29 Channelization Project.

UPDATE PRESENTED

8F. 10:15 a.m. - Recess to the In-Home Supportive Services Public Authority of Napa County special meeting. **(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY MINUTES)**

8G. 10:30 a.m. - County Fire Chief requests the adoption of a resolution establishing fees for the Napa County Fire Department pursuant to the recently adopted Napa County Weed Abatement Ordinance.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTION

BW-DD-BD-ML-HM

R-07-85

8H. 10:40 a.m. - Recess to the Lake Berryessa Resort Improvement District special meeting. **(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**

8I. 10:50 a.m. - First reading and intention to adopt an ordinance making administrative and procedural amendments to portions of Chapter 13.15 (Groundwater Conservation) of the Napa County Code.

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b) (3)].

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

**THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.
ML-BW-DD-BD-HM**

**THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.
BD-DD-BW-ML-HM**

8J. 11:00 a.m. - Recess to the Napa County Housing Authority special meeting. **(SEE NAPA COUNTY HOUSING AUTHORITY MINUTES)**

8K. 1:00 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)**

8L. 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)**

Administrative Items

9A. County Counsel requests that the Board take the following actions:

1. Receive from staff the report the Board ordered prepared pursuant to Section 9111 of the Elections Code discussing the "Initiative Measure to Allow Deli and Wine Tasting At the Stanly Lane Marketplace".

2. Take one of the following actions:

a) Adopt the "Initiative Measure to Allow Deli and Wine Tasting At the Stanly Lane Marketplace" without alteration; or

9A. Continued.

b) After entering the appropriate letter designating the initiative measure as "J" or "K", adopt the proposed resolution ordering a special election and placing the "Initiative Measure to Allow Deli and Wine Tasting At the Stanly Lane Marketplace" on the ballot of the next statewide general election to be held on February 5, 2008, for the purpose of enabling the people of Napa County to approve or reject the initiative.

THE BOARD DESIGNATED THE INITIATIVE AS MEASURE “K” AND ADOPTED THE RESOLUTION. DD-BW-BD-ML-HM R-07-86

9B. County Executive Officer requests appointments/reappointments of one (1) applicant from each of the following categories to the Napa County Child Care Planning Council with the term of office to commence July 1, 2007 and expire June 30, 2010:

At Large Representative

Karen Sanchez
Davina Rubin*

Child Care Provider

Peggy Smith
Karen Sanchez*
Cathi Bickford
Audrey Chubbs
Julie Murphy

Community Representative

Sherry Tennyson
Patricia Wells
Julie Murphy*

Consumer of Child Care

Peggy Smith
Cathi Bickford
Patricia Wells
Sara Featherstone**

Public Agency Representative

Karen Sanchez
Audrey Chubbs
Patricia Wells
Julie Murphy
Teresa Zimny**

* Recommended by the Child Care Planning Council
** Incumbent and recommended by the Child Care Planning Council

THE BOARD APPOINTED:

**DAVINA RUBIN AT LARGE REPRESENTATIVE
KAREN SANCHEZ CHILD CARE PROVIDER
JULIE MURPHY COMMUNITY REPRESENTATIVE
SARA FEATHERSTONE CONSUMER OF CHILD CARE
TERESA ZIMNY PUBLIC AGENCY REPRESENTATIVE
DD-BW-BD-ML-HM**

9C. Director of Public Works requests the following actions regarding the Hall of Justice Booster Replacement Project, PW 07-30:

- 1. Acknowledge that the following findings made on May 1, 2007 are still in effect:
 - a. That the unexpected failure of a water system booster pump at the Hall of Justice constitutes an emergency as defined by Section 1102 of the Public Contract Code;
 - b. That there are only two booster pumps for the facility, and it is suspected that the remaining pump could also fail at any time, including during the time required to solicit competitive bids to replace the pump assembly;

9C. Continued.

c. That if the remaining pump fails before the first pump has been replaced, the County Jail portion of the Hall of Justice would no longer be habitable for the inmates;

d. That there currently is no alternate location to house the inmates in the event the County Jail portion of the Hall of Justice suddenly becomes uninhabitable and remains so during repair;

e. That the circumstances in (a), (b) and (c) create a need for immediate action to replace the entire pump assembly to prevent impairment of the health and safety of the inmates housed in the County Jail portion of the Hall of Justice and impairment of the essential public service of providing secure detention of inmates; and,

f. That upon the circumstances set forth in 1(a) through (e) and pursuant to Public Contract Code Sections 20134(a) and 22050(a)(2), that the foregoing emergency will not permit the delay that would result from adopting plans, specifications, strain sheets or working details or giving notice for competitive bids to replace the pump assembly.

2. Per Public Contract Code Section 22050(C), review the emergency actions taken by the Board at the May 1 Board of Supervisors meeting, determine that there is a need to continue the emergency actions, and continue acquisition of all necessary materials, supplies, equipment and labor by direct purchase, force account, or emergency contract awarded without adoption of plans and specifications and solicitation of competitive bids, as appropriate to complete the work (4/5ths vote required); and,

3. Direct the Director of Public Works to prepare an agenda item for a regular meeting of the Board no later than 14 days from the date of this meeting to review the need to continue these emergency actions.

UPDATE PRESENTED

APPROVED REQUESTS

BD-DD-BW-ML-HM

10. Legislative Items
NONE

11. Board of Supervisors' Committee Reports and Announcements
NONE

12. Board of Supervisors' Future Agenda Items.
SUPERVISOR DILLON REQUESTED THAT A DISCUSSION OF PERFORMANCE MEASURES ISSUES BE PLACED ON A FUTURE AGENDA.

13. County Executive Officer Reports and Announcements.
NONE

14. Closed Session
A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (Two cases)
CLOSED SESSION HELD – NO REPORTABLE ACTION
- B. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
Agency Designated Representatives: Mark Gregersen, Human Resources Director
Employee Organization: SEIU Local 1021 - 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
- C. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)
Title: Director of Corrections
CLOSED SESSION HELD – NO REPORTABLE ACTION
15. Adjournment
ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JULY 10, 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