

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

September 11, 2007

1. Call to Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, SEPTEMBER 11, 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 9:02 A.M.**
2. Pledge of Allegiance.  
**SUPERVISOR LUCE LED THE SALUTE TO THE FLAG.**
3. Presentations and Commendations.  
**NONE**
4. Public Comment.  
**NONE**
5. Department Directors' Reports and Announcements.  
**COUNTY EXECUTIVE OFFICER NANCY WATT INTRODUCED NEW NAPA COUNTY DIRECTOR OF CORRECTIONS JULIE HUTCHENS.**  
  
**DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING HILLARY GITELMAN ANNOUNCED THE COUNTY HAD BEEN AWARDED A GRANT OF APPROXIMATELY \$400,000 FROM THE CAL FED WATERSHED PROGRAM WHICH WILL ENABLE STAFF TO ASSESS AND REPORT ON THE HEALTH OF THE NAPA RIVER WATERSHED.**

Consent Calendar

- 6A. County Fire Chief requests approval of the following actions regarding fire protection services:
  1. Authorization for the Chair to sign the renewal of Agreement No. 6800 with the California Department of Forestry and Fire Protection/Cal Fire for a maximum of \$7,428,586 for the term July 1, 2007 through June 30, 2008; and, **A-6800**
  2. Revision of Schedule E - Fixed Assets reducing the amount by \$388,500 for a new total of \$1,170,814.  
(CONTINUED FROM AUGUST 28, 2007)
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign amendments to the following agreements revising the daily rates for services being provided During Fiscal Year 2007-2008:
  1. Managed care (Medi-Cal) inpatient mental health services:
    - a. Amendment No. 3 to Agreement No. 4135 with St. Helena Hospital Center for Behavioral Health; **A-4135**  
**(AMEND. 3)**

6B. Continued.

b. Amendment No. 3 to Agreement No. 4277 with Telecare Corporation; and,  
**A-4277**  
**(AMEND. 3)**

c. Amendment No. 3 to Agreement No. 6132 with John Muir Behavioral Health Center, Inc.  
**A-6132**  
**(AMEND. 3)**

2. Mental health services for uninsured clients:

a. Amendment No. 3 to Agreement No. 4142 with St. Helena Hospital Center for Behavioral Health;  
**A-4142**  
**(AMEND. 3)**

b. Amendment No. 3 to Agreement No. 4464 with Telecare Corporation; and,  
**A-4464**  
**(AMEND. 3)**

c. Amendment No. 5 to Agreement No. 4141 with St. Helena Hospital.  
**A-4141**  
**(AMEND. 5)**

- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign renewals of the following revenue agreements with the U.S. Department of Housing and Urban Development (HUD):
1. Revenue Agreement No. 6443 for the term January 1, 2007 through December 31, 2007, accepting Transitional Residential Alliance and Integrated Network (TRAIN) Project funding in the amount of \$123,439; and, **A-6443**
  2. Revenue Agreement No. 6488 for the term July 1, 2007 through June 30, 2008, accepting Homeless Management Information System (HMIS) funding in the amount of \$19,950. **A-6488**
- 6D. Director of Health and Human Services requests the following actions regarding the County's Tobacco Control Program:
1. Approval of and authorization for the Chair to sign a revenue agreement with the California Department of Health Services for a maximum of \$150,000 for the term July 1, 2007 through June 30, 2008 to fund tobacco control activities; and, **A-6878**
  2. Approval of the Local Lead Agency Guidelines for the State 2007-2010 Comprehensive Tobacco Control Plan.
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements relating to school-based, mental health day treatment services (AB 3632):
1. Agreement with Aldea, Inc., for a maximum of \$315,613 for the term September 11, 2007 through June 30, 2008, with a provision for automatic annual renewal, to provide services at the Aldea Day Adolescent Program for Treatment (ADAPT); **A-6879**

6E. Continued.

2. Agreement with Deborah McGrew, dba McGrew Behavior Intervention Services, for a maximum of \$238,266 for the term September 11, 2007 through June 30, 2008, with a provision for automatic annual renewal, to provide services at the Therapeutic Learning Center and Gateway classrooms; **A-6880**

3. Business Associate Agreement with Deborah McGrew, dba McGrew Behavior Intervention Services, setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule; and, **A-6880-1**

4. Amendment No. 1 to Memorandum of Understanding No. 6747 with Napa County Office of Education and Napa County Special Education Local Plan Area (SELPA) to administer an intensive school-based program. **A-6747**  
**(AMEND. 1)**

6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Children's Medical Services Plan and Budget for Fiscal Year 2007-2008 to enable the County to invoice the State for services provided. **A-6882**

6G. Library Director requests approval to increase the open hours of the Yountville Library on Fridays beginning September 14, 2007.

6H. Director of Public Works requests approval of and authorization for the Chair to sign a Space License Agreement with the City of Calistoga for the Health and Human Services Women, Infant and Children federally funded nutritional program, for a term beginning on September 11, 2007 with a 30 day termination notice clause, at no cost to the County. **A-6883**

6I. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements with Kenwood Energy for the term July 1, 2007 through June 30, 2008:  
1. Agreement for a maximum of \$10,250 to continue to provide assistance in the development of a Greenhouse Gas Action Plan and the County's Greenhouse Gas Emission Baseline Analysis; and, **A-6884**

2. Agreement for a maximum of \$6,855 to provide technical support services for evaluating the Photovoltaic system proposals for the Napa County/City Parking Structure. **A-6885**

6J. County Counsel requests adoption of a resolution authorizing the Napa Valley Unified School District to borrow funds for Fiscal Year 2007-2008 and for the issuance and sale of 2007-2008 Tax and Revenue Anticipation Notes (TRANS) in a principal amount not to exceed \$12,500,000. **R-07-116**

6K. County Counsel requests approval of and authorization for the Chair to sign an agreement with Keyser Marston Associates, Inc., for a maximum of \$50,000 for the term September 11, 2007 through June 30, 2008 to update the various studies previously prepared that relate to the imposition of, and use of, commercial linkage and residential in lieu fees that are deposited in the Napa County Housing Trust Fund.

**ITEM REMOVED FROM THE AGENDA AND CONTINUED TO SEPTEMBER 18, 2007.**

- 6L. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with Mark Henderson for a maximum of \$159,000 for the term September 11, 2007 through December 31, 2008 for the provision of Conflict Public Defender services.

**A-6886**

- 6M. County Executive Officer requests acceptance of the responses submitted by the Auditor-Controller, County Executive Officer, Chief Probation Officer and the Director of Health and Human Services Agency to the Outside Auditor's Management Report for Fiscal Year 2005-2006.

- 6N. County Executive Officer requests the following appointments/reappointments to the Workforce Investment Board with the term of office to commence immediately and expire June 30, 2009.

Applicant (choose one)

Bill Blair\*

Aurelio Hurtado\*

Representing

Education

Community Based Organization

Applicant (choose four)

Peter D. Schiller\*

Peter Harsch

Rhonda Slota\*

Teresa Zimny\*

Representing

One-Stop Partner

One-Stop Partner

One-Stop Partner

One-Stop Partner

Applicants (choose seven)

Arvin Chaudhary\*

Sandra Cooper\*

Ronald J. Souza\*

Mark Leonardi\*

Kate King

Beth Painter

Dorothy Lind-Salmon\*

\*Incumbents

Representing

Private Sector Business

Private Sector Business

Private Sector Business

Private Sector Business

Private Sector Business

Private Sector Business

Private Sector Business

- 6O. County Executive Officer requests the appointment of Travis Sterling Kelham to serve as the Youth representative on the Wildlife Conservation Commission with the term of office to commence immediately and expire February 1, 2010.

- 6P. Second reading and adoption of an ordinance adding a new Section 12.02 as it relates to camping and storage of personal property in the unincorporated areas of Napa County.

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)].

**O-1295**

- 6Q. Clerk of the Board requests the following actions:

1. Approve minutes of the regular meetings held on the following dates:
  - a. July 10, 17, 24 and 31, 2007; and,
  - b. Special Meeting held on July 31, 2007.

7. Discussion of items removed from the Consent Calendar.  
**SEE ITEM 6K.**

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6J AND 6L THROUGH 6Q.  
ML-BW-DD-BD-HM**

Set Matters or Public Hearings

- 8A. 9:00 A.M. Recess to the Lake Berryessa Resort Improvement District meeting.  
**(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**
- 8B. 9:15 A.M. County Fire Chief, together with management consultants of Citygate Associates, LLC, to provide a draft report regarding a planning analysis of fire station and crew deployment along with a master plan study of administrative services for the County Fire Department.  
**REPORT PRESENTED**
- 8C. 1:30 P.M. – Recess to the Napa County Flood Control and Water Conservation District meeting.  
**(SEE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES)**

Administrative Items

- 9A. Director of Health and Human Services requests Board guidance regarding an appeal from the Area Agency on Aging Serving Napa and Solano, Inc. (AAA) that Napa County increase its basic contribution to the AAA from \$18,680 to \$45,680 based on an increase of approximately one dollar for each county resident age 60 or older.  
**REPORT PRESENTED.**
- 9B. Director of Public Works requests the following actions regarding bid proposals for PW 07-37 “Napa County Airport Runway 18R-36L Electrical Improvement, A.I.P. Project No. 3-06-0162-23 Project”:
1. Present results of bid proposals;  
**PRESENTATION MADE**
  2. Provide recommendation for the award of the contract to the successful low bidder, and  
**CONTRACT AWARDED TO ROYAL ELECTRIC COMPANY  
BW-DD-ML-BD-HM**
  3. Authorization for the Chair to sign the construction contracts consistent with the award recommendations.  
**APPROVED REQUEST BD-DD-ML-BW-HM**
- 9C. Director of Public Works requests designation of up to two members of the Board of Supervisors to serve on an ad hoc committee along with County staff for the purpose of selecting a consultant to provide a Facilities Space Needs Analysis.  
**DESIGNATED SUPERVISOR DODD AND SUPERVISOR WAGENKNECHT  
ML-DD-BW-BD-HM**

9D. County Executive Officer requests:

1. Approval of Budget Transfer No. 6, establishing and appropriating General Fund and certain non-General Fund balances and making certain other adjustments to the Fiscal Year 2007/08 budget (4/5 vote required); and, **BT-6**

2. Authorization of a loan from the Equipment Replacement Fund to the Equipment Pool Fund to insure that the latter fund does not end the 2006/07 fiscal year with a cash deficit.

**APPROVED REQUESTS BW-ML-DD-BD-HM**

10. Legislative Items.  
**NONE**

11. Board of Supervisors' Committee Reports and Announcements.

**SUPERVISOR DODD REPORTED ON HIS OPPORTUNITY TO WATCH THE DEMOLITION OF A PORTION OF THE SAN FRANCISCO-OAKLAND BAY BRIDGE WHICH OCCURRED OVER THE LABOR DAY WEEKEND AND COMMENTED ON THE EXCELLENT JOB DONE BY THE C.C. MEYERS CONSTRUCTION COMPANY AND CALTRANS.**

**SUPERVISOR DILLON REPORTED ON HER ATTENDANCE AT A MEETING OF THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) CLIMATE CHANGE WORKING GROUP IN SACRAMENTO. SHE IS CO-CHAIR OF THE GROUP.**

12. Board of Supervisors' Future Agenda Items.  
**NONE**

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: DeHaro, et al. vs. County of Napa, et al. (Napa Superior Court Case No. 26-22255)

**CLOSED SESSION HELD – NO REPORTABLE ACTION**

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

i. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (Three cases)

**CLOSED SESSION HELD FOR TWO CASES – NO REPORTABLE ACTION**

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

**CLOSED SESSION HELD – NO REPORTABLE ACTION**

C. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)  
Agency Designated Representatives: Mark Gregersen, Human Resources Director  
Employee Organization: Napa County Deputy Sheriffs' Association (Employee Unit and Supervisory Unit of the County of Napa)

**CLOSED SESSION HELD – NO REPORTABLE ACTION**

14. Continued.

D. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 4957.6)  
Agency Designated Representatives: Mark Gregersen, Human Resources Director  
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 TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,  
SEPTEMBER 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.

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