



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday May 08, 2007 9:00 A.M.

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Bill Dodd
District 4

Harold Moskowitz
District 5

Nancy Watt
County Executive Officer

Gladys I. Coil
Clerk of the Board

Robert Westmeyer
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets each Tuesday at 9:00 A.M. at 1195 Third Street, Suite 305, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580 (253-6088TDD).

The agenda is divided into three sections:

CONSENT ITEMS - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any item on the CONSENT CALENDAR will be discussed separately at the request of any person. CONSENT CALENDAR items are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the CONSENT CALENDAR, if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

Check with the Clerk of the Board to view any additional documents that may have been filed related to any item on this agenda.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the rostrum and, after receiving recognition from the Chair, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board.

AGENDA AVAILABLE ONLINE AT www.co.napa.ca.us

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a proclamation declaring May 12, 2007 as National Association of Letter Carriers Food Drive Day. (Supervisor Moskowitz)

4. PUBLIC COMMENT

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

5. DEPARTMENT HEADS' REPORTS AND ANNOUNCEMENTS**6. CONSENT ITEMS**Law & Justice

- A. District Attorney requests approval of and authorization for the Chair to sign a Anti-Drug Abuse Enforcement Program grant award for a maximum of \$123,800 for the term July 1, 2007 through June 30, 2008.
- B. District Attorney requests approval of and authorization for the Chair to sign a Gang Violence Suppression Multi-Component Program grant award for a maximum of \$431,750 for the term July 1, 2007 through June 30, 2008.
- C. District Attorney requests approval of and authorization for the Chair to sign a Vertical Prosecution Block Grant Program award for a maximum of \$125,041 for the term July 1, 2007 through June 30, 2008.

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4668 with Cope Family Center, Inc., decreasing the amount by \$3,642 for a new maximum of \$10,117 to provide home visitation services to CalWORKs families for Fiscal Year 2007-2008.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4648 with Beverage Consulting Network, Inc., revising the Scope of Work to increase the number of trainings provided for the Responsible Beverage Service Program, clarify expectations regarding outreach and follow-up, and establish timeframes for the contractor's submission of state-required data, with no change to the contract maximum.

- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Community Impact Consulting, Inc., for a maximum of \$16,000 for the term May 8, 2007 through June 30, 2007, with an automatic annual renewal provision, for consulting services relating to the recruitment and retention of foster parents as specified in the Child Welfare Services (CWS) System Improvement Plan (SIP).

Community Resources & Infrastructure

- G. Director of Public Works requests the following actions regarding the "City/County of Napa Fifth Street Parking Garage Project," PW 07-01:
 - 1. Award of a design-build contract to West Bay Builders of Novato, California, based on its March 29, 2007 design-build proposal in the amount of \$12,100,000, and authorization for the Chair to sign the design-build contract;
 - 2. Authorization of payment of a \$20,000 stipend each to C. Overaa & Co. and to Howard S. Wright for submittal of the second and third ranked proposals; payment to be coordinated with the Auditor's office;
 - 3. Approval of and authorization for the Chair to sign an agreement with Harris and Associates of Concord, California for a maximum of \$65,807 for the term July 1, 2007 through June 30, 2008 to operate a labor compliance program containing the requirements outlined in Section 1771.5 of the Labor Code as required by Public Contract Code Section 20133 for design-build projects;
 - 4. Approval of and authorization for the Chair to sign an agreement with Ron Critchley for a maximum of \$100,000 for the term July 1, 2007 through June 30, 2008 to provide construction inspection services for various County construction projects including the Fifth Street Garage Project;
 - 5. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6674 with Watry Design, Inc. increasing the amount by \$160,000 for a new maximum of \$470,500 and amending the Scope of Work for unforeseen tasks during the concept design, bidding and construction administration phases; and
 - 6. Approval of Budget Transfer No. 61 appropriating \$4,642,000 in the Parking Garage budget with offsetting revenue of \$742,000 from the Accumulated Capital Outlay Fund and \$3,900,000 from three private participation agreements approved by the Board January 9, 2007, and canceling a designation and appropriating \$742,000 in the Accumulated Capital Outlay Fund budget to allow for the transfer. (4/5 vote required)

- H. 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 07-10, "Hall of Justice Re-Carpet Project".

- I. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Phez, LLC (Assessor's Parcel No. 057-210-045).
- J. 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 06-23, "HNSA Trailer R & S Utility Installation Project".

General Admin & Finance

- K. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to declare certain items of personal property as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)
- L. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with Mark Gaffney, dba Gaffney Display, for a maximum of \$5,000 for the term May 8, 2007 through June 30, 2007 for design, construction, transportation and installation of the Napa County display box in the California State Capitol building.
- M. 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.
- N. Clerk of the Board requests the following actions:
 - 1. Approve minutes of the regular meetings held on the following dates:
 - a. October 10, 17 and 24, 2006; and
 - b. November 7, 14 and 21, 2006.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:10 AM PUBLIC HEARING

Auditor-Controller requests adoption of a resolution establishing the Maximum Criminal Justice Administrative Fee (Booking Fee); Arrestee Fee; and the Jail Access Fee, for Fiscal Year 2007-2008, pursuant to Section 29550 to 29552 of the California Government Code.

B. 11:00 AM

Community Partnership Manager requests discussion and acceptance of report on An Assessment of the Demand for Hired Farm Worker Housing in Napa County developed by the California Institute for Rural Studies (CIRS).

C. 11:00 AM

Recess to the Napa County Housing Authority (NCHA) meeting (See NCHA Agenda).

D. 12:00 PM

Recess to Annual Luncheon at the U.C. Cooperative Extension located at 1710 Soscol Avenue, Napa.

9. ADMINISTRATIVE ITEMSPublic Safety

- A.** County Fire Chief requests the first reading and intention to adopt an ordinance amending the County Code by adding a new chapter 8.36 to provide regulations for fire protection weed and rubbish abatement in the unincorporated areas of Napa County and creating a hearing officer for a portion of the abatement process.

Community Resources & Infrastructure

- B.** 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;
 - 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.

General Admin & Finance

- C. County Executive Officer and Human Resources Director request discussion and possible action pertaining to Blue Shield's recommendation to eliminate the CalPERS Blue Shield HMO in the County of Napa.

10. LEGISLATIVE ITEMS

11. BOARD OF SUPERVISORS' COMMITTEE REPORTS AND ANNOUNCEMENTS

12. BOARD OF SUPERVISORS' FUTURE AGENDA ITEMS

13. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

14. CLOSED SESSION

- A. **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)

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, MAY 15, 2007
AT 9:00 A.M.**