

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

September 9, 2003

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION, TUESDAY, SEPTEMBER 9, 2003 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRPERSON BRAD WAGENKNECHT, SUPERVISORS BILL DODD, MIKE RIPPEY AND MARK LUCE. SUPERVISOR DIANE DILLON WAS EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIR WAGENKNECHT AT 9:01 A.M.

2. Pledge of Allegiance.
SUPERVISOR DODD LED THE SALUTE TO THE FLAG.

3. Presentations and Commendations.
NONE

4. Public Comment.
JOYCE BEATTY, COMMISSION ON AGING CHAIRPERSON, REQUESTED STAFF ATTEND THE COMMISSION ON AGING'S NEXT MEETING TO PROVIDE GUIDANCE TO COMMISSIONERS.

CANDACE ELIZA SPOKE REGARDING DISABLED HOMELESS AND REQUESTED THE OLD CHILDREN'S WING AT THE STATE HOSPITAL BE CONVERTED FOR USE FOR THE HOMELESS.

5. Department Directors' Reports and Announcements.
GARY LIEBERSTEIN, DISTRICT ATTORNEY, COMMENTED REGARDING CONSENT ITEM 6T ON TODAY'S AGENDA. HE THANKED JANE DAVISON FOR OVER 40 YEARS OF SERVICE TO THE COUNTY AND THE COMMUNITY AND SCOTT LESTRANGE FOR OVER 19 YEARS OF SERVICE TO THE COUNTY AND THE COMMUNITY.

Consent Calendar

- 6A. County Fire Chief requests approval of and authorization for the Chair to sign a Memorandum of Understanding between the American Canyon Fire District, the cities of Napa and Vallejo, and the County of Napa to provide a multi-agency hazardous incident response team. **A-6113**

- 6B. Sheriff requests approval of and authorization for the Chair to sign the following renewal agreements for the term July 1, 2003 through June 30, 2004 to provide animal services:
- 1) Agreement No. 3585 with the City of Napa increasing the amount by \$13,763 for a new maximum of \$150,000; and **A-3585**
 - 2) Agreement No. 3886 with the City of American Canyon increasing the amount by \$5,839 for a new maximum of \$25,000. **A-3886**
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 2131 with the Regents of the University of California for a maximum of \$25,882.50 for the term July 1, 2003 through June 30, 2004 to provide training to Health and Human Services Agency staff. **A-2131**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 3260 with Crestwood Behavioral Health, Inc., for a maximum of \$898,533 for the term July 1, 2003 through June 30, 2004 to provide residential mental health services.
- ITEM REMOVED FROM AGENDA**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4622 with ALDEA, Inc., for a maximum of \$519,370 for the term July 1, 2003 through June 30, 2004 to provide therapeutic services to clients in the Children's Behavioral Health programs. **A-4622**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4879 with Dana Talbot, MFT, for a maximum of \$750 for the term July 1, 2003 through June 30, 2004 to provide services in the Children's Behavioral Health program. **A-4879**
- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4917 with Napa Valley College for the term August 1, 2003 through July 31, 2004 for a maximum of \$1,200 per student per semester to provide stipends for fieldwork performed at the Health and Human Services Agency. **A-4917**
- 6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Steven Boyd, LCSW, for a maximum of \$1,000 for the term September 1, 2003 through June 30, 2004 to provide counseling services in the Substance Abuse Treatment Options Program (S.T.O.P.). **A-6114**

- 6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Terri Linn, MFT, for the term July 1, 2003 through June 30, 2004:
- 1) An agreement for a maximum of \$1,900 to provide services in the Children's Behavioral Health program; and **A-6115**
 - 2) A Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule. **A-6116**
- 6J. Agricultural Commissioner requests:
- 1) Approval of the Napa County Sudden Oak Death Hazardous Tree Assessment, Removal and Restoration Plan; and
 - 2) Adoption of a resolution agreeing to comply with the terms of the Hazardous Tree Assessment, Removal and Sudden Oak Death Syndrome Tree Restoration State/County Agreement between Marin County and the State of California, Department of Forestry and Fire Protection. **R-03-162**
- 6K. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign a letter in support and recognition of the Napa County Resource Conservation District's efforts in their application for the 2003 Governor's Environmental and Economic Leadership Award.
- 6L. Director of Conservation, Development and Planning requests:
- 1) Approval of Budget Transfer No. 10 transferring \$3,900 within the Wildlife Conservation Commission budget (4/5 vote required); and **BT-10**
 - 2) Consideration and approval of the following four (4) grant proposals:
 - a) \$3,000 for Land Trust of Napa County to create an integrated Geographic Information System database for its Biodiversity Legacy Program;
 - b) \$3,000 for the Napa County Flood Control and Water Conservation District to fund the Aquatic Outreach Institute (AOI), Kids in Creeks education program in Napa County;
 - c) \$6,900 for the California Native Plant Society, Napa Valley Chapter, Martha Walker Native Habitat Garden, to create wetter habitats within the garden; enhance populations of native plant and wildlife species and their habitats and to improve visitor day use capabilities; and

- 6S. County Counsel requests the following actions in connection with the Bureau of Land Management (BLM) requests:
- 1) Authorization for the Chair to sign a letter in support of the modification of the trail network in Knoxville;
 - 2) Authorization for the Chair to sign a letter to enforce a prohibition of firearms and paint ball activities in the Quail Ridge Reserve; and
 - 3) Direction to staff to work with BLM to begin the process to change the name of Devilshead Road in Knoxville.
- 6T. Human Resources Director requests adoption of the following retirement resolutions:
- 1) No. 03-159 for Jane Davison, Assistant to the Public Administrator-Guardian, in recognition of 40 years of service; and **R-03-159**
 - 2) No. 03-160 for Scott LeStrange, Assistant District Attorney, in recognition of over 19 years of service. **R-03-160**
- 6U. Human Resources Director requests adoption of a resolution approving the revised class specification for the position of Behavioral Health Care Manager-Substance Abuse, effective September 9, 2003. **R-03-164**
- 6V. County Executive Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 3295-A with the Arts Council of Napa Valley for a maximum amount of \$64,000 for the term July 1, 2003 through June 30, 2004 to provide art therapy to patients at Napa State Hospital. **A-3295-A**
- 6W. County Executive Officer requests:
- 1) Appointment of Supervisor Dillon as the Board's representative in discussions with the City of Calistoga regarding fire protection services; and
 - 2) Concurrence with "Guiding Principles between the City of Calistoga and the County of Napa regarding Fire Protection Services" as the basis for discussions.
- 6X. Approve minutes of Board of Supervisors' meetings of August 19 and 12, 2003 and August 13 and 6, 2002.

7. Discussion of items removed from the Consent Calendar.
NONE

**CONSENT CALENDAR ITEMS 6A THROUGH 6X APPROVED, WITH THE
EXCEPTION OF 6D AND 6Q, WHICH WERE REMOVED FROM THE AGENDA.**

BD-ML-MR-DD-BW

X

Set Matters – Public Hearings

- 8A. 9:15 A.M. Recess to the In-Home Supportive Services Public Authority of Napa County meeting.
**(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY
MINUTES)**

- 8B. 9:30 A.M. Recess to the Napa County Flood Protection and Watershed Improvement Authority
Special Meeting. **(SEE NAPA COUNTY FLOOD PROTECTION AND WATERSHED
IMPROVEMENT AUTHORITY MINUTES)**

- 8C. 9:45 A.M. First reading and intention to adopt an ordinance of the Board of Supervisors of the
County of Napa amending Chapter 3.16 of the Napa County Code pertaining to reassessment of
damaged or destroyed property.
ENVIRONMENTAL DETERMINATION: 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

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BD-ML-MR-DD-BW

X

THE BOARD DECLARED INTENT TO ADOPTED THE ORDINANCE.

BD-ML-MR-DD-BW

X

- 8D. 10:00 A.M. County Counsel requests that the Board consider and adopt a resolution of Findings
of Fact and Decision on Appeal denying the appeal filed by Jeanne M. DeVincenzi, attorney for
Rutherford Hill Winery/Terlato Wine Group (a neighbor) regarding the decision by the
Conservation, Development and Planning Commission on February 19, 2003, to approve Use
Permit Modification No. 02423-MOD for the Kathryn Hall Winery to relocate the winery septic
system to a new location on the winery parcel within an Agricultural Watershed (AW) zoning
district (Assessor's Parcel No. 030-300-033, 60 Auberge Road, St. Helena).

8D. Continued

ENVIRONMENTAL DETERMINATION: Negative Declaration prepared.
(STAFF REQUESTS CONTINUANCE TO SEPTEMBER 23, 2003 AT 11:00 A.M.)

ITEM CONTINUED TO SEPTEMBER 23, 2003 AT 11:00 A.M.

MR-ML-BD-DD-BW

X

8E. 10:30 A.M. Study Session on the Cable Franchise Renewal process and authorization for the Chair to sign a Joint Powers Agreement for \$20,000 with the City of Napa to obtain consulting services with the Buske Group to assist the County with the cable franchise renewal process.

STUDY SESSION HELD

A-6118

APPROVED REQUEST, AS AMENDED (TO ADD AMERICAN CANYON TO THE AGREEMENT).

BD-MR-ML-DD-BW

X

Administrative Items

9A. Director of Health and Human Services to provide an update on shelter services and the planned Stabilization Center and request the following actions:

- 1) Accept the Emergency Housing Assistance Program (EHAP) grant in the amount of \$500,000 and the strategic plan for the South Market Shelter;
- 2) Direct staff to negotiate shelter contracts with Community Action of Napa Valley (CANV) for the Sullivan, Samaritan and Winter Shelters;
- 3) Direct staff to prepare a lease for county space at the HOPE Center;
- 4) Direct staff to negotiate a contract with Catholic Charities for transitional and emergency housing; and
- 5) Accept a report on the Stabilization Center.

UPDATE PROVIDED – NO ACTION TAKEN

9B. Consideration and possible action regarding Supervisor Mike Rippey's nomination of John Dickson to the Conservation, Development and Planning Commission with the term of office to run concurrently with Supervisor Rippey's term of office.

APPROVED REQUEST

MR-BD-ML-DD-BW

X

10. Legislative Items.

The Legislative Subcommittee will present a report. The Board may or may not take action on any or all items presented for discussion.

NO REPORT

11. Board of Supervisors' Committee Reports and Announcements.
SUPERVISOR DODD REPORTED ATTENDING A COMMUNITY AFFORDABLE HOUSING ADVISORY BOARD MEETING ON SEPTEMBER 8, 2003. HE STATED DAVID VERWER AND SKIP KEISER WERE ELECTED TO THE ADVISORY BOARD AS PUBLIC REPRESENTATIVES.

SUPERVISOR RIPPEY REPORTED ATTENDING A WORKSHOP SPONSORED BY HEALTH AND HUMAN SERVICES ON SEPTEMBER 3, 2003 REGARDING THE RESTRUCTURING OF FUTURE CHILDREN'S SERVICES IN THE COUNTY. HE INDICATED THERE WAS STATE LEVEL REPRESENTATION PRESENT AT THE MEETING.

SUPERVISOR RIPPEY FURTHER COMMENTED THAT NAPA COUNTY IS ONE OF TWO COUNTIES THAT HAS ACCREDITED CHILDREN'S PROGRAMS, AND WAS RECOGNIZED AS A LEADER IN THE AREA OF PROVIDING CHILDREN'S SERVICES.

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))

Names of cases:

- 1) Jorge Deharo, Hector Olvera, Latinos Unidos de Napa, an Unincorporated Association v. County of Napa et. al. (Napa County Superior Court Case No. 26-22255)
- 2) Napa Citizens for Honest Government et al v. Napa County Board of Supervisors (Case No. 26-04014)

CLOSED SESSIONS HELD – NO REPORTABLE ACTION

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: County Executive Officer

CLOSED SESSION NOT HELD - CONTINUED TO SEPTEMBER 16, 2003

Adjournment.

**ADJOURNED TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
SEPTEMBER 16, 2003 AT 9:00 A.M.**

BRAD WAGENKNECHT, Chairperson

ATTEST:

PAMELA MILLER, Clerk of the Board

KEY

Vote: BW = Brad Wagenknecht; BD = Bill Dodd; MR = Mike Rippey; ML = Mark Luce; DD = Diane Dillon

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