

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

October 4, 2005

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, OCTOBER 4, 2005 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRPERSON DIANE DILLON, SUPERVISORS BILL DODD, HAROLD MOSKOWITE, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIR DILLON AT 9:03 A.M.
2. Pledge of Allegiance.
CHRISTINE SECHELI, ENVIRONMENTAL HEALTH MANAGER, LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
NONE
5. Department Heads' Reports and Announcements.
JILL PAHL, ACTING DIRECTOR OF ENVIRONMENTAL MANAGEMENT, ADVISED THAT FOOD INSPECTION REPORTS ARE NOW AVAILABLE ON THE COUNTY WEBSITE.

NEAL O'HAIRE, EMERGENCY SERVICES MANAGER, GAVE AN UPDATE ON THE HURRICANE ASSISTANCE CENTER REPORT OF SEPTEMBER 23, 2005.

Consent Items

- 6A. Sheriff requests approval of and authorization for the Chair to sign the following agreements for the term July 1, 2005 through June 30, 2006 to provide animal services including animal shelter for the following cities:
 1. Amendment No. 1 to Agreement No. 3585 with the City of Napa increasing the amount by \$15,000 for a new maximum of \$165,000; and **A-3585 (AMEND. 1)**
 2. Amendment No. 1 to Agreement No. 3886 with the City of American Canyon increasing the amount by \$2,500 for a new maximum of \$27,500. **A-3886 (AMEND. 1)**
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 4028 with the California Department of Mental Health for a maximum of \$725,613 for the term July 1, 2005 through June 30, 2006 for the Napa County Mental Health Managed Care Program. **A-4028**

- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements in relation to the provision of residential substance abuse services:
1. Agreement with Project Ninety, Inc., for a maximum of \$802,175 for the term October 4, 2005 through June 30, 2007 for the operation of a residential substance abuse program; **A-6523**
 2. Business Associate Agreement with Project Ninety, Inc., setting forth the terms and Conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule; and **A-6523-1**
 3. Amendment No. 1 to Lease Agreement No. 4801 with the California Department of Mental Health, increasing the monthly rate and extending the term through June 30, 2012 for space known as the "M-1 Building" located at Napa State Hospital. **A-4801**
(AMEND. 1)
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Kathleen Dunham, MFT, for the term October 4, 2005 through June 30, 2006:
1. Agreement for a maximum of \$5,000 to provide services in the Mental Health Outpatient Managed Care Program; and **A-6524**
 2. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule. **A-6524-1**
- 6E. Napa County Parks and Open Space Advisory Committee (NCPOAC) requests approval of distribution of \$20,000 of Proposition 40 funds to the Town of Yountville toward their Community Pool project.
- 6F. Director of Public Works requests adoption of a resolution designating the intersections of Congress Valley Road/Thompson Avenue, Meadowood Road/Silverado Trail, and Meadowood Road/Meadowood Lane as stop intersections, pursuant to Section 21101(b) of the California Vehicle Code. **R-05-169**
- 6G. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from American Canyon Business Park, LLC. (A Portion of Assessor's Parcel Nos. 057-130-012 and 028)
- 6H. Acting Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Public Guardian Division of the Health and Human Services Agency with regards to deleting one (1) .5 Senior Office Assistant and adding one (1) .5 Probate Assistant, effective October 4, 2005. **R-05-170**

- 6I. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4137 with the Board of Law Library Trustees and the Superior Court of California amending the Memorandum of Understanding to reflect changes in the location, type and manner of provision of some of the services, to add provisions relating to network security, to clarify the procedure for automatic adjustment of the reimbursement rates, and to make various technical changes. **A-4137
(AMEND. 1)**
- 6J. County Executive Officer requests adoption of a resolution declaring October 8-16, 2005 as Binational Health Week. **R-05-168**
7. Discussion Of Items Removed from the Consent Calendar.
NONE

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

Set Matters or Public Hearings

- 8A. 9:00 a.m. Recess to the Monticello Public Cemetery District meeting.
(SEE MONTICELLO PUBLIC CEMETERY DISTRICT MINUTES)
- 8B. 9:10 a.m. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))
Name of case: Polk, et. al. vs. County of Napa, et.al. (US District Court-Northern California Case No. C04 2903 WHA)
CLOSED SESSION HELD – NO REPORTABLE ACTION
- 8C. 10:00 a.m. Director of Public Works requests Board discussion and possible direction to staff on actions to establish a balloon launching facility on County owned property adjacent to the Roads Division Corporation Yard on Silverado Trail near Yountville for a six month evaluation period with potential direction from the Board to include releasing a Draft Initial Study and Negative Declaration for public review by Monday, October 10, 2005 in compliance with the California Environmental Quality Act. (CONTINUED FROM SEPTEMBER 13, 2005)
PUBLIC HEARING HELD – TESTIMONY PRESENTED

**THE BOARD ADOPTED THE RECOMMENDATION OF PUBLIC WORKS
DIRECTING THAT THE NEGATIVE DECLARATION PROCEED TO HEARING ON
NOVEMBER 15, 2005 AT 2:00 P.M. AND FURTHER PROCEED TO A CODE OF
CONDUCT HEARING ON NOVEMBER 1, 2005 AT 10:30 A.M.**

ML-BD-BW-HM-ML-DD

- 8D. 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)

- 8E. 2:00 p.m. Recess to the Napa County Flood Protection and Watershed Improvement Authority meeting.
(SEE NAPA COUNTY FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)

Administrative Items

- 9A. County Counsel requests consideration and adoption of a resolution ordering an election and consolidating it with the June 6, 2006 statewide primary election for the purpose of enabling the voters of Napa County to approve or reject the "Fair Payment for Public Benefit Act" initiative.
(CONTINUED FROM SEPTEMBER 27, 2005)

ADOPTED RESOLUTION AS RECOMMENDED BY COUNTY COUNSEL

BD-ML-BW-HM-DD

R-05-171

N

- 9B. County Counsel requests consideration and adoption of a resolution ordering an election and consolidating it with the June 6, 2006 statewide primary election for the purpose of enabling the voters of Napa County to approve or reject the "Read and Understand Act" initiative.
(CONTINUED FROM SEPTEMBER 27, 2005)

ADOPTED RESOLUTION

BD-ML-BW-HM-DD

R-05-172

10. Legislative Items.
NONE

11. Board of Supervisors' Committee Reports and Announcements.

SUPERVISOR DODD REPORTED ON THE MEETING OF THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY HELD LAST WEEK. DISCUSSION CENTERED ON THE SALES TAX PROGRAM AND HOW IT WAS PROCEEDING.

CHAIR DILLON ALSO ATTENDED THE MEETING AND REPORTED ON OTHER ITEMS DISCUSSED.

SUPERVISOR DODD REPORTED ON HIS ATTENDANCE AT THE GRAND OPENING OF "THE COTTAGES". HE COMMENTED ON THE POSITIVE COMMENTS HE RECEIVED ABOUT THE PLANNING AND BUILDING DEPARTMENTS.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT THE LOCAL AGENCY FORMATION COMMISSION MEETING HELD ON MONDAY, OCTOBER 3, 2005. THE TWO AND ONE-HALF ACRE JUANITA COURT ANNEXATION WAS APPROVED AT THE MEETING. HE ALSO REPORTED THAT HE ATTENDED THE OPENING OF THE MAGNOLIA HOUSING PROJECT ON IMOLA AVENUE ON MONDAY, OCTOBER 3, 2005.

12. Board of Supervisors' Future Agenda Items.
NONE

13. County Executive Officer Reports and Announcements.
NANCY WATT, COUNTY EXECUTIVE OFFICER, ADVISED THAT COUNTY LEGISLATIVE ADVOCATE DON PETERSON WILL ATTEND THE NEXT BOARD OF SUPERVISORS' MEETING ON TUESDAY, OCTOBER 11, 2005. HE WILL MAKE HIS ANNUAL PRESENTATION TO THE BOARD WHICH WILL THEN BEGIN THE DEVELOPMENT OF THE COUNTY'S LEGISLATIVE PLATFORM.
14. Closed Session.
NONE

Adjournment

ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, OCTOBER 11, 2005 AT 9:00 A.M.

HAROLD MOSKOWITE, Chairman

ATTEST:

GALDYS 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