

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

November 22, 2005

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 22, 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 9:04 A.M.
2. Pledge Of Allegiance.
DONNA MORGAN LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
KATE DARGAN, ASSISTANT STATE FIRE MARSHAL, PRESENTED FIREWISE AWARDS TO CITIZENS OF NAPA COUNTY. SHE EXPRESSED HER APPRECIATION TO THE BOARD FOR THEIR SUPPORT OF THE FIREWISE PROGRAM. DEFENSIBLE SPACE RECOGNITION AWARDS FOR 2005 WERE PRESENTED TO DONNA MORGAN OF ANGWIN, STEVE AND BETSY MOLDS OF NAPA, AND RACHEL AND WILLIAM CASEY OF ST. HELENA . ERNIE LOVELESS COUNTY FIRE CHIEF ACCEPTED AN AWARD ON BEHALF OF ROD STERLING THE VOLUNTEER FIRE CHIEF FOR THE DEER PARK, WHO WAS NOT ABLE TO ATTEND TODAY'S MEETING.

CHIEF LOVELESS ADDRESSED THE BOARD AND PRESENTED KATE DARGAN A RECOGNITION OF HER LEADERSHIP IN THE FIREWISE PROGRAM.

MS. DARGAN INTRODUCED THE MEMBERS OF THE FIREWISE PROGRAM TEAM: ROGER ARCHIE, DARIN DRAKE, GABRIELLE AVINA, MIKE WILSON PATTI DEWEESE, NEAL O'HAIRE, AND MASTER GARDENER SHELLY ENGLEMAN.
4. Public Comment.
DONNA MORGAN COMMENTED THAT SHE AND SIXTEEN RESIDENTS OF HER NEIGHBORHOOD HAVE JOINED TOGETHER WITH THE ASSISTANCE OF THE FIREWISE CHIPPING PROGRAM IN AN EFFORT TO CLEAR THE NEIGHBORHOOD STREET OF BRUSH.
5. Department Heads' Reports and Announcements.
NONE

Consent Calendar

- 6A. Chief Probation Officer requests adoption of a resolution authorizing the department to submit the Juvenile Probation and Camps Funding (JPCF) Program Revenue Agreement for Fiscal Year 2005-2006 with the Corrections Standards Authority (CSA) in the amount of \$593,942 to provide county probation services targeting at-risk youth and juvenile offenders. **R-05-214**

- 6B. Director of Child Support Services requests authorization to expand public service hours to be 7:30 a.m. to 5:30 p.m.
- 6C. Chief Probation Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6268 with Wilbur H. Dixon, doing business as Madeira Group International, increasing the Fiscal Year 2005/2006 maximum compensation from \$12,600 to \$22,700 for pre-employment background investigations of certain prospective employees of County's Probation and Juvenile Hall Departments. **A-6268**
(AMEND. 2)
- 6D. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Schell-Vista Fire Protection District for a maximum of \$31,350 for the term July 1, 2005 through June 30, 2010 to provide emergency response services in a designated area adjacent to their jurisdiction. **A-2497-1**
- 6E. Director of Health and Human Services requests the following actions relating to the establishment of a revolving fund for the Public Administrator-Guardian:
1. Adoption of a resolution directing the establishment of a revolving fund not to exceed \$10,000 for the Public Administrator-Guardian for payment of fees and expenses related to conservatorship services for individuals; and **R-05-215**
 2. Approval of Budget Transfer No. 31 increasing appropriations in the Public Administrator-Guardian budget with offsetting revenues to fund expenses incurred on behalf of conservatees. (4/5 vote required) **BT-31**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6480 with Planned Parenthood-Shasta Diablo increasing the amount by \$24,000 for a new maximum of \$56,000 and revising the Scope of Work to include additional HIV education and prevention components. **A-6480**
(AMEND. 1)
- 6G. Director of Health and Human Services requests approval of the following actions relating to the County's Citizen Review Panel and its review of the implementation of the Fiscal Year 2005-2006 work plan for the prevention and treatment of child abuse and neglect:
1. Authorization for the Chair to sign an agreement with Allen, Shea & Associates for a maximum of \$12,500 for the term November 22, 2005 through September 30, 2006 to provide consultation services to the Citizen Review Panel; and **A-6550**
 2. Budget Transfer No. 23 increasing appropriations by \$25,000 in the Social Services Budget with offsetting revenue from the Citizen Review Panel allocation from the State to fund the contract and other expenditures. (4/5 vote required) **BT-23**
- 6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following in relation to bioterrorism grant funding from the State:
1. A revenue agreement with the California Department of Health Services for a maximum of \$233,249 for the term August 31, 2005 through August 30, 2006 for bioterrorism preparedness activities; and **A-6551**

- 6H. Continued.
2. A Certification Against Supplanting, certifying that funds will not be used to supplant funding for existing levels of service and that funds will only be used for the purposes stated in the Bioterrorism Preparedness Plan and Budget.
- 6I. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign a comment letter to the State Water Resources Control Board (State Water Board) regarding proposed revisions to the federal Clean Water Act (CWA) Section 303(d) list that would classify the Napa River as water quality limited (i.e. polluted) due to excess mercury contamination.
- 6J. Library Director requests approval of the following actions pertaining to a Reach Out and Read grant:
1. Acceptance of an Federal LSTA (Library Services and Technology Act) Reach Out and Read grant in the amount of \$7,600 administered by the California State Library; and
 2. Approval of Budget Transfer No. 27 increasing appropriations for Literacy Services and Indirect costs by \$7,600 with offsetting revenues in the Library budget.
(4/5 vote Required) **BT-27**
- 6K. Director of Public Works requests approval of plans and specifications for the "1046 Bella Drive Repairs Project," PW 06-07, 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.
- 6L. 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 04-22R2, "Health & Human Services Agency Building G Re-Carpet Project."
- 6M. 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 05-06, "Health & Human Services Agency Buildings G & H Roof Repair & Fascia Replacement Project."
- 6N. Director of Public Works requests the following actions relating to the "Juvenile Justice Center Project," PW 02-17, per Public Contract Code Section 7107:
1. Acceptance of Phase I as complete; and
 2. Authorization for the Director of Public Works to release partial retention.
- 6O. Director of Public Works and County Executive Officer/Purchasing Agent request authorization to declare certain items as surplus and no longer required for public use, remove them from inventory and dispose of them at public auction. (4/5 vote required)

- 6P. Acting Human Resources Director requests authorization for the Auditor-Controller to provide compensation for overtime incurred by two employees due to extraordinary circumstances requiring out-of-country travel:
1. Regina Clark, Child Recovery Assistant in the District Attorney's Office, for providing Court authorized out-of-country travel to Paris, France reuniting the child with the child's legal guardian; and
 2. Norma Cervantes, Child Protective Services Worker in the Social Services Division of the Health & Human Services Agency, for providing emergency custodial transportation of a minor and her infant child to Zacatecas, Mexico, for placement in the Mexican government's child protection agency for reunification with the minor's parents.

CHAIR DILLON COMMENDED THE DISTRICT ATTORNEY FOR HIS EFFORTS IN RECOVERING FUNDS FOR THIS REQUESTED EXPENSE.

- 6Q. Acting Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency with regards to deleting one (1) Office Assistant II and adding one Senior Office Assistant, effective December 3, 2005. **R-05-216**
- 6R. Acting Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Public Defender Department with regards to adding One (1) Attorney I/II/III Limited Term (LT) position through June 30, 2008, effective November 22, 2005. **R-05-217**
- 6S. Acting Human Resources Director requests adoption of a resolution amending the Departmental Allocation for the Airport Division of Public Works-Engineering with regard to adding one (1) Airport Operations Worker, effective November 22, 2005. **R-05-218**
- 6T. Acting Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Social Services Division of the Health and Human Services Agency with regards to the following actions, effective December 3, 2005:
1. Delete:
 - a. Two (2) Social Worker IV Limited Term (LT) through June 30, 2006; and
 - b. One (1) Staff Services Analyst I/II LT through June 30, 2006;
 2. Add:
 - a. Two (2) Social Worker IV;
 - b. One (1) Staff Services Analyst I/II;
 - c. One (1) .5 Office Assistant II LT through June 30, 2007; and
 - d. One (1) Social Worker IV LT through June 30, 2007.
- R-05-219**
- 6U. Acting Human Resources Director requests approval of and authorization for the Chair to sign an agreement with Ralph Andersen & Associates for a maximum of \$27,000 for the term November 22, 2005 through June 30, 2006 to provide recruitment services to staff the position of Director of Corrections.

- 6V. Acting Human Resources Director requests the following concerning third party administration services for workers' compensation claims:
1. Approval of and authorization for the Acting Human Resources Director to provide notice of termination of Agreement No. 2680 to Claims Management, Inc., effective January 31, 2006; **A-2680**
 2. Approval of and authorization for the Chair to sign an agreement with Gregory B. Bragg & Associates, Inc. for a maximum of \$431,750 for the term of February 1, 2006 through June 30, 2009. **A-6553**
- 6W. County Executive Officer requests approval of and authorization for the Chair to sign the Nurse Workforce Initiative (NWI) Subgrant R488554 closeout for \$1,558,976 for the period of October 1, 2003 to September 30, 2005.
- 6X. County Executive Officer requests adoption of a resolution transferring the security for \$118,894 indebtedness to the County's Affordable Housing Fund on the part of Napa Valley Community Housing (NVCH) from the Angwin property known as White Cottage Ranch to a Napa property known as the Parkwood Apartments, and expressing approval for the sale of Angwin property. **R-05-220**
- 6Y. County Executive Officer/Director of Emergency Services requests approval of Budget Transfer No. 25 appropriating \$10,000 in the Emergency Services budget with offsetting revenues from the Wildland Urban Interface (Firewise) grant. (4/5 vote required) **BT-25**
- 6Z. Second reading and adoption of an ordinance amending the Napa County Code by amending the criminal violation and penalty section of Chapter 1.20 relating to Violations of Local Building and Safety Codes, adding a new section and amending a section of Chapter 6.04 relating to diseased and vicious animals and penalties imposed for Animal Control violations, and amending the criminal sanctions imposed for a violation of Chapter 6.16 (Dangerous Animals).
ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. **O-1270**
7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6U.

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6T AND 6V THROUGH 6Z.
BW-BD-HM-ML-DD**

Set Matters or Public Hearings

- 8A. 10:30a.m. - Public Hearing - Consideration and possible action on an appeal filed by Mr. Dirk Fulton to a partial denial by the Director of Public Works of a road improvement modification requested by the appellant in connection with the application for Use Permit # 04065-UP for a property located at 263 Petrified Forest Road, Calistoga. (Assessor's Parcel No. 020-430-006)
- ENVIRONMENTAL DETERMINATION: The appeal of the Director's determination on the

8A. Continued.

road modification is not a "project" as defined in CEQA Section 15378. Section 15378(c) sets forth that the term "project" refers to an activity which is being approved, and does not mean each separate governmental approval. In this case, the Board's determination on the road modification merely establishes how existing regulations are being interpreted, and will not result, either directly or indirectly, in a physical change in the environment. This code interpretation is necessary to establish the scope of the "project" that will then be subject to CEQA evaluation.

PUBLIC HEARING HELD – TESTIMONY PRESENTED.

THE BOARD CONTINUED THIS MATTER TO JANUARY 10, 2006 AT 11:15 A.M.

BW-BD-ML-HM-DD

N

Administrative Items

9A. County Executive Officer requests approval of and authorization for the Chair to sign the following agreements totaling \$700,000 for the term October 1, 2005 through March 31, 2007, utilizing Tobacco Master Settlement Agreement (MSA) funds to provide for physical, mental health and drug and alcohol inpatient and outpatient services including prevention, education and smoking cessation programs:

- 1. Agreement with Community Health Clinic Ole' for a maximum of \$108,000;
A-4611
- 2. Agreement with Community Clinic Ole' dba Sister Ann Community Dental Clinic for a maximum of \$80,000;
A-6554
- 3. Agreement with Family Service of Napa Valley for a maximum of \$45,000;
A-6555
- 4. Agreement with Aldea, Inc. for a maximum of \$180,000 for the Alcohol and Other Drug Youth Services Collaborative;
A-6347
- 5. Agreement with Community Action of Napa Valley for a maximum of \$127,000; and
A-4612
- 6. Agreement with Aldea, Inc. for a maximum of \$160,000 for the Behavioral Health Collaborative.
A-4610

APPROVED AGREEMENTS BW-ML-BD-HM-DD

10. Legislative Items
NONE

11. Board of Supervisors' Committee Reports and Announcements.
SUPERVISOR DODD REPORTED THAT THE NAPA VALLEY TRANSPORTATION AUTHORITY WAS SEATED LAST WEDNESDAY. HE AND SUPERVISOR DILLON ARE ON THE AUTHORITY. THE AUTHORITY APPROVED THE

11. Continued.

TRANSPORTATION PROGRAM WHICH WILL NOW GO BEFORE THE CITIES AND COUNTY.

HE ALSO REPORTED ON THE NAPA VALLEY VINTNERS CELEBRATION WHICH HE, SUPERVISORS DILLON AND MOSKOWITE, AND NANCY WATT, COUNTY EXECUTIVE OFFICER, ATTENDED. HE REPORTED THAT THE CHILDREN'S HEALTH INITIATIVE RECEIVED A ONE MILLION DOLLAR GRANT FROM THE VINTNERS.

CHAIR DILLON STATED THAT THERE SHOULD BE MORE RECOGNITION AND PUBLICITY FOR THE FUNDING THAT THE VINTNERS' PROGRAM PROVIDES.

SUPERVISOR WAGENKNECHT REPORTED THAT THE SPARE THE AIR NIGHT PROGRAM HAS COMMENCED.

12. Board of Supervisors' Future Agenda Items.
NONE

13. County Executive Officer Reports and Announcements.
NANCY WATT, COUNTY EXECUTIVE OFFICER, REPORTED THAT THE NAPA VALLEY VINTNERS ASSOCIATION CONTRIBUTED \$250,000 FOR THE SOUTH NAPA HOMELESS SHELTER BUILDING.

14. Closed Session
A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Director of Public Works
CLOSED SESSION HELD – NO REPORTABLE ACTION

Adjournment.
ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, DECEMBER 6, 2005 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