

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

April 18, 2006

1. Call To Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, APRIL 18, 1006 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN BILL DODD, SUPERVISORS DIANE DILLON, HAROLD MOSKOWITE, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN DODD AT 9:04 A.M.**
  
2. Pledge of Allegiance.  
**GABRIELLE AVINA, NAPA COUNTY FIRE MARSHALL, LED THE SALUTE TO THE FLAG.**
  
3. Presentations and Commendations.  
**NONE**
  
4. Public Comment  
**NONE**
  
5. Department Heads' Reports and Announcements  
**DON RIDENHOUR, ASSISTANT DIRECTOR OF PUBLIC WORKS, GAVE AN UPDATE ON FLOOD DAMAGE IN NAPA COUNTY. TO DATE THE ESTIMATED DAMAGE TO COUNTY ROADS IS APPROXIMATELY \$11.6 MILLION. THE COUNTY WILL RECEIVE REIMBURSEMENT FOR A PORTION OF THESE COSTS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE STATE.**  
  
**HE ALSO GAVE AN UPDATE ON THE WATER STREET AND IMPERIAL WAY BUILDING DAMAGE. REPAIRS ON THE WATER STREET BUILDING ARE EXPECTED TO BE COMPLETED BY THE END OF THIS WEEK. REPAIRS TO IMPERIAL WAY ARE EXPECTED TO BE COMPLETED IN MAY.**  
  
**RANDY SNOWDEN, DIRECTOR OF HEALTH AND HUMAN SERVICES, AND DR. KAREN SMITH, COUNTY HEALTH OFFICER, GAVE AN UPDATE ON THE STATUS OF NEGOTIATIONS CURRENTLY UNDERWAY BETWEEN PINER AMBULANCE SERVICE AND THEIR EMPLOYEES. DIRECTOR SNOWDEN AND DR. SMITH ASSURED THE BOARD THAT THERE WILL BE NO INTERRUPTIONS IN EMERGENCY MEDICAL SERVICES.**

Consent Items

- 6A. Sheriff requests approval of Budget Transfer No. 60 increasing appropriations by \$16,573 in the Sheriff's budget for the Civil Division's vehicle equipment with offsetting revenue from the Debtor Assessment Trust. (4/5 vote required) **BT-60**

- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No.1 to revenue Agreement No. 3897-A with the California Department of Health Services increasing the amount by \$2,700,000 for a new maximum of \$5,100,000 and extending the term through June 30, 2008 to fund Medi-Cal Administrative Activities.  
**A-3897-A**  
**(AMEND. 1)**
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments incorporating agency-wide changes to the General Terms and Conditions:
1. Amendment No. 1 to Agreement No. 4570 with Roger Bruce Scarborough, M.D.; and  
**A-4570**  
**(AMEND. 1)**
  2. Amendment No. 2 to Agreement No. 6230 with Dave Mellow.  
**A-6230**  
**(AMEND. 2)**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments to provide additional counseling services in the Children's Behavioral Health/Child Welfare Services programs:
1. Amendment No. 1 to Agreement No. 4372 with JoAnn Hall, MFT, increasing the amount by \$4,000 for a new maximum of \$5,000;  
**A-4372**  
**(AMEND. 1)**
  2. Amendment No. 1 to Agreement No. 4710 with Robert Zemanek, MFT, increasing the amount by \$2,900 for a new maximum of \$45,000;  
**A-4710**  
**(AMEND. 1)**
  3. Amendment No. 1 to Agreement No. 4849 with Mary Lou Carson, LCSW, increasing the amount by \$1,550 for a new maximum of \$5,000;  
**A-4849**  
**(AMEND. 1)**
  4. Amendment No. 1 to Agreement No. 4879 with Loretta Silvagni, LCSW, increasing the amount by \$2,500 for a new maximum of \$5,000; and  
**A-4879**  
**(AMEND. 1)**
  5. Amendment No. 1 to Agreement No. 4935 with Steven Boyd, LCSW, increasing the amount by \$3,000 for a new maximum of \$6,000.  
**A-4935**  
**(AMEND. 1)**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments in relation to the Safe and Drug Free Schools and Communities Grant:
1. Amendment No. 3 to Agreement No. 6255 with COPE Family Center, revising the Scope of Work to make technical corrections, decreasing the amount by \$1,163 for a new maximum of \$114,816, and revising the budget for Program Year 2005-2006 and subsequent years; and  
**A-6255**  
**(AMEND. 3)**

2. Amendment No. 4 to Agreement No. 6254 with the Boys and Girls Club of Napa Valley, revising the Scope of Work to make technical corrections, increasing the amount by \$1,275 for a new maximum of \$66,547, and revising the budget for Program Year 2005-2006 and subsequent years.

**A-6254**  
**(AMEND. 4)**

- 6F. Human Resources Director and Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency to add one (1) (M) Project Manager-HHSA, effective April 18, 2006.  
**R-06-71**
- 6G. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Carpet One Design Center for a maximum of \$12,239 for the term April 18, 2006 through June 30, 2006 for re-carpeting of leased space at 1546 First Street in Napa.  
**A-6607**
- 6H. Director of Public Works and Auditor-Controller request approval of and authorization for the Chair to sign an agreement with Bartig, Basler & Ray for a maximum of \$6,000 for the term April 18, 2006 through August 27, 2006 for audit services for the Statement of Grant Revenue and Expenditures for the Juvenile Justice Center grant program funded by the State of California Corrections Standards Authority.  
**A-4906-3**
- 6I. Assessor-Recorder-County Clerk requests the following:
  1. Approval of Budget Transfer No. 64 (4/5 vote required):
    - a. Appropriating \$38,013 in the Recorder-County Clerk budget with offsetting revenues from the Recorder Micrographics Trust Fund for conversion from film to image and indexing of recorded documents;
    - b. Appropriating \$10,000 in the Recorder-County Clerk budget with offsetting revenues from the Recorder Modernization Trust Fund for an interface between Recorder and Assessor systems; and
    - c. Appropriating \$3,000 in the Assessor budget with offsetting revenues from the Property Tax Administration Trust Fund for upgrading assessor map images.  
**BT-64**
  3. Approval of and authorization for the Chair to sign an agreement with PFA Inc. for a maximum of \$38,013 for the term April 18, 2006 through June 30, 2007 for conversion from film to image and indexing of recorded documents.  
**A-6608**
- 6J. Communications Manager requests approval of Budget Transfer No. 62 in the amount of \$6,005 increasing appropriations in the Communications budget with offsetting revenues from the Emergency Services budget and establishment of a fixed asset in the amount of \$6,005 for the purchase of a Cisco Analog Phone Gateway. (4/5 vote required)  
**BT-62**
- 6K. County Counsel and County Privacy Officer request approval of and authorization for the Chair to sign Amendment No. 1 to the following Business Associate Agreements adding the Security Rule

6K. Continued.

to the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule:

1. Agreement No. 4982 with Daniel Garcia, LCSW; **A-4982**  
**(AMEND. 1)**
  2. Agreement No. 4994 with Thomas Jackson, MD; **A-4994**  
**(AMEND. 1)**
  3. Agreement No. 5001 with Locumtenens.com; **A-5001**  
**(AMEND. 1)**
  4. Agreement No. 5015 with Napa Valley Aids Project; **A-5015**  
**(AMEND. 1)**
  5. Agreement No. 5016 with Napa Valley Support Services; **A-5016**  
**(AMEND. 1)**
  6. Agreement No. 5023 with P.R. Resources, Inc. dba Medsource Consultants;  
**A-5023**  
**(AMEND. 1)**
  7. Agreement No. 5038 with Teletask, Inc.; **A-5038**  
**(AMEND. 1)**
  8. Agreement No. 5042 Victor Treatment Centers, Inc.; **A-5042**  
**(AMEND. 1)**
  9. Agreement No. 5043 with Vinita Wadhvani, MD; **A-5043**  
**(AMEND. 1)**
  10. Agreement No. 5082 with Andre Zunino dba Solution Computing; **A-5082**  
**(AMEND. 1)**
  11. Agreement No. 6111 with Denise L. Layten, MFT; **A-6111**  
**(AMEND. 1)**
  12. Agreement No. 6128 with Interpreting and Consulting Services; **A-6128**  
**(AMEND. 1)**
  13. Agreement No. 6321-1 with Frieda Weinstein, MFT; and **A-6321-1**  
**(AMEND. 1)**
  14. Agreement No. 6337-1 with Cathy F. Hughes, MFT. **A-6337-1**  
**(AMEND. 1)**
- 6L. County Counsel requests adoption of a resolution amending the bylaws of the General Plan Update Steering Committee to change the meeting location. **R-06-72**

- 6M. County Counsel and the Napa Valley Housing Authority request approval of and authorization for the Chair to sign an agreement with Kristin Lowell, Inc. for the following:
1. A maximum of \$5,800 for the term April 18, 2006 through August 31, 2006 to prepare the Engineer's Report required for the levy of farmworker housing assessments within Napa County Service Area No. 4 for Fiscal Year 2006-2007; and
  2. A maximum of \$10,200 for the term April 18, 2006 through August 31, 2008 to prepare the documents and services necessary for voter reapproval of the assessment program and, if the program is approved, to prepare the Engineer's Report required for the levy of the farmworker housing assessments within Napa County Service Area No. 4 for Fiscal Year 2007-2008.
- A-6609**
- 6N. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Assessor-Recorder-County Clerk-Elections Department with regards to deleting one (1) .75 FTE Assessment Records Assistant I/II and adding one (1) 1.0 FTE Assessment Records Assistant II, effective April 18, 2006. **R-06-73**
- 6O. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for Public Works-Engineering with regards to adding one (1) Senior Engineering Aide and deleting one (1) Engineering Aide, effective April 22, 2006. **R-06-74**
- 6P. Human Resources Director and the Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Social Services Division of the Health and Human Services Agency to delete four (4) (S) Supervising Mental Health Counselor II and add four (4) (S) Social Worker Supervisor II positions, effective April 22, 2006. **R-06-75**
- 6Q. Local Enforcement Agency Manager requests adoption of a resolution authorizing the following:
1. Submittal of an application to the California Integrated Waste Management Board for a solid waste Local Enforcement Agency Grant in the amount of \$18,000 for Fiscal Year 2006-2007;
  2. Execution of the necessary grant documents by the Assistant County Executive Officer.
- R-06-76**
- 6R. County Executive Officer requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 3295 with the State of California for a maximum of \$60,000 for the term July 1, 2006 through June 30, 2007 for the Arts in Mental Health Program. **A-3295**
- 6S. County Executive Officer/Purchasing Agent and Director of Public Works requests 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)
- 6T. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to donate a mobile file system to the Napa Valley Unified School District on the condition that the District remove the file system from its present location by May 1, 2006 at District cost, and hold the County harmless from any liability related to the file system and its removal.

7. Discussion of Items Removed from the Consent Calendar.  
**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6T.  
DD-BW-HM-ML-BD**

Set Matters or Public Hearings

- 8A. 9:15 a.m. Public Hearing  
Consideration and possible action regarding an appeal filed by Tom Carey of Dickenson, Peatman & Fogarty, on behalf of their client, Mr. Bill Smith, 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 # 02057-UP for a property located at 1181 Las Posadas Road, Angwin. (Assessor's Parcel No. 025-060-001) ENVIRONMENTAL DETERMINATION: The appeal of the Director's determination on the 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. (CONTINUED FROM MARCH 14, 2006)  
**PUBLIC HEARING OPENED – TESTIMONY PRESENTED**

**PUBLIC HEARING CONTINUED TO JUNE 6, 2006 AT 9:30 A.M.  
BW-ML-HM-DD-BD**

- 8B. 9:30 a.m. Recess to the Board of Equalization Meeting (See BOE Agenda).  
**(SEE BOARD OF EQUALIZATION MINUTES)**

- 8C. 10:30 a.m. Public Hearing  
Consideration and possible action regarding an appeal filed by attorney James Rose on behalf of Lucia Abreu Vineyard, Howell Mountain, LLC of a decision by the Conservation, Development and Planning Commission on December 7, 2005, to approve Marc and Janice Mondavi's Rocky Ridge Winery Use Permit Application No. 05-0056-UP to: (1) construct a new 35,000 gallon per year winery and associated improvements including a new, two story 17,130 sq. ft. winery production facility (crushing, fermentation, barrel aging and storage, bottling, case good storage, administrative offices and laboratory); a cave; outdoor crush and grape delivery pad; five employees; parking; tours and tasting by appointment; retail wine sales by appointment; a marketing plan; and an on-site wastewater system; and (2) allow an exception to the County's Conservation Regulations (Section 18.108.027 (B)) to allow retention of less than the minimum of 60% tree canopy and 40% brush/grass cover existing on the parcel as it was configured on June 16, 1993, on a 20.65 acre parcel on the north side of Las Posadas Road, approximately 1/2 miles west of its intersection with Cold Springs Road and located at 383 Las Posadas Road, Angwin, Assessor's Parcel No. 024-300-065. The project is located within an Agricultural Watershed: Airport Compatibility Overlay (AW:AC) zoning district and is designated in the General Plan as Agriculture, Watershed and Open Space (AWOS). ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project may have, if mitigation measures are not included, potentially significant impacts in the following areas: noise and transportation. (CONTINUED FROM MARCH 14, 2006; APPLICANT REQUESTS CONTINUANCE TO MAY 16, 2006 AT 10:30 A.M.)

8C. Continued.

**ITEM CONTINUED TO MAY 16, 2006 AT 10:30 A.M.  
BW-DD-HM-ML-BD**

Administrative Items

9A. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 2556 with Community Action of Napa Valley, Inc. (CANV), revising the Scope of Work to include the addition of 12 shelter beds, increasing the amount by \$28,088 for a new maximum of \$182,449 for Fiscal Year 2005-2006, and establishing a maximum dollar amount of \$249,662 for Fiscal Year 2006-2007, and each renewal thereof, for operation of the Samaritan and the South Napa Shelters.

**APPROVED REQUEST ML-BW-HM-DD-BD A-2556  
(AMEND. 3)**

9B. Human Resources Director and Director of Health and Human Services Agency request the following in relation to the Mental Health Division of the Health and Human Services Agency:

1. Consideration of the reorganization of the Division as presented by the Director of Health and Human Services Agency; and
2. Adoption of a resolution regarding the following, effective April 18, 2006:
  - a. Amend the Departmental Allocation List to add:
    - i. One (1) (M) Assistant Behavioral Healthcare Manager;
    - ii. One (1) Mental Health Quality Coordinator;
    - iii. One (1) Mental Health Utilization Review Coordinator;
    - iv. One (1) Mental Health Provider Services Coordinator; and
    - v. One (1) Senior Office Assistant;
  - b. Amend the Table and Index to add:
    - i. Mental Health Quality Coordinator;
    - ii. Mental Health Utilization Review Coordinator; and
    - iii. Mental Health Provider Services Coordinator;
  - c. Amend the appropriate policies to add:
    - i. Mental Health Quality Coordinator;
    - ii. Mental Health Utilization Review Coordinator; and
    - iii. Mental Health Provider Services Coordinator.

**APPROVED REQUEST DD-BW-HM-ML-BD R-06-77**

9C. Human Resources Director and Director of Health and Human Services Agency request the following in relation to the Social Services Division (Child Welfare Services) of the Health and Human Services Agency:

1. Consideration of the reorganization of the Division as presented by the Director of the Health and Human Services Agency; and
2. Adoption of a resolution amending the Departmental Allocation List, effective April 18, 2006, to add:
  - a. One (1) (M) Assistant Behavioral Healthcare Manager;
  - b. Two (2) Staff Services Analyst I/II; and

9C. Continued.

c. One (1) Senior Office Assistant.

**APPROVED REQUEST**

**DD-BW-HM-ML-BD**

**R-06-78**

9D. Emergency Services Manager to make a presentation commemorating the 100th Anniversary of the Great 1906 Earthquake and its implications for Napa County residents in the present day.

**PRESENTATION MADE**

9E. Consideration and possible action to approve Administrative Item 9F because there is a need to take immediate action and the need came to the attention of the local agency subsequent to 9:00 a.m. on Saturday, April 15, 2006. (Majority vote of the Board is required)

**APPROVED REQUEST**

**ML-DD-HM-BW-BD**

9F. County Executive Officer and Emergency Services Manager request adoption of a resolution requesting the Governor to proclaim a State of Emergency in Napa County related to the ongoing winter and spring storms which have continued since the local emergency was proclaimed by the Assistant County Executive Officer on December 30, 2005 and confirmed by the Board of Supervisors on January 3, 2006.

**APPROVED REQUEST**

**BW-DD-HM-ML-BD**

**R-06-79**

Legislative Items

10A. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)

**NONE**

11. Board of Supervisors' Committee Reports and Announcements.

**SUPERVISOR DILLON REPORTED THAT SEVERAL BILLS WERE REVIEWED BY THE LEGISLATIVE SUB-COMMITTEE ON MONDAY APRIL 17, 2006. THEY WILL BE PUT ON THE BOARD'S AGENDA NEXT WEEK.**

**SHE ALSO STATED THAT TODAY IS THE ANNIVERSARY OF THE 1906 EARTHQUAKE AND THAT SHE STILL HAD A LETTER THAT HER GRANDFATHER WROTE ON APRIL 20, 1906 DESCRIBING THE DEVASTATION OF THE EARTHQUAKE AND HER FAMILY'S EXPERIENCE.**

**SUPERVISOR WAGENKNECHT STATED THAT HE ATTENDED THE NAPA COUNTY LEAGUE OF GOVERNMENTS' (NCLOG) MEETING LAST THURSDAY. HE ALSO ATTENDED A HEALTH CARE DISCUSSION HELD AT THE QUEEN OF THE VALLEY HOSPITAL ON MONDAY, APRIL 17, 2006.**

**SUPERVISOR DILLON REPORTED THAT SHE AND COMMUNITY PARTNERSHIP MANAGER HOWARD SIEGEL PARTICIPATED IN A KVN RADIO DISCUSSION CENTERED ON THE COUNTY GENERAL PLAN.**



12. Board of Supervisors' Future Agenda Items.  
**NONE**
13. County Executive Officer Reports and Announcements.  
**NONE**
14. Closed Session  
A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section  
54956.9: (Two cases)  
**CLOSED SESSION HELD – NO REPORTABLE ACTION**

Adjournment

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,  
APRIL 25, 2006 AT 9:00 A.M.**

\_\_\_\_\_  
HAROLD MOSKOWITE, Chairperson

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