

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

May 23, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, MAY 23, 2006 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.
ED WEST, CORRECTIONAL CORPORAL, LED THE SALUTE TO THE FLAG.

Presentations and Commendations.

3. Presentation of Retirement Resolution No. 06-96 to Donald Gruenhagen, Engineering Assistant I, in recognition of more than 26 years of service.
PRESENTATION MADE **R-06-96**

4. Public Comment.
ED WEST CORRECTIONAL CORPORAL, SPOKE ON HIS CONCERNS WITH TRAFFIC IN THE VICINITY OF THE CURRENT SUNDAY FLEA MARKET ON HIGHWAY 29. HE URGED THE BOARD TO STUDY THE TRAFFIC SITUATION IN THE AREA.

5. Department Heads' Reports And Announcements.
DAVE WHITMER, COUNTY AGRICULTURAL COMMISSIONER AND SEALER OF WEIGHTS AND MEASURES, UPDATED THE BOARD ON THE GLASSY-WINGED SHARPSHOOTER.
JIM FEATHERSTONE, ASSISTANT DIRECTOR OF HEALTH AND HUMAN SERVICES, UPDATED THE BOARD ON THE PROCESS FOR ACCEPTING CERTAIN MENTAL HEALTH GRANTS WHICH NO LONGER NEED TO GO TO THE BOARD FOR APPROVAL.

Consent Calendar

- 6A. Director of Child Support Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6252 with Cushman Computer Consulting, Inc. increasing the amount by \$1,000 for a new maximum of \$8,800 to include an audit tool for child support accounts which will provide a detailed breakdown of payments and credits over the history of the case statewide.
A-6252
(AMEND. 2)
- 6B. County Fire Chief requests approval of and authorization for the Chair to sign a Joint Powers Agreement with the Cities of Napa, Calistoga and St. Helena, the Napa State Hospital and the American Canyon Fire Protection District for use of the Napa County Fire Training Grounds.
A-6628

- 6C. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Piner's Napa Ambulance Service, Inc. for a maximum of \$17,150 for the term May 23, 2006 through September 4, 2006 for holiday weekend ambulance services at Lake Berryessa.
ITEM PULLED FOR SEPARATE DISCUSSION
APPROVED REQUEST ML-DD-HM-BW-BD A-6629
- 6D. Director of Health and Human Services requests approval of the following actions regarding the U.S. Department of Housing and Urban Development (HUD) Transitional Residential Alliance and Integrated Network (TRAIN) Project:
1. Authorization for the Chair to sign a renewal grant agreement accepting TRAIN funding for Calendar Year 2006 in the amount of \$123,439; and
 2. Adoption of a resolution authorizing the submission of an application for Calendar Year 2007 TRAIN funding to HUD. **R-06-100**
- 6E. 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, on behalf of its Davis campus UC Davis Extension, for a maximum of \$28,900 for the term July 1, 2006 through June 30, 2007 to train Health and Human Services staff on technical skills, quality of casework and excellence in service delivery. **A-2131**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 2556 with Community Action of Napa Valley, Inc., revising the Scope of Work to provide for maintenance and utility costs at the South Napa Shelter, increasing the amount by \$7,692 for a new maximum of \$186,295 for Fiscal Year 2005-2006, and establishing a maximum dollar amount of \$295,816 for Fiscal Year 2006-2007, and each renewal thereof, for the operation of the Samaritan Family Center and South Napa Shelter. **A-2556 (AMEND. 4)**
- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements to provide counseling services in the Children's Behavioral Health and Child Welfare Services Programs:
1. Amendments:
 - a. Amendment No. 1 to Agreement No. 3749 with Ron Haimowitz, Ph.D.; **A-3749 (AMEND. 1)**
 - b. Amendment No. 1 to Agreement No. 4591 with Gregory Matsumoto, Psy.D.; **A-4591 (AMEND. 1)**
 - c. Amendment No. 1 to Agreement No. 4601 with Del Domezio, LCSW; **A-4601 (AMEND. 1)**
 - d. Amendment No. 1 to Agreement No. 4613 with Nancy Waldeck, MFT; **A-4613 (AMEND. 1)**

6G. Continued.

- e. Amendment No. 1 to Agreement No. 4649 with Gerane Park, LCSW;
A-4649
(AMEND. 1)
- f. Amendment No. 1 to Agreement No. 4823 with Joni Yacoe, MFT;
A-4823
(AMEND. 1)
- g. Amendment No. 1 to Agreement No. 4934 with Bill Ruhs, MFT;
A-4934
(AMEND. 1)
- h. Amendment No. 1 to Agreement No. 4936 with Judith Speed, Ph.D.;
A-4936
(AMEND. 1)
- i. Amendment No. 1 to Agreement No. 6337 with Cathy Hughes, MFT;
A-6337
(AMEND. 1)
- j. Amendment No. 1 to Agreement No. 6012 with Carol Nagle, LCSW;
A-6012
(AMEND. 1)
- k. Amendment No. 1 to Agreement No. 6094 with Maureen O'Shea, Ph.D.;
A-6094
(AMEND. 1)
- l. Amendment No. 1 to Agreement No. 6359 with Don Scully, MFT;
A-6359
(AMEND. 1)
- m. Amendment No. 1 to Agreement No. 6469 with Esther Trevino, MFT;
A-6469
(AMEND. 1)
- n. Amendment No. 1 to Agreement No. 6578 with Aldea, Inc.;
A-6578
(AMEND. 1)
- o. Amendment No. 2 to Agreement No. 4149 with Alternatives for
Better Living, Inc.;
A-4149
(AMEND. 2)
- p. Amendment No. 2 to Agreement No. 4372 with Joann Hall, MFT;
A-4372
(AMEND. 2)
- q. Amendment No. 2 to Agreement No. 4710 with Robert Zemanek, MFT;
A-4710
(AMEND. 2)
- r. Amendment No. 2 to Agreement No. 4822 with Richard Cohan, Ph.D.;
A-4822
(AMEND. 2)
- s. Amendment No. 2 to Agreement No. 4849 with Mary Lou Carson, LCSW;
A-4849
(AMEND. 2)

6G. Continued.

- t. Amendment No. 2 to Agreement No. 4878 with Loretta Silvagni, LCSW;
A-4878
(AMEND. 2)
- u. Amendment No. 2 to Agreement No. 4935 with Steven Boyd, LCSW;
A-4935
(AMEND. 2)
- v. Amendment No. 2 to Agreement No. 6339 with Barrie Glen, Ph.D.; and
A-6339
(AMEND. 2)
- w. Amendment No. 2 to Agreement No. 6360 with Doug Marum, Ph.D.
A-6360
(AMEND. 2)

2. New Agreements:

- a. Agreement (AUD No. 5819) with Matthew S. Smith, MFT; and
A-6630
- b. Agreement (AUD No. 5817) with Laurel Antonucci, MFT. **A-6631**

- 6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4296 with Napa Ambulance Service, Inc., dba Piner's, amending the response time standards for emergency and advanced life support ambulance service in Zone 8 of Exclusive Operating Area 2 from eight minutes to ten minutes. **A-4296**
(AMEND. 3)
- 6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6239 with Child Start, Inc., decreasing the amount by \$20,000 for a new maximum of \$50,000 and revising the Scope of Work to incorporate performance measures into the contractor's agreement for Fiscal Year 2006-2007 to provide child care services for clients enrolled in the Women's Recovery Program. **A-6239**
(AMEND. 2)
- 6J. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6253 with Alternatives for Better Living, Inc., decreasing the amount by \$10,000 for a new maximum of \$10,000 to provide "clean and sober" housing to clients of the Substance Abuse Treatment Options Program (STOP) for Fiscal Year 2006-2007. **A-6253**
(AMEND. 2)
- 6K. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements to provide counseling services in the Children's Behavioral Health and Child Welfare Services programs:
- 1. Agreement with Fred Hollander, MFT, for a maximum of \$6,235 for the term May 23, 2006 through June 30, 2007; and **A-6632**
 - 2. Agreement with Sherri Hollman, MFT, for a maximum of \$5,000 for the term July 1, 2006 through June 30, 2007. **A-6633**

- 6L. Agricultural Commissioner requests adoption of a resolution providing for the following:
1. Acceptance of alternative Engineer's Reports for the Napa County Winegrape Pest and Disease Control District setting a hearing for the proposed levy of assessment and the conduct of a mailed ballot election to expand the scope of use of District assessments to address winegrape pests and diseases in addition to the glassy winged sharpshooter and Pierce's Disease;
 2. Set public hearing for July 11, 2006 at 9:30 a.m. to hear protests to the proposed assessment, including tabulation of ballots from qualifying property owners;
 3. Direct the Clerk of the Board to comply with applicable notice requirements with respect to the proposed assessment and the mailed notice and ballot requirements for imposition of the proposed expanded scope of use of assessments; and
 4. Designate Vicki Kemmerer of the Agricultural Commissioner's office as the person to answer questions regarding the assessments and protest proceedings.
- R-06-101**
- 6M. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with Analytical Environmental Services (AES) for \$205,815 for the term of May 23, 2006 through June 30, 2006 (with a provision for an automatic one-year renewal at the end of the fiscal year) to prepare a California Environmental Quality Act document for Jan Krupp, Stagecoach Vineyards, P06-0042-ECPA. (Assessor's Parcel Nos. 032-030-010, 032-030-059, 032-030-060, 032-030-061, 032-030-062 and 032-540-001) **A-6634**
- 6N. 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 06-07, "1046 Bella Drive Repairs Project."
- 6O. Director of Public Works requests adoption of a resolution to request an allocation of Fiscal Year 2006-2007 Transportation Development Act Article 3 Revenue from the Metropolitan Transportation Commission for Pedestrian/Bicycle project funding. **R-06-102**
- 6P. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 4 to revenue Agreement No. 3370 with R.A. Bridgeford, Inc. extending the term through June 30, 2006 for retail aviation fuel services. **A-3370**
(AMEND. 4)
- 6Q. Assessor-Recorder-County Clerk requests the following:
1. Adoption of a resolution approving a contract with the California Secretary of State to implement the Elections Assistance for Individuals with Disabilities (EAID) Program under Section 261 of the Help America Vote Act of 2002 (HAVA); and **R-06-103**

6Q. Continued

2. Approval of and authorization for the Chair to sign a revenue agreement with the California Secretary of State for a maximum of \$15,289 for the term June 1, 2006 through June 30, 2007 for the purpose of providing federal reimbursement funds to assist in implementing the EAID under HAVA. **A-6635**

6R. Communications Manager and Chief Information Officer request approval of the following in relation to the purchase of additional Voice Over Internet Protocol (VoIP) telephone hardware and software:

1. Establishment of fixed assets in the amount of \$23,179; and
2. Waiver of competitive bidding requirements and sole source award for one Server, two Gateways and one Router from AMS.NET of Livermore, California, pursuant to County Ordinance Code 2.36.090. (4/5 vote required)

ITEM APPROVED AS AMENDED

6S. Human Resources Director requests the adoption of a resolution regarding the following in connection with the Conservation, Development and Planning Department, effective May 23, 2006:

1. Amend the Departmental Allocation List to delete:
 - a. One (1) Office Assistant II;
 - b. Four (4) Planner I/II;
 - c. Eight (8) Planner III; and
 - d. One (1) Staff Services Manager;
2. Amend the Departmental Allocation List to add:
 - a. Twelve (12) flexibly staffed Planner I/II/III;
 - b. One (1) Planning Technician; and
 - c. One (1) Principal Planner (Code Enforcement).

R-06-104

6T. County Executive Officer requests that the Board grant permission to Supervisor Luce to absent himself from the State for more than 30 days pursuant to Government Code Section 1063.

6U. County Executive Officer/Director of Emergency Services requests adoption of a resolution terminating the Proclamation of Local Emergency declared by the Assistant County Executive Officer acting as the Director of Emergency Services on December 30, 2005 and confirmed by the Board of Supervisors by Resolution No. 06-02 on January 3, 2006. **R-06-105**

6V. Second reading and adoption of an ordinance amending Section 2.58.160 of the Napa County Code Relating to the Continuance of the In-Home Supportive Services Public Authority of Napa County. 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-1277**

7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6C

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6B AND 6D THROUGH 6V,
AS NOTATED ABOVE.**

BW-DD-HM-ML-BD

Set Matters or Public Hearings

- 8A. 9:00 a.m. Public Hearing
Conduct a Nuisance Abatement Hearing pursuant to County Code Section 1.20.060 to hear and consider all objections or protests, if any, to the notice of nuisance abatement issued for the property located at 455 Tompkins in Angwin, Napa County, California, (Assessor's Parcel No. 024-121-002), and at the conclusion of the hearing take one of following two actions:
1. Terminate the abatement proceedings; or
 2. Find that a nuisance exists and adopt a Resolution Declaring the Existence of Public Nuisance and Ordering its Abatement, and directing the owner or other interested persons to abate the nuisance within 30 days of service of the order.

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 1/Categorical Exemption Class 21: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") and Class 21 ("Enforcement Actions by Regulatory Agencies") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301 and 15321; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

PUBLIC HEARING HELD – TESTIMONY PRESENTED

ADOPTED RESOLUTION

DD-BW-HM-ML-BD

R-06-106

- 8B. 9:45 am Public Hearing
Director of Health and Human Services and County Counsel request adoption of a resolution establishing the methodology for the calculation of Public Guardian/Public Conservator/County Counsel hourly rates.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

ADOPTED RESOLUTION

BW-ML-HM-DD-BD

R-06-107

- 8C. 11:30 a.m. Recess to Annual Luncheon at the U.C. Cooperative Extension located at 1710 Soscol Avenue, Napa.

- 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. 3:30 p.m. Recess to a joint meeting with the Napa City Council. (BOS Meeting Room)
1. Status report, discussion and direction regarding City/County Downtown Parking Garage; and
REPORT PRESENTED

NAPA CITY COUNCIL APPROVED REQUEST FROM THE BOARD OF SUPERVISORS TO DELAY THE BIDDING PROCESS FOR THE CITY/COUNTY PARKING GARAGE IN ORDER TO ENABLE EVALUATION OF PROPOSED ALTERNATIVE LOCATIONS.

2. Presentation on Ten-Year Plan to end homelessness.
REPORT PRESENTED

Administrative Items

9. Director of Conservation, Development, and Planning requests discussion and possible direction regarding the feasibility of opening Oat Hill Mine Road as a public, non-motorized recreational trail, including possible direction to staff regarding identification of potential liability issues, costs, and funding sources.
REPORT PRESENTED

THE BOARD APPROVED STAFF RECOMMENDATION TO CONDUCT A FEASIBILITY STUDY ON OPENING OAT HILL MINE ROAD AS A RECREATIONAL TRAIL.

BW-ML-HM-DD-BD

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
- 10B. Discussion and possible action concerning June 6, 2006 ballot measures, which the Board may or may not take action on (Supervisor Wagenknecht):
1. Proposition 81 - California Reading and Literacy Improvement and Public Library Construction and Bond Act of 2006; and
 2. Proposition 82 - Preschool Education. Tax on Incomes Over \$400,000 for Individuals; \$800,000 for Couples. (Unanimous vote of the Board members present required)

REPORT PRESENTED – NO ACTION TAKEN

11. Board Of Supervisors' Committee Reports And Announcements.
SUPERVISOR WAGENKNECHT REPORTED THAT HE ATTENDED THE FOLLOWING MEETINGS:
1. **THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA);**
 2. **THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) WHERE A \$67 MILLION BUDGET WAS PASSED; AND,**
 3. **THE VICIOUS DOG TASK FORCE.**

11. Continued.

CHAIRMAN DODD REPORTED ON THE FOLLOWING MEETINGS WHICH HE ATTENDED:

- 1. HE ALSO ATTENDED THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA). A COMMITTEE WAS FORMED TO PROVIDE GUIDELINES ON THE SELECTION OF A CITIZENS' OVERSIGHT COMMITTEE IN THE EVENT MEASURE H PASSES;**
- 2. A JOINT PLANNING COMMITTEE MEETING BETWEEN THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG), THE METROPOLITAN TRANSPORTATION COMMISSION (MTC), AND THE AIR QUALITY BOARD LAST FRIDAY; AND**
- 3. A MEETING IN SACRAMENTO WITH THE BAY AREA LEGISLATIVE DELEGATION TO DISCUSS TRANSPORTATION FUNDING IN THE STATE.**

SUPERVISOR DILLON REPORTED HER ATTENDANCE AT A MEETING OF THE REGIONAL COUNCIL OF RURAL COUNTIES (RCRC) WHERE ITEMS DISCUSSED INCLUDED EMINENT DOMAIN, BOOKING FEES AND HOUSING.

SHE ALSO ATTENDED THE FIRST DESTINATION STRATEGY PROJECT OUTREACH MEETING WHICH WAS HELD AT THE CULINARY INSTITUTE IN ST. HELENA. THE NEXT MEETING IS JUNE 28TH IN YOUNTVILLE.

SUPERVISOR LUCE REPORTED ON HIS ATTENDANCE AT THE ABAG EXECUTIVE COMMITTEE MEETING LAST WEEK. ITEMS DISCUSSED INCLUDED HOUSING ALLOCATION METHODOLOGY, ONE TIME STATE TAX ISSUES, REIMBURSEMENT FOR SPECIAL ELECTION AND DECLINING ENROLLMENT IN K-12 SCHOOLS.

HE ALSO ATTENDED THE UP VALLEY WASTE MANAGEMENT MEETING WHERE DISCUSSION CENTERED ON RATE STRUCTURE.

12. Board of Supervisors' Future Agenda Items.

SUPERVISOR DILLON REQUESTED A REPORT ON THE PERMIT AND TRAFFIC ISSUES REGARDING THE HIGHWAY #29 FLEA MARKET NEAR AMERICAN CANYON.

NANCY WATT, COUNTY EXECUTIVE OFFICER, INFORMED THE BOARD THAT THE ISSUES SURROUNDING THE FLEA MARKET WERE CURRENTLY BEING STUDIED BY THE PLANNING DEPARTMENT IN CONJUNCTION WITH THE CALIFORNIA HIGHWAY PATROL. THEY WILL REPORT THEIR FINDINGS TO THE BOARD.

SUPERVISOR DILLON ALSO INFORMED THE BOARD THAT SHE HAS RECEIVED A NUMBER OF INQUIRIES FROM CONSTITUENTS REGARDING ROAD REPAIRS. SHE REQUESTED COUNTY PUBLIC WORKS TO PRESENT THE BOARD WITH A LIST OF THE TOP TEN REPAIR PRIORITIES, WHAT THEY COST, AND A REPAIR TIMELINE SO THAT THE INFORMATION CAN BE CONVEYED TO CONSTITUENTS.

13. County Executive Officer Reports And Announcements.
NANCY WATT, COUNTY EXECUTIVE OFFICER, ANNOUNCED THAT EACH YEAR AT THIS TIME, COUNTY EXECUTIVE OFFICERS CONDUCT A WEEKLY CONFERENCE CALL REGARDING BUDGETS. THIS YEAR'S CALLS BEGAN LAST WEEK. TWO ISSUES CAME TO THE FOREFRONT, BOOKING FEES AND THE SPECIAL ELECTION REIMBURSEMENT.
14. Closed Session
- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))
Name of case: Jorge Deharo, Hector Olvera, Latinos Unidos de Napa, an Unincorporated Association v. County of Napa et. al. (Case No. 26-22255)
CLOSED SESSION HELD – NO REPORTABLE ACTION
- B. 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) Unrepresented Employees: Non-Classified, Management and Confidential Employees of the County of Napa, excluding Elected Department Heads.
CLOSED SESSION HELD – NO REPORTABLE ACTION
- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)
CLOSED SESSION HELD – NO REPORTABLE ACTION

Adjournment

ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, JUNE 6, 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