

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

September 12, 2006

1. Call To Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, SEPTEMBER 12, 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 9:02 A.M.

2. Pledge of Allegiance.
RICK THOMASSER, WATERSHED & FLOOD CONTROL OPERATIONS MANAGER, LED THE SALUTE TO THE FLAG.

3. Presentations and Commendations
A. Presentation of a proclamation declaring September 2006 as “Recovery Happens Month” in Napa County.
PRESENTATION MADE

4. Public Comment
ROBERTA GOODIN, NAPA CITY-COUNTY LIBRARY COMMISSIONER, ACKNOWLEDGED THE ARTISTS WHO MADE POSTERS FOR STORY TIME AT THE FARMERS’ MARKET THIS PAST SEASON. SHE ALSO THANKED THE READERS FOR THEIR HELP. ATTENDANCE AT THE EVENTS TOTALED 1386 WHICH MADE IT THE BEST SEASON TO DATE.

MS. GOODIN, SPEAKING AS A PRIVATE CITIZEN, INFORMED THE BOARD ABOUT “NAPALIT” WHICH SHE CREATED. IT IS A WEBSITE IN ENGLISH AND SPANISH THAT CAN BE USED AS A RESOURCE FOR FINDING LITERACY SUPPORT ACTIVITIES IN NAPA COUNTY.

5. Department Heads' Reports and Announcements
MARY BUTLER, CHIEF PROBATION OFFICER AND JOHN PEARSON, DIRECTOR OF CORRECTIONS, ANNOUNCED THAT BOTH JUVENILE HALL AND THE JAIL RECEIVED ACCREDITATION CERTIFICATES FROM THE INSTITUTE FOR MEDICAL QUALITY.

PAM KINDIG, AUDITOR-CONTROLLER, ANNOUNCED THAT NAPA COUNTY RECEIVED A CERTIFICATE OF ACHIEVEMENT AWARD FROM THE GOVERNMENT FINANCIAL OFFICERS’ ASSOCIATION (GFOA) FOR EXCELLENCE IN FINANCIAL REPORTING.

Consent Calendar

- 6A. Chief Probation Officer request approval of and authorization for the Chair to sign an agreement with Identix, Inc. for a maximum of \$6,411 for the term September 13, 2006 through June 30, 2007 for maintenance of LiveScan equipment. **A-6685**

- 6B. Director of Corrections requests approval of and authorization for the Chair to sign an agreement with Identix, Inc. for a maximum of \$7,059 for the term September 28, 2006 through June 30, 2007 for maintenance of LiveScan equipment. **A-6686**
- 6C. Sheriff requests approval of and authorization for the Chair to sign an agreement with Identix, Inc. for a maximum of \$5,866 for the term September 27, 2006 through June 30, 2007 for maintenance of LiveScan equipment. **A-6687**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Memorandum of Understanding No. 3484 with the California Department of Health Services revising the budgets for Fiscal Years 2005-2006 and 2006-2007 for HIV/AIDS surveillance, with no change to the contract maximum. **A-3484
(AMEND.1)**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Revenue Agreement No. 3579 with the California Department of Alcohol and Drug Programs decreasing the amount by \$11,974 for a new maximum of \$1,206,931 for Fiscal Year 2005-2006. **A-3579
(AMEND. 2)**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4065 with Buckelew Programs, Inc., increasing the amount by \$15,411 for a new maximum of \$320,967, revising the Scope of Work to incorporate performance measures, and revising the contractor's budget for the operation of an alternative housing program for mentally ill adults for Fiscal Year 2006-2007. **A-4065
(AMEND. 2)**
- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 6232 with Sunny Hills Services, Inc., incorporating specific terms and conditions regarding compliance requirements, revising the Scope of Work to include performance measures, and revising the compensation section to incorporate billing requirements for the contractor to provide medically necessary mental health services to Napa County children and youth, with no change to the contract maximum. **A-6232
(AMEND. 4)**
- 6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6683 (formerly AUD-5767) with Rose Garden Guest Home, Inc., increasing the amount by \$72,888 for a new maximum of \$84,388 to provide emergency Adult Protective Services placements in a residential care facility. **A-6683
(AMEND. 2)**
- 6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Allen, Shea & Associates for a maximum of \$26,000 for the term September 12, 2006 through June 30, 2007 to provide assistance and consultation on the County Self-Assessment and County System Improvement Plan reports required of the Child Welfare Services Division under Assembly Bill 636. **A-6688**
- 6J. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with First 5 Napa County Children and Families Commission for a

6J. Continued.

maximum of \$100,000 for the term July 24, 2006 through June 30, 2007 to fund staff for the Therapeutic Child Care Center. **A-6689**

6K. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Utility Equipment Leasing Corporation for a maximum of \$5,000 for the term September 12, 2006 through December 30, 2006 for equipment operator training in the use of a bucket lift truck. **A-6690**

6L. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Kristin Lowell, Inc. for a maximum amount of \$63,565 for assessment district engineering services for the Milliken-Sarco-Tulocay Recycled Water Project and Carneros Area.

ITEM REMOVED FOR SEPARATE DISCUSSION

APPROVED REQUEST

BW-ML-HM-DD-BD

A-6691

6M. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with each of the following firms, with a maximum amount of \$200,000 each, for the term of September 12, 2006 through June 30, 2007 for construction testing services:

1. Matriscope Engineering Laboratories, Inc.; and **A-6692**

2. Kleinfelder, Inc. **A-6483-1**

6N. Director of Public Works requests the following:

1. Grant private road easements to George Orr Hendry and Ronald V. Stradiotto and Rebecca A. Stradiotto across County-owned property (Assessor's Parcel No. 041-100-001) located at 2808 Redwood Road to provide legal access from Redwood Road for the benefit of Assessor's Parcel No. 035-101-019 (Stradiotto) and Assessor's Parcel Nos. 035-101-008 and 035-101-017 (Hendry); and

2. Authorize the Director of Public works to sign the necessary Easement Deeds and any related documents.

6O. Director of Public Works requests authorization to accept the following donations for the Historical Courthouse:

1. Stained glass dome artwork by and from Gordon Huether of Napa, valued at approximately \$100,000; and

2. Two paintings depicting the Napa Valley in 1879 by local artists Joanne Ortega and Suzanne Ortega donated by the artists and the Hon. W. Scott Snowden, each valued at approximately \$10,000.

6P. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for Child Support Services with regards to adding one (1) Senior Account Clerk and one (1) Staff Services Analyst I position and deleting the resulting vacancies, effective September 12, 2006. **R-06-165**

- 6Q. Human Resources Director requests the adoption of a resolution amending the Departmental Allocation List for the Conservation, Development and Planning Department with regards to deleting one (1) Staff Services Analyst I/II and adding one (1) (S) Administrative Office Assistant, effective September 12, 2006. **R-06-166**
- 6R. Human Resources Director and the Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Health and Human Services Agency and its budget units as follows, effective September 23, 2006:
1. Delete one (1) Staff Services Analyst I/II and add one (1) Senior Systems Support Analyst in the Administration budget unit; and
 2. Delete one (1) Office Assistant II and one (1) System Support Analyst - H & HS, and add one (1) Senior Office Assistant and one (1) Senior Systems Support Analyst to the Social Services budget unit. **R-06-167**
- 6S. Human Resources Director and the Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Health and Human Services Agency and its budget units with regards to deleting one (1) (S) Supervising Mental Health Counselor II from the Social Services budget and adding one (1) (S) Supervising Mental Health Counselor II to the Mental Health budget unit, effective September 23, 2006. **R-06-168**
- 6T. Human Resources Director requests adoption of a resolution regarding the following in connection with the County Executive Office and the Community Partnership Division of the County Executive Office, effective October 7, 2006:
1. Amend the Departmental Allocation List to:
 - a. Delete one (1) (M) Public Information Officer/Committees and Commissions and add one (1) (M) Communication and Public Information Officer designated as "at will", Management Non-Classified (Other);
 - b. Delete one (1) (C) 0.8 FTE Secretary and add one (1) (C) 1.0 FTE Secretary;
 - c. Add one (1) (C) 0.5 FTE Secretary; and
 - d. Delete (1) 1.0 FTE Secretary and add one (1) 0.8 Secretary to the Departmental Allocation List for the Community Partnership Division.
Amend the Table and Index to delete one (1) (M) Public Information Officer/Committees and Commissions and add one (1) (M) Communication and Public Information Officer; and Amend appropriate policies to delete one (1) (M) Public Information Officer/Committees and Commissions and add one (1) (M) "at will" Communication and Public Information Officer.

APPROVED RESOLUTION, AS AMENDED

R-06-169

- 6U. Human Resources Director and Director of Public Works request adoption of a resolution regarding the following in connection with Public Works-Engineering, effective September 2, 2006:
1. Amend the Departmental Allocation List adding one (1) (M) Acting Transportation Agency Director;
 2. Amend the Table and Index to add Acting Transportation Agency Director; and
 3. Amend appropriate policies to add Acting Transportation Agency Director.
- R-06-170**
- 6V. Human Resources Director requests adoption of a resolution regarding the following in connection with Public Works-Engineering, effective September 12, 2006:
1. Amend the Departmental Allocation List to delete one (1) Associate Civil Engineer and add one (1) Water Resources Division Specialist; and
 2. Amend the Table and Index to add Water Resources Division Specialist.
- R-06-171**
- 6W. County Executive Officer requests acceptance of the responses submitted by the Auditor-Controller, County Executive Officer, Chief Information Officer and Director of Health and Human Services to the Outside Auditor's Management Report for Fiscal Year 2004-2005.
- 6X. County Executive Officer requests the reappointment of Steve Bouch, Court Executive Officer, to serve as Trustee for the Board of Supervisors and the appointment of Jim Jones, Attorney, to serve as Trustee for the Bar Association to the Napa County Law Library with the terms of office to commence immediately and expire January, 2007.
- 6Y. County Executive Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 3295-B with the Arts Council of Napa Valley for a maximum of \$60,000 with offsetting revenue from the State of California, for the term July 1, 2006 through June 30, 2007 for the Arts in Mental Health Artist Program.
- A-3295-B**
- 6Z. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 5064 with the Peter A. and Vernice H. Gasser Foundation to modify the description of the Ground Lease to exclude a vacant portion of the leased premises not occupied by the South Napa Homeless Shelter facility, subject to compliance with Government Code Section 65402 and Government Code Section 66428 on or before December 31, 2006.
- A-5064
(AMEND. 3)**
- 6AA. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 6 to Agreement No. 6246 with Sonoma State University increasing the amount by \$9,874 for a new maximum of \$288,502 to provide project management services for the disability employment grant known as Project INCLUSION.
- A-6246
(AMEND. 6)**

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

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6K AND 6M THROUGH 6AA, AS NOTED ABOVE.

BW-ML-HM-BW-BD

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. 9:15 a.m.
Director of Public Works and Director of Conservation, Development and Planning request the following:

1. Direction regarding whether to continue operation of the temporary balloon launch facility at the Yountville Corporation Yard for another one year beyond the initial six month period; and

APPROVED CONTINUED OPERATION OF THE FACILITY THROUGH DECEMBER 2007.

ML-HM-BW-DD-BD

N

1. Approval of revisions to the "Code of Conduct for Balloon Operations in Napa County" designed to address issues identified by the Board in May 2006.

APPROVED REVISIONS

ML-HM-BW-DD-BD

- 8C. 9:45 a.m. Public Hearing
County Counsel requests the following actions relating to the County's 2004 Conflict of Interest Code:

1. Open the Public Hearing to consider any objections or protests with respect to amending the Code; and
2. Close the Public Hearing and adopt a resolution authorizing the amendment of the Code.
(STAFF REQUESTS CONTINUANCE TO OCTOBER 17, 2006 AT 9:15 A.M.)

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED.

APPROVED STAFF'S REQUEST FOR A CONTINUANCE TO OCTOBER 17, 2006 AT 9:15 A.M.

BW-ML-HM-DD-BD

- 8D. 10:00 a.m.
Recess to the In-Home Supportive Services Public Authority of Napa County special meeting.
(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY MINUTES)

- 8E. 10:30 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)

Administrative Items

- 9A. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 7 to Agreement No. 4202 with Napa County Watershed and Flood Protection Authority (NCFPWIA) increasing the amount by \$700,000 for a new maximum of \$2,935,000, and extending the term through June 30, 2007.

**APPROVED REQUEST DD-ML-HM-BW-BD A-4202
(AMEND. 7)**

- 9B. County Executive Officer requests the following actions related to the South Napa Homeless Shelter facility located at 100 Hartle Court, Napa, California:

1. Approval of the purchase of the facility from the Peter A. and Vernice H. Gasser Foundation for a purchase price of \$4,561,501 plus escrow fees;
1. Authorization for the County Executive Officer or her designee to sign all necessary documents related to the purchase;
2. Approval of Budget Transfer No. 8:
 - (1) canceling part of an Accumulated Capital Outlay Fund designation in the amount of \$931,501 and appropriating \$931,501 in the Accumulated Capital Outlay Fund budget as an Operating Transfer Out to the Homeless Shelter budget in the County Center Improvement Fund; and
BT-8
 - (2) increasing the Operating Transfer In revenue line item in the Homeless Shelter budget by \$931,501 with an offsetting reduction in Miscellaneous Revenue; (4/5 vote required) and
3. Authorization to accept donations from the Community Foundation of Napa Valley South Shelter Capstone Fund totalling \$93,928.52.

APPROVED REQUESTS BW-ML-HM-DD-BD

- 9C. County Executive Officer requests:

1. Approval of Budget Transfer No. 7, establishing and appropriating General Fund and non-General Fund balances, establishing certain fixed assets in the Sheriff, Vehicle Replacement and Equipment Pool budgets and making certain other adjustments to the Fiscal Year 2006/2007 budget; (4/5 vote required) and
BT-7
2. Approval of a waiver of competitive bidding requirements and sole source award to NEC for the purchase of the Automated Fingerprint Information System (AFIS).

APPROVED REQUESTS ML-BW-HM-DD-BD

10. Legislative Items.
NONE.

11. Board of Supervisors' Committee Reports and Announcements.
SUPERVISOR LUCE REPORTED ON HIS ATTENDANCE AT ETHICS TRAINING CONDUCTED LAST THURSDAY AND FRIDAY.

CHAIRMAN DODD REPORTED ON THE CALIFORNIA ASSOCIATION OF LOCAL AREA FORMATION COMMISSIONS (CALAFCO) CONVENTION HE ATTENDED LAST WEEK WITH SUPERVISORS LUCE AND WAGENKNECHT.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT A BOARD OF DIRECTORS' MEETING OF THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC). THE DIRECTORS TOOK A "NO" POSITION ON PROPOSITION 90.

12. Board of Supervisors' Future Agenda Items.
SUPERVISOR MOSKOWITE REQUESTED A DISCUSSION ON WATER RATES WHICH THE RESIDENTS AT BERRYESSA ESTATES ARE CURRENTLY BEING CHARGED.

SUPERVISOR DILLON SUGGESTED THAT THIS ISSUE SHOULD MORE APPROPRIATELY BE PLACED ON A LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT AGENDA.

13. County Executive Officer Reports and Announcements.
NANCY WATT, COUNTY EXECUTIVE OFFICER, REPORTED FURTHER ON THE COUNTY ETHICS TRAINING WHICH SUPERVISOR LUCE ATTENDED. THE GOAL IS TO TRAIN COUNTY MANAGERS AND SUPERVISORS WHO CAN THEN TRAIN STAFF WITHIN THEIR RESPECTIVE DEPARTMENTS.

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

Adjournment

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
SEPTEMBER 19, 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