

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

January 9, 2007

1. Call to Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JANUARY 9, 2007 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 9:01 A.M.**
2. Pledge of Allegiance.  
**DEBRA DOMMEN, EXECUTIVE DIRECTOR OF WINEGROWERS OF NAPA COUNTY, LED THE SALUTE TO THE FLAG.**

Election of Officers

- 3A. Board of Supervisors Organization for 2007: Election of Officers (Chairperson H. Moskowitz and Vice-Chairperson B. Wagenknecht).  
**THE BOARD ELECTED SUPERVISOR MOSKOWITE AS CHAIRMAN AND SUPERVISOR WAGENKNECHT AS VICE-CHAIRMAN.  
BW-ML-HM-DD-BD**
4. Public Comment.  
**CANDACE ELIZA VOICED HER CONCERNS ABOUT THE WINTER HOMELESS SHELTER.**  
  
**VINCENT BLAKE REQUESTED INFORMATION REGARDING WHO IS RESPONSIBLE FOR LEVY MAINTENANCE AND REPAIRS ON MILTON ROAD.**
5. Department Heads' Reports and Announcements.  
**NONE**

Consent Calendar

- 6A. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with the California Department of Corrections and Rehabilitation for a maximum of \$22,913 for the term December 11, 2006 to June 30, 2007 for the provision of temporary emergency housing for wards of the Juvenile Court at the Division of Juvenile Justice. **A-6746**
- 6B. Second reading and adoption of an ordinance amending sections 12.08.010 and 12.08.040 of the Napa County Code to add Pope Creek and Putah Creek to the Berryessa Lake and Park Area and to permit boating violations in these areas to be charged either as a misdemeanor or an infraction. ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)]. **O-1287**

- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Memorandum of Understanding with the Napa County Special Education Local Planning Area (SELPA) and Napa County Office of Education (NCOE) for the term January 9, 2007 through June 30, 2007, including a provision for automatic renewal, to contract and administer an Intensive School-based Mental Health Treatment program. **A-6747**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements to provide services in the Mental Health Managed Care Program:
1. Agreements for a maximum of \$5,000 each for the term January 9, 2007 through June 30, 2007 with:
    - a. Mary E. Remington, MFT; **A-6748**
    - b. Kathleen R. Boyd, MFT; **A-6749**
    - c. Jane Michele Adams, LCSW; **A-6750**
    - d. Holly A. Dowling, MFT; and **A-6751**
    - e. Stephen L. Pittavino, Ph.D. **A-6752**
  2. Business Associate Agreements setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule with:
    - a. Mary E. Remington, MFT; **A-6748-1**
    - b. Kathleen R. Boyd, MFT; **A-6749-1**
    - c. Jane Michele Adams, LCSW; **A-6750-1**
    - d. Holly A. Dowling, MFT; and **A-6751-1**
    - e. Stephen L. Pittavino, Ph.D. **A-6752-1**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to revenue Agreement No. 3662 with the California Department of Health Services (CDHS) increasing the amount by \$1,834 for Fiscal Year 2006-2007 for a new maximum of \$97,567 for the Housing Opportunities for Persons with AIDS (HOPWA) program. **A-3662**  
**(AMEND. 2)**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Community Health Clinic Olé:
1. Renewal of Agreement No. 3740 for a maximum of \$95,000 for the term July 1, 2006 through June 30, 2007 to provide indigent medical services; and **A-3740**
  2. Memorandum of Understanding for the term October 1, 2006 through June 30, 2007, with a provision for automatic annual renewal, to provide primary medical services to clients residing at the South Napa Shelter. **A-6753**
- 6G. Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Social Services Division of the Health and Human Services Agency adding one (1) Child Protective Services Worker I/II, one (1) Office Assistant II, two (2) Social Worker I/II, and one (1) Social Worker Supervisor II; and deleting one (1) Community Aide, one (1) .5 Office Assistant II - Limited Term through June 30, 2007, one (1) Social Worker III, and one (1) Supervising Mental Health Counselor II - Licensed, for a 1.5 FTE net increase, effective January 9, 2007. **R-07-01**

- 6H. Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency, adding two (2) Assistant Public Health Manager, one (1) Health Education Specialist, and one (1) Project Manager - H&HS; and deleting one (1) Chief Public Health Manager and one (1) Program Manager I; for a 2.0 FTE net increase, effective January 9, 2007. **R-07-02**
- 6I. Director of Health and Human Services requests authorization to redirect a portion of a previously accepted donation of tables and chairs from Travis Air Force Base, from the South Napa Shelter to programs operated by Napa County Health and Human Services Agency.
- 6J. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Hughes Associates, Inc. for a maximum of \$10,200 for the term January 9, 2007 through June 30, 2007 for fire code analysis of the second floor of the Carithers facility. **A-6754**
- 6K. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with General Equipment for a maximum of \$144,613, for the term January 9, 2007 through June 30, 2007, to retrofit the County's on-road, heavy-duty diesel vehicles to comply with the California Air Resources Board mandated Diesel Risk Reduction Plan. **A-6755**
- 6L. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements pertaining to the construction of the Napa County Airport Pollution Control Facility:
1. Indemnification Agreement with Napa Sanitation District over its sanitary sewer easement; and **A-6756-1**
  2. Indemnification Agreement with City of American Canyon over its water easement. **A-6756**
- 6M. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4903 with CH20, INC., increasing the amount by \$200 for a new maximum annual amount of \$5,200 for inspection, testing and maintenance of cooling towers, boilers, and related systems in County-owned buildings. **A-4903**  
**(AMEND. 1)**
- 6N. Director of Public Works requests award of the contract for the "Rubber Asphalt Concrete Overlay of Silverado Trail Project," PW 05-15, to R.D. Evans Grading and Paving of Forest Hill, California, for their low base bid of \$710,701 and authorization for the Chair to sign the construction contract.
- 6O. Director of Public Works requests approval of plans and specifications for the "Modifications at Various Napa County Offices," PW 07-05, 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.

- 6P. Director of Public Works requests approval of plans and specifications for the "Chiles-Pope Valley Road Slide Debris Removal Project," RDS 06-22, 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.
- 6Q. Director of Public Works requests approval of plans and specifications for the "Hall of Justice Re-carpet Project," PW 07-10, 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.
- 6R. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6378 with Silverado Electric, increasing the hourly billing rate from \$85 per hour to \$94 per hour with all other terms and conditions to remain unchanged.
- 6S. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Paul and Jillian Ryan. (Assessor's Parcel No.057-020-001)
- 6T. Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign a sole source agreement with DFM Associates for a maximum of \$262,264 for the term December 4, 2006 through June 30, 2012 for the purchase and maintenance of Election Information Management System software.

**A-6378**

**(AMEND. 1)**

**ITEM REMOVED FOR SEPARATE DISCUSSION.**

**APPROVED REQUEST**

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

**A-6757**

- 6U. County Counsel requests adoption of a resolution approving a request for a partial exemption from the Fiscal Year 2006-2007 assessments for County Service Area No. 4 for the following parcels owned by Thomas Kenefick:

Owner	Assessor's Parcel No.
Thomas Kenefick	017-230-001
	017-230-002
	017-230-003
	017-230-029
	018-050-020
	020-340-007
	020-340-018

**R-07-03**

- 6V. Human Resources Director requests adoption of a resolution regarding the following in connection with the Community Partnership Program of the County Executive Office, effective January 13, 2007:
1. Amend the Departmental Allocation List to delete one (1) Community Partnership Analyst;

6V. Continued.

2. Amend the Department Allocation List to add one flexibly staffed Community Partnership Analyst I/II;

3. Amended the Table and Index of Classes to delete Community Partnership Analyst and add Community Partnership Analyst I and Community Partnership Analyst II; and

4. Amend appropriate policies to delete Community Partnership Analyst and add flexibly staffed Community Partnership Analyst I/II. **R-07-04**

6W. Human Resources Director requests adoption of a resolution amending the Table and Index to increase the salaries of the Deputy Transportation Agency Director and the Transportation Program Manager-Transit in the Public Works Department, effective January 13, 2007.

**R-07-05**

6X. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Building Inspection Division of the Conservation, Development and Planning Department with regards to adding one (1) Permit Technician, effective January 9, 2007.

**R-07-06**

6Y. Human Resources Director requests adoption of the following three resolutions:

1. Resolution approving equity adjustments for certain classifications in the Public Service Employee and Public Service Employee-Supervisory Units; **R-07-07**

2. Resolution approving equity adjustments for certain classifications in the Management and Confidential employee groups; and **R-07-08**

3. Resolution approving a change in the salary for the Non-Classified position of County Executive Officer. **R-07-09**

6Z. County Executive Officer requests the Board take the following actions in designating the Department of Environmental Management as the Local Enforcement Agency for solid waste:

1. Adoption of a resolution identifying the Department of Environmental Management as the Local Enforcement Agency to carry out the provisions of the California Integrated Waste Management Act; and **R-07-10**

2. Authorize the Chair to sign the Notice of Designation of Local Agency Form with the California Integrated Waste Management Board.

7. Discussion of Items Removed from the Consent Calendar.

**SEE ITEM 6T.**

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6S, AND 6U THROUGH 6Z.  
DD-BD-ML-BW-HM**

Set Matters or Public Hearings

8A. 9:00 a.m. - Recess to the Board of Equalization Meeting.  
**(SEE BOARD OF EQUALIZATION MINUTES)**

- 8B. 9:00 a.m. - Recess to the Napa County Public Improvement Corporation special meeting .  
**(SEE NAPA COUNTY PUBLIC IMPROVEMENT CORPORATION MINUTES)**
- 8C. 9:00 a.m. - Recess to the Napa County Housing Authority special meeting.  
**(SEE NAPA COUNTY HOUSING AUTHORITY MINUTES)**
- 8D. 9:00 a.m. - Recess to the Lake Berryessa Resort Improvement District special meeting.  
**(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**
- 8E. 9:00 a.m. - Recess to the Napa Berryessa Resort Improvement District special meeting.  
**(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**
- 8F. 9:00 a.m. - Recess to the Silverado Community Services District special meeting.  
**(SEE SILVERADO COMMUNITY SERVICES DISTRICT MINUTES)**
- 8G. 9:15 a.m. - Recess to the In-Home Supportive Services Public Authority of Napa County meeting. **(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY MINUTES)**
- 8H. 9:30 a.m. - Recess to the Monticello Public Cemetery District special meeting.  
**(SEE MONTICELLO PUBLIC CEMETERY DISTRICT MINUTES)**
- 8I. 10:00 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. William 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, APRIL 18, JUNE 6, AUGUST 8, OCTOBER 3 AND NOVEMBER 21, 2006)  
**THE APPELLANT WITHDREW THE APPEAL.**
- 8J. 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. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with STAUBACH - NORTHERN CALIFORNIA, INC., for a maximum of \$395,000 for the term January 9, 2007 through June 30, 2007 for development of a Strategic Space

9A. Continued.

Management Plan. (CONTINUED FROM DECEMBER 19, 2006)

**ITEM DISCUSSED – NO ACTION TAKEN – STAFF WILL REPORT BACK TO THE BOARD AT A FUTURE DATE WITH MORE DETAILED INFORMATION.**

9B. County Executive Officer requests approval of and authorization for the Chair to sign the following Private Participation Agreements for the term January 9, 2007 through January 9, 2062 related to purchase of parking space licenses in the City-County Parking Garage:

1. Agreement with Napa Mill, LLC for license of approximately 46 parking spaces;

**A-6758**

2. Agreement with Napa Riverfront, LLC for license of approximately 46 parking spaces; and

**A-6759**

3. Agreement with Andrea Schrader for license of approximately 28 parking spaces.

**A-6760**

**APPROVED REQUESTS**

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

9C. County Executive Officer and Director of Public Works request the following for the "City/County of Napa Fifth Street Parking Garage Project," PW 07-01:

1. Approval of the design-build Request For Proposals; and

2. Authorization for the Director of Public Works to request design-build proposals from the pre-qualified top five ranked design-build entities in accordance with Public Contract Code Section 20133.

**APPROVED REQUESTS**

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

9D. Adoption of a resolution amending Section 8B of the County Policy Manual to amend the Rules of Conduct for the Napa County Board of Supervisors to modify the guidelines for appointments of Board members to committees and commissions.

**ADOPTED RESOLUTION**

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

**R-07-11**

9E. Discussion and possible action regarding the appointment of members of the Board of Supervisors to various committees, commissions and advisory boards.

**THE BOARD APPOINTED CHAIRMAN MOSKOWITE AS THE REGULAR MEMBER AND SUPERVISOR LUCE AS THE ALTERNATE MEMBER TO THE NAPA SANITATION DISTRICT.**

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

**THE BOARD APPROVED THE REMAINING APPOINTMENTS CONTAINED IN SECTION A.**

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

10. Legislative Items.

**NONE**

11. Board of Supervisors' Committee Reports and Announcements.

**SUPERVISOR DILLON REPORTED ON HER ATTENDANCE LAST THURSDAY AT THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) HOUSING METHODOLOGY COMMITTEE MEETING HELD IN SAN FRANCISCO.**

11. Continued.

**SUPERVISOR WAGENKNECHT ANNOUNCED THAT COUNCILMEMBER MARK ROSS FROM THE CITY OF MARTINEZ IS THE NEW CHAIRMAN OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) BOARD OF DIRECTORS. THE DISTRICT'S ANNUAL RETREAT WILL BE IN OAKLAND IN TWO WEEKS.**

**SUPERVISOR WAGENKNECHT ALSO REPORTED THAT NAPA VALLEY HOUSING AUTHORITY EXECUTIVE DIRECTOR PETER DRIER RETIRED. THE COUNTY AUDITOR IS CURRENTLY REVIEWING THE FINANCIAL RECORDS OF THE AUTHORITY.**

12. Board of Supervisors' Future Agenda Items.

**SUPERVISOR DILLON REQUESTED THAT STAFF STUDY THE POSSIBILITY OF APPLYING FOR BLOCK GRANTS AS THEY BECOME AVAILABLE.**

**SUPERVISOR DILLON ALSO REQUESTED THAT A DISCUSSION OF THE PROPOSED ENFORCEMENT ACTION AGAINST PALMAZ WINERY BE PUT ON THE BOARD'S AGENDA.**

**SUPERVISOR DODD REQUESTED STAFF TO AGENDIZE A MEETING BETWEEN THE BOARD AND THE CITY COUNCILS OF AMERICAN CANYON AND THE CITY OF NAPA TO DISCUSS THE HOUSING MEMORANDUMS OF UNDERSTANDING. HE SUGGESTED THAT DANIEL IACOFANO OF MOORE, IACOFANO AND GOLTSMAN, INC. (MIG) COULD FACILATE THE DISCUSSION AND EXPLAIN WHAT THE AGREEMENTS WERE BETWEEN THE COUNTY AND THE TWO CITIES REGARDING HOUSING. PERHAPS MR. ICOFANO COULD ALSO COMMENT AS TO HOW THESE AGREEMENTS WERE CRAFTED.**

13. County Executive Officer Reports And Announcements

**NANCY WATT, COUNTY EXECUTIVE OFFICER, ANNOUNCED THAT TOMORROW THE GOVERNOR'S BUDGET FOR THE NEXT FISCAL YEAR WILL BE RELEASED. IT IS ANTICIPATED THAT THERE WILL BE THREE MAJOR AREAS OF CHANGE INCLUDING PRISON REFORM, PENSION REFORM AND HEALTH CARE REFORM. MS. WATT WILL MEET WITH THE COUNTY ADMINSTRATORS GROUP, AS WELL AS CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) STAFF, TO ASSESS THE POTENTIAL IMPACTS OF THE BUDGET ON NAPA COUNTY.**

14. Closed Session

**A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: Airport Road and Highway 29, Napa (Assessor's Parcel No. 057-210-055) Agency Negotiator: Robert Peterson and Michael Stoltz  
Negotiating Party: Roger Gunn and Ron Greenslate as co-trustees for the Jane V. Gunn Marital Trust Under Negotiation: Terms of Sale, including price and terms of payment  
CLOSED SESSION HELD – NO REPORTABLE ACTION**



14. Continued.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: 623 Coombs Street and 1224 5th Street, Napa (Assessor's Parcel Nos. 003-271-002, 003-271-003, 003-271-005, 003-271-006, 003-271-009) Agency Negotiator: Robert Peterson and Michael Stoltz Negotiating Party: Theodore John Wigger, Henry E. Wigger, and Martha Jean Wolfe Under Negotiation: Terms of Sale, including price and terms of payment.

**CLOSED SESSION HELD – NO REPORTABLE ACTION**

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: 2201 Imola Avenue, Napa (Assessor's Parcel Nos. 045-350-002, 045-360-001, 046-380-001, 046-390-001, 046-450-041, 046-450-042) Agency Negotiator: Robert Peterson and Michael Stoltz Negotiating Party: State of California Under Negotiation: Terms of Sale, including price and terms of payment

**CLOSED SESSION HELD – NO REPORTABLE ACTION**

Adjournment

**ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,  
JANUARY 23, 2007 AT 9:00 A.M.**

\_\_\_\_\_  
HAROLD MOSKOWITE, Chairman

ATTEST:

\_\_\_\_\_  
GLADYS I. COIL, Acting 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