

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

January 23, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JANUARY 23, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS DIANE DILLON, BILL DODD, BRAD WAGENKNECHT, AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:00 A.M.
2. Pledge of Allegiance.
JIM FEATHERSTONE, ASSISTANT DIRECTOR OF HEALTH AND HUMAN SERVICES, LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
HERB FORD OF ANGWIN COMMENTED ON THE LACK OF TIMELINESS WITH THE BOARD OF SUPERVISORS MINUTES POSTED ON THE COUNTY'S WEBSITE.
5. Department Head Reports and Announcements.
HILLARY GITELMAN, DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING, ADVISED THAT THE SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD WAS MEETING TODAY IN OAKLAND. THEY WERE EXPECTED TO DECIDE ON THE TOTAL MAXIMUM DAILY LOAD (TMDL) PROCESS AND THE BASIN PLAN AMENDMENT.

DIRECTOR GITELMAN ADVISED THE BOARD OF SUPERVISORS THAT ALL OF THEIR CONCERNS REGARDING THE MATTER WERE ADDRESSED IN A LETTER COMPOSED BY HER AND PUBLIC WORKS DIRECTOR ROBERT PETERSON. A COPY OF THE LETTER WAS GIVEN TO EACH OF THE SUPERVISORS.

DIRECTOR GITELMAN SUGGESTED THAT THE BOARD MAY WANT TO SCHEDULE A MORE DETAILED DISCUSSION ON A FUTURE AGENDA ABOUT THE IMPLEMENTATION OF THE DECISION BY THE WATER QUALITY CONTROL BOARD.

SUPERVISOR DILLON SUGGESTED THAT A SPECIAL SESSION OF THE BOARD BE SET TO DISCUSS THE MATTER.

DAVID WHITMER, NAPA COUNTY AGRICULTURAL COMMISSIONER, ALSO COMMENTED REGARDING HIS CONCERNS ABOUT THE EFFECT OF THE WATER QUALITY CONTROL BOARD'S DECISION ON AGRICULTURE IN THE COUNTY.

COMMISSIONER WHITMER ALSO ANNOUNCED THAT HE AND HIS STAFF HAD SCHEDULED A TOWN HALL MEETING FEBRUARY 21, 2007 FROM 1:00 P.M. TO 4:30 P.M. AT GRANT HALL IN YOUNTVILLE TO RAISE AWARENESS AND PROVIDE THAT LATEST INFORMATION ABOUT THE VINE MEALY BUG. THE

5. Continued.

VINTNERS AND GRAPEGROWERS ASSOCIATIONS WERE INVITED ALONG WITH THE NAPA COUNTY FARM BUREAU.

Consent Calendar

- 6A. Chief Probation Officer requests approval of the following actions related to juvenile drug court services for youth and their families:
1. Authorization for the Chair to sign Amendment No. 2 to Agreement No. 6600 with the Loyd Wolfe Juvenile Justice Network increasing the amount by \$52,451 for a new maximum of \$232,545 for the term January 23, 2007 through June 30, 2007; and
**A-6600
(AMEND. 2)**
 2. Budget Transfer No. 37 increasing appropriations in the Probation Budget by \$52,451 with offsetting revenues from the Juvenile Justice Crime Prevention Act (JJCPA). (4/5 vote required)
BT-37
- 6B. Sheriff requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 3220 with the City of American Canyon for a maximum of \$3,519,262 for the term July 1, 2006 through June 30, 2011 for the provision of law enforcement services.
ITEM REMOVED FROM THE AGENDA.
- 6C. Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency, effective January 23, 2007, with no net increase in FTE's, as follows:
1. Delete: two (2) Medical Secretary, one (1) Psychiatric Nurse, one (1) Senior Mental Health worker; and
 2. Add: two (2) Secretary, one (1) flexibly staffed Emergency Response Counselor - Registered/Emergency Response Counselor - Licensed, one (1) flexibly staffed Mental Health Counselor/Mental Health Counselor - Registered/Mental Health Counselor - Licensed.
R-07-12
- 6D. Director of Health and Human Services Agency and Human Resources Director request the following actions related to Fiscal Year 2006-2007 funding for the Substance Abuse and Crime Prevention Act of 2000:
1. Acceptance of supplemental funding from the State Department of Alcohol and Drug Programs in the amount of \$118,592 for Offender Treatment Programs (OTP);
 2. Budget Transfer No. 36 increasing appropriations by \$118,592 in the Substance Abuse Division with offsetting revenue from the Offender Treatment Programs to fund salaries and contract expenditures;
BT-36
 3. Adoption of a resolution amending the Departmental Allocation List for the Substance Abuse Services Division adding one (.5 FTE) Alcohol and Drug Counselor III Limited Term (LT) position through November 30, 2007, effective January 23, 2007; and
R-07-13

6D. Continued

4. Approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4924 with Alternatives for Better Living, Inc., increasing the amount by \$87,285 for a new maximum of \$147,285, and revising the Scope of Work to provide additional substance abuse services.

A-4924

(AMEND. 4)

- 6E. Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Public Administrator/Public Guardian/Public Conservatorship Division adding one (.5 FTE) Probate Assistant, effective January 23, 2007. **R-07-14**
- 6F. Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Administration Division of the Health and Human Services Agency deleting one (1) Principal Quality Management Specialist and adding one (1) (M) Assistant Manager - Quality Management, effective January 23, 2007. **R-07-15**
- 6G. Human Resources Director requests adoption of a resolution approving a Side Letter Agreement with SEIU Local 614 - NAPE authorizing the reimbursement to Information Technology Services (ITS) Department employees for use of personally owned Personal Digital Assistant (PDA) devices. **R-07-16**
- 6H. Human Resources Director requests adoption of a resolution approving a Side Letter Agreement with SEIU Local 614 - NAPE authorizing the recoupment of overpayments made to specified County employees. **R-07-17**
- 6I. Human Resources Director requests adoption of a resolution regarding the following in connection with the Human Resources and Information Technology Services Divisions of the County Executive Office, effective January 23, 2007:
1. Amend the Departmental Allocation List for the Information Technology Division to delete one (1) Information Systems Specialist I/II/Senior;
 2. Amend the Departmental Allocation List for the Human Resources Division to add one (1) (M) Training and Organizational Development Officer;
 3. Amend the Table and Index of Classes to add Training and Organizational Development Officer; and
 4. Amend appropriate personnel policies to add reference to the management classified Training and Organizational Development Officer class. **R-07-18**
- 6J. County Executive Officer requests approval for the Arts Council of Napa Valley (ACNV) to submit an application to the California Arts Council to receive the State Local Partnership Program grant in the amount of \$15,000 to be used as ACNV's general operating support funds.

- 6K. County Executive Officer and County Counsel request approval to join the City of Palos Verdes Estates as a co-test claimant with the Commission on State Mandates to establish reimbursement for costs associated with binding arbitration.
7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6B.

**APPROVED CONSENT CALENDAR ITEMS 6A AND 6C THROUGH 6K.
BD-DD-BW-ML-HM**

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Recess to the Board of Equalization Meeting.
(SEE BOARD OF EQUALIZATION MINUTES)
- 8B. 10:00 a.m. - Auditor-Controller and Bartig, Basler & Ray, Certified Public Accountants, to present and request acceptance of the County of Napa Comprehensive Annual Financial Report, County of Napa Single Audit Report, and the County of Napa Management Report for Fiscal Year 2005-2006.
REPORT PRESENTED
- APPROVED REQUEST ML-BW-DD-BD-HM**
- 8C. 10:10 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)
- 8D. 10:15 a.m. - Recess to the Napa County Flood Protection and Watershed Improvement Authority special meeting. **(SEE NAPA COUNTY FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY)**
- 8E. 1:30 p.m. - Recess to the Napa County Flood Control and Water Conservation District special meeting. **(SEE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES)**

Administrative Items

- 9A. Director of Health and Human Services Agency requests discussion and possible action on the following proposals regarding the Fiscal Year 2007-2008 allocation of Tobacco Master Settlement Agreement (MSA) Funds:
1. Funding Guidelines for the Tobacco Master Settlement Agreement Grant Program for Fiscal Year 2007-2008;
 2. Process for Distribution of Tobacco Master Settlement Agreement Funding for Fiscal Year 2007-2008; and
- ADOPTED FUNDING GUIDELINES AND THE PROCESS FOR DISTRIBUTION OF FUNDING
DD-BW-ML-BD-HM**

9A. Continued.

3. Solicitation and processing of applications for Tobacco Master Settlement Agreement Grant funds for Fiscal Year 2007-2008.

APPROVED

DD-ML-BW-BD-HM

9B. County Executive Officer requests approval of:

1. Proposed Budget Policies to guide the preparation and administration of the County's Fiscal Year 2007-2008 Budget; and

2. Proposed Fiscal Year 2007-2008 Budget Calendar.

APPROVED REQUESTS

BD-ML-BW-DD-HM

9C. Discussion and possible direction regarding the investigation of the Palmaz Vineyards matter. (Chair Moskowitz)

ITEM REMOVED FROM THE AGENDA.

10. Legislative Items.

NONE

11. Board of Supervisors' Committee Reports and Announcements.

SUPERVISOR LUCE REPORTED ON THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) REVISED HOUSING METHODOLOGY. HE STATED THAT THE NUMBERS ARE ENCOURAGING, BUT STILL NOT SATISFACTORY.

SUPERVISOR DODD REPORTED ON HIS ATTENDANCE AT THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA) MEETING LAST WEEK. DISCUSSION CENTERED ON EFFORTS TO GET NEEDED FUNDING FROM THE STATE FOR JAMIESON CANYON IMPROVEMENTS.

SUPERVISOR DODD ALSO REPORTED THAT HE AND SUPERVISOR MOSKOWITE ATTENDED A MEETING OF THE AIRPORT INDUSTRIAL AREA ADVISORY COMMITTEE (AIA – A SUBCOMMITTEE OF THE NAPA COUNTY LEAGUE OF GOVERNMENTS). TOPICS OF DISCUSSION INCLUDED THE COUNTY GENERAL PLAN UPDATES AND PLANS FOR THE DEVELOPMENT OF THE LAND VACATED BY NAPA PIPE.

SUPERVISOR DILLON REPORTED ON HER ATTENDANCE ON JANUARY 9, 2007 IN POPE VALLEY AT A PUBLIC WORKSHOP REGARDING THE INCREASED ASSESSMENTS FOR THE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT.

SUPERVISOR LUCE COMMENTED ON THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) INITIATIVE TO REDUCE GREENHOUSE GAS.

SUPERVISOR WAGENKNECHT REPORTED THAT HE ATTENDED THE FIRST 5 (CHILDREN AND FAMILIES) COMMISSION MEETING. THERE ARE TWO NEW MEMBERS ON THE COMMISSION.

11. Continued.

SUPERVISOR WAGENKNECHT ALSO ATTENDED A BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) BOARD MEETING. NAPA COUNTY IS THE ONLY BAY AREA COUNTY THAT HAS NOT PASSED AN ORDINANCE LIMITING WOOD SMOKE. FIFTY PERCENT OF THE PARTICLES IN THE AIR ARE FROM WOOD SMOKE.

SUPERVISOR WAGENKNECHT REPORTED THAT THE NAPA VALLEY HOUSING AUTHORITY IS CURRENTLY STUDYING REORGANIZATION AND HOW TO PAY FOR THE FINANCIAL SHORTFALL.

12. Board of Supervisors' Future Agenda Items.

SUPERVISOR DILLON REQUESTED A STUDY SESSION REGARDING THE REQUIREMENTS THAT ARE THE BOARD OF SUPERVISORS RESPONSIBILITY UNDER PROVISIONS OF THE CALIFORNIA GOVERNMENT CODE.

13. County Executive Officer Reports and Announcements.

NANCY WATT, COUNTY EXECUTIVE OFFICER, REPORTED THAT THE BOARD MINUTES ARE COMPLETED THROUGH AUGUST OF 2006. SEVERAL MONTHS OF MINUTES WILL BE ON THE BOARD'S FEBRUARY 27, 2007 AGENDA FOR APPROVAL.

14. Closed Session

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:

(One case)

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: Deputy Sheriffs' Association (Law Enforcement Unit &

Supervisory Unit of the County of Napa)

CLOSED SESSION HELD – NO REPORTABLE ACTION

Adjournment

ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JANUARY 30, 2007 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