

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

February 6, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 6, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS DIANE DILLON, BRAD WAGENKNECHT, MARK LUCE, AND BILL DODD. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:02 A.M.

2. Pledge of Allegiance.
ELLEN LINDLEY LED THE SALUTE TO THE FLAG.

Presentations and Commendations

- 3A. Presentation of Retirement Proclamation to Elaine Saylor, Mental Health Medical Secretary, in recognition of 27 years of service.
PRESENTATION MADE

- 3B. Presentation of Proclamation declaring February 2007 as National Parent Leadership Month. (Chair Moskowitz)
PRESENTATION MADE

4. Public Comment.
DAVID GRAVES, FORMER NAPA COUNTY PLANNING COMMISSIONER, COMMENTED ON THE ISSUES PERTAINING TO PALMAZ WINERY. HE ENCOURAGED THE COUNTY TO CONTINUE TO ENFORCE THE EROSION CONTROL ORDINANCE, THE DISTRICT ATTORNEY TO PURSUE CRIMINAL PENALTIES IN VIOLATION OF STATE AND COUNTY LAWS, AND COUNTY COUNSEL TO PURSUE CIVIL PENALTIES.

ELLEN LINDLEY OF COOMBSVILLE ROAD DISCUSSED A BUILDING CODE PROBLEM REGARDING A CONSTRUCTION PROJECT ON A PARCEL OF LAND LOCATED NEXT TO HER RESIDENCE.

5. Department Heads' Reports and Announcements.
NONE

Consent Calendar

- 6A. District Attorney and Director of Health and Human Services request authorization for the following:
 1. Close the \$250 imprest cash fund allocated to the District Attorney/Public Administrator;
 2. Establish an imprest cash fund in the amount of \$250 for the Public Administrator/Health and Human Services; and,

6A. Continued.

3. Approval of Budget Transfer No. 46 increasing budget authority by \$21,372 in the Public Administrator/Health and Human Services budget and decreasing budget authority by \$21,372 in the District Attorney's/Public Administrator budget. (4/5 vote required)

BT-46

6B. Director of Corrections requests adoption of a resolution approving the Home Detention rules and regulations pursuant to Penal Code Section 1203.016.

R-07-22

6C. 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.

A-3220

6D. Director of Health and Human Services requests appointment of Patrick Jolly as the Napa County Veterans Services Officer for Napa County Health and Human Services Agency, effective November 18, 2006.

6E. Director of Health and Human Services requests approval of the following actions regarding tobacco control services:

1. Authorization for the Chair to sign Amendment No. 6 to Agreement No. 4072 with Community Action of Napa Valley, Inc., increasing the amount by \$10,000 for a new maximum of \$142,959 and revising the contractor's budget to reflect the provision of additional tobacco control services in Fiscal Year 2006-2007; and

A-4072

(AMEND. 6)

2. Budget Transfer No. 35 increasing appropriations by \$10,000 in the Substance Abuse budget with offsetting revenue from the Tobacco Control Trust to fund contract expenditures. (4/5 vote required)

BT-35

6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following:

1. Amendment No. 3 to Agreement No. 3409 with the California Department of Health Services (AIDS Master Grant Agreement) increasing the amount by \$168,344 for a new combined maximum of \$550,600 for Fiscal Years 2004-2005, 2005-2006, and 2006-2007;

A-3409

(AMEND. 3)

2. Amendment No. 3 to Agreement No. 3820 with the California Department of Health Services increasing the amount of the subordinate MOU governing AIDS education and prevention by \$168,344 for Fiscal Year 2006-2007; and

A-3820

(AMEND. 3)

3. Budget Transfer No. 38 increasing appropriations by \$168,344 in the Public Health Budget with offsetting revenue from the State Office of AIDS to fund program and contract expenditures. (4/5 vote required)

BT-38

- 6G. Director of Health and Human Services requests approval of Budget Transfer No. 40 appropriating \$25,000 in the Social Services budget with offsetting revenues from the Department of Social Services, Child Welfare Services Outcome Improvement Project (CWSOIP) augmentation allocation to fund contract expenditures. (4/5 vote required) **BT-40**
- 6H. Director of the Health and Human Services and the 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, deleting one (1) Community Aide and adding one (1) Community Health Assistant position, effective February 6, 2007. **R-07-23**
- 6I. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with River Front Construction, LLC, at no cost, for the term January 30, 2007 through June 30, 2008 for right of entry and authorization for connection to and use of County electrical utility facilities at the County Hall of Justice. **A-6765**
- 6J. Director of Public Works requests approval of plans and specifications for the "Child Support Services Re-carpet Project," PW 07-13, 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.
- 6K. Director of Public Works requests adoption of a resolution temporarily closing portions of Dry Creek Road, Oakville Grade, Oakville Cross Road and Silverado Trail from 9:00 a.m. to 1:00 p.m. on Tuesday, February 20, 2007 for the Amgen Tour of California bike race.
ITEM REMOVED FOR SEPARATE DISCUSSION.

APPROVED REQUEST

ML-BD-BW-DD-HM

R-07-24

- 6L. Director of Public Works requests the following related to the "Juvenile Court Entrance and Minor Modifications Project," PW07-09:
1. Approval of Budget Transfer No. 43 appropriating \$50,000 in the Capital Improvement Program budget with a corresponding reduction in the General Fund Appropriations for Contingencies; (4/5 vote required) **BT-43**
 2. Award of the contract to Emil Meyers Construction of Napa, California, for its low base bid of \$50,574 and authorization for the Chair to sign the construction contract.
- 6M. Director of Public Works requests the following:
1. Approval of Budget Transfer No. 45 appropriating \$42,000 in the Capital Improvement budget with an offsetting reduction in appropriations in the Corrections Department budget for funding the Hall of Justice Re-Carpet Project PW 07-10; (4/5 vote required) and **BT-45**
 2. Award of the contract for the "Hall of Justice Re-Carpet Project," PW 07-10, to Contract Furnishings of Rocklin, California, for their low base bid of \$31,170 and authorization for the Chair to sign the construction contract.

- 6N. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the quarterly report of gifts, bequests and devices (donations) deposited into the Donation Revenue accounts of Napa County, with the exception of the Library, for the six months ended December 31, 2006.
- 6O. Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Mapcon Mapping, Inc. for a maximum of \$108,000 for the term February 6, 2007 through December 31, 2007 for digital orthophotography and digital terrain data. **A-6764**
- 6P. Human Resources Director requests adoption of a resolution approving a Side Letter Agreement with SEIU Local 614 - NAPE regarding increasing Night Shift Pay for employees working in the Psychiatric Emergency Response Unit in the Mental Health Division of the Health and Human Services Agency, effective February 10, 2007. **R-07-25**
- 6Q. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Substance Abuse Services Division of the Health & Human Services Agency deleting one (1) Supervising Mental Health Counselor I and adding one (1) Supervising Mental Health Counselor II, effective February 10, 2007. **R-07-26**
- 6R. County Executive Officer requests the appointment of Laura Keller to serve on First Five, Napa County (Children and Families Commission) representing the County with the term of office to commence immediately and expire January 1, 2010.
- 6S. County Executive Officer requests the reappointment of Supervisor Bill Dodd to serve on the Metropolitan Transportation Commission (MTC) for a new four year term that commences February 10, 2007 and expires February 9, 2011.
- 6T. County Executive Officer requests the appointment/reappointment of Robert Swift and Kathleen Harrison to the Independent Hearing Panel for Solid Waste Issues with the term of office to commence immediately and expire August 1, 2010.
- 6U. County Executive Officer/Purchasing Agent and Director of Public Works request the following:
1. 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) and
 2. Declare certain items of personal property as surplus and no longer required for public use, and authorize the Purchasing Agent to dispose of these items by donating them to Cyber Mill, Inc., a tax-exempt health and human service organization.
7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6K.

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6J AND 6L THROUGH 6U.
BW-DD-ML-BD-HM**

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Recess to the Napa Berryessa Resort Improvement District meeting.
(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)
- 8B. 9:00 a.m. - Recess to the Lake Berryessa Resort Improvement District.
(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)
- 8C. 9:15 a.m. Public Hearing
Director of Environmental Management requests adoption of a resolution establishing, increasing and decreasing fees for services provided by the Department of Environmental Management.
ADOPTED RESOLUTION DD-BW-ML-BD-HM R-07-27
- 8D. 9:30 a.m. - Director of Public Works requests the following actions relating to the Rutherford Dust Restoration Project, an approved County unincorporated area Measure "A" project:
1. Approval of and authorization for the Chair to sign Amendment No. 9 to Revenue Agreement No. 4202 with the Napa County Flood Protection and Watershed Improvement Authority increasing the amount of Measure "A" funds by \$250,000 for the Rutherford Dust Restoration Project, for a new maximum of \$3,361,000 and extending the term through June 30, 2008 for all Napa County Measure "A" projects;
APPROVED REQUEST DD-BW-ML-BD-HM A-4202
N (AMEND. 9)
 2. Approval of Budget Transfer No. 39 appropriating \$250,000 to fund Amendment No. 9 to Agreement No. 4202 in the Public Works Capital Improvement Budget with offsetting revenues from the County's share of Measure "A" funds; (4/5 vote required) and
APPROVED REQUEST BD-BW-ML-DD-HM BT-39
N
 3. Approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6420 with Napa County Resource Conservation District, to increase the subgrant by \$215,000 of Measure "A" funding for a new maximum of \$527,000, extending the term through June 30, 2008 for preparation and submittal of a Conditional Letter of Map Revision as required by the Federal Emergency Management Agency as part of the Preliminary Design of the Rutherford Dust Restoration Project.
APPROVED REQUEST ML-BD-BW-DD-HM A-6420
N (AMEND.3)
- 8E. 9:30 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)
- 8F. 10:00 a.m. - Director of Conservation Development and Planning and Community Partnership Manager to provide a status report on the General Plan Update and summarize key elements of the Draft General Plan Update and the Draft Environmental Impact Report being circulated for public review starting in mid-February 2007.
REPORT PRESENTED

11. Continued.

REHABILITATION SECRETARY JIM TILTON PRESENTED A REPORT ON PRISON REFORM.

SUPERVISOR DILLON ALSO REPORTED THAT SHE ATTENDED AN ELDER ABUSE MEETING. REPRESENTATIVES FROM THE SHERIFF'S DEPARTMENT, THE DISTRICT ATTORNEY'S OFFICE AND POLICE DEPARTMENTS WERE PRESENT. DISCUSSION CENTERED ON THE EFFECT OF PRISON REFORM ON ELDER ABUSE CASES.

SUPERVISOR DILLON STATED THAT SHE AND SUPERVISOR DODD PARTICIPATED IN A CONFERENCE CALL WITH STAFF FROM THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG). ABAG STAFF WILL BE IN NAPA COUNTY ON MARCH 5, 2007 TO MEET WITH ALL COUNTY AND CITY ELECTED OFFICIALS TO EXPLAIN ABAG EFFORTS WITH REGARD TO REGIONAL PLANNING.

12. Board of Supervisors' Future Agenda Items.

SUPERVISOR DODD REPORTED THAT HE RECEIVED A LETTER FROM THE CIRCLE OAKS WATER DISTRICT REQUESTING THE BOARD OF SUPERVISORS TO FILL A VACANCY ON THE CIRCLE OAKS BOARD. SUPERVISOR DODD NOMINATED DAVID COURTNEY OF 110 RIDGECREST DRIVE TO SERVE ON THE BOARD AND REQUESTED THAT THE MATTER BE PUT ON A BOARD AGENDA.

13. County Executive Officer Reports and Announcements.
NONE

14. Closed Session.

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

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 Organizations: SEIU Local 614 - NAPE (Employee Unit & Supervisory Unit of the County of Napa); Napa County Deputy Sheriffs' Association (Employee Unit & Supervisory Unit of the County of Napa)

CLOSED SESSION HELD – NO REPORTABLE ACTION

C. 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 Trust Under Negotiation: Terms of Sale, including price and terms of payment.

CLOSED SESSION HELD – NO REPORTABLE ACTION

15. Adjournment
**ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,
FEBRUARY 27, 2007 AT 9:00 A.M.**

HAROLD MOSKOWITE, Chairman

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