

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

May 1, 2007

1. Call to Order; Roll Call
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, MAY 1, 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
LOU FLORES LED THE SALUTE TO THE FLAG.
- 3A. Presentation of a proclamation declaring May, 2007 as "Foster Parent Appreciation Month" and May 10, 2007 as "Foster Parent Appreciation Day" in Napa County (Supervisor Moskowitz).
PRESENTATION MADE
- 3B. Presentation of a proclamation declaring May, 2007 as "Watershed Awareness Month" in Napa County. (Supervisor Moskowitz)
PRESENTATION MADE
4. Public Comment
ARVIS NORTHRUP, RESIDENT OF NAPA, PRESENTED A PROPOSAL TO THE BOARD REGARDING ECO-TOURISM IN NAPA COUNTY. SHE PROPOSED THAT NAPA COUNTY ORGANIZE AND IMPLEMENT THE CURRENT GREEN BUSINESS CERTIFICATION PROGRAM.
5. Department Heads' Reports and Announcements
NONE

Consent Calendar

- 6A. Chief Probation Officer requests authorization for the Chair to sign Amendment No. 3 to Agreement No. 6600 with the Loyd Wolfe Juvenile Justice Network increasing the amount by \$15,000 for a new maximum of \$247,545 for juvenile drug court services and substance abuse treatment for youth and their families. **A-6600 (Amend. 3)**
- 6B. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with the California Department of Forestry and Fire Protection for a maximum of \$6,859,493 for the term July 1, 2006 through June 30, 2007 for fire protection. **A-6800**
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4402 with Davis Guest Home increasing the amount by \$100,000 for a new maximum of \$300,000 for Fiscal Year 2006-2007, with an automatic annual renewal provision, revising the Scope of Work to remove duplicative rate language, and revising

6C. Continued.

the contractor's daily patch rate for Fiscal Year 2007-2008 to provide residential mental health services.

A-4402

(AMEND. 3)

6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6375 with Victor Treatment Centers, Inc., increasing the amount by \$87,950 for a new maximum of \$150,000 for Fiscal Year 2006-2007, with a provision for an automatic annual renewal, and revising the daily bed rate for Fiscal Year 2007-2008 for the provision of residential mental health services.

A-6375

(AMEND. 3)

6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to an agreement (formerly AUD-5795) with Linda Henderson, M.D., increasing the amount by \$2,000 for a new maximum of \$18,000, with an automatic annual renewal provision, to provide consultation in the Medical Therapy Unit.

A-6801

(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. 6480 with Planned Parenthood-Shasta Diablo, increasing the amount by \$12,457 for a new maximum of \$97,957, and revising the contractor's budget to allow for more frequent education and testing services for individuals participating in certified alcohol and drug treatment programs.

A-6480

(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. 3260 with Crestwood Behavioral Health, Inc., increasing the amount by \$250,000 for a new maximum of \$1,250,000 to provide residential mental health services.

A-3260

(AMEND. 4)

6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Shameem Ghauri, M.D.:

1. Amendment No. 4 to Agreement No. 4656 increasing the amount by \$10,000 for a new maximum of \$45,000 and revising the contractor's hourly rate to provide psychiatric services to clients of the Therapeutic Child Care Center; and,

A-4656

(AMEND. 4)

2. Amendment No. 2 to Agreement No. 6075 decreasing the amount by \$15,000 for a new maximum of \$60,000, revising the Scope of Work to adjust the number of service hours per week, and revising the compensation section to increase the contractor's hourly rate to provide psychiatric services to clients in the children's mental health program.

A-6075

(AMEND. 2)

- 6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with SYA Group, Inc., for a maximum of \$64,712 for the term May 1, 2007 through August 30, 2007 to review and develop required emergency preparedness plans and procedures. **A-6802**
- 6J. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Jim Cassio, Inc., doing business as Workforce Information Group, Inc., for a maximum of \$39,000 for the term May 1, 2007 through December 31, 2007 for consulting services in relation to the At-risk Business Identification Program. **A-6803**
- 6K. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Allen, Shea & Associates:
1. Amendment No. 2 to Agreement No. 4367 decreasing the amount by \$3,375 for a new maximum of \$15,000, revising the Scope of Work, and increasing the hourly rate to provide consultation and administrative support for the In-Home Supportive Services Advisory Board; and **A-4367
(AMEND. 2)**
 2. Amendment No. 1 to Agreement No. 6688 increasing the amount by \$22,000 for a new maximum of \$48,000, incorporating a provision for automatic annual renewal, and revising the Scope of Work to include services related to implementation of the Kinship Support Services Program and Differential Response Model in Child Welfare Services. **A-6688
(AMEND. 1)**
- 6L. Director of Health and Human Services requests approval of Budget Transfer No. 54 appropriating \$25,000 in the Substance Abuse Services budget, offset by the cancellation of a portion of a designation, for the purpose of cost report repayment. (4/5 vote required) **BT-54**
- 6M. Director of Public Works requests adoption of a resolution temporarily closing a portion of Berryessa-Knoxville Road from 8:00 A.M. to 11:00 A.M. on Sunday, May 6, 2007 for the 9th annual Napa Valley "Sprint" Triathlon. **R-07-58**
- 6N. Director of Public Works requests approval of and authorization for the Auditor-Controller to issue final payment to the State of California in the amount of \$33,000, for an invoice that was issued after the termination of an agreement between the State and the County for the installation of a traffic control signal, safety lighting and roadwork on Route 29 at Oak Knoll Avenue.
- 6O. 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 quarter ended March 31, 2007.
- 6P. County Counsel requests approval of Budget Transfer No. 59 appropriating 170,000 in the Conflict Public Defender budget and reducing the General Fund Contingencies by an equivalent amount, to cover attorney fees and other costs related to indigent defense. (4/5 vote required) **BT-59**

7. Discussion of Items removed from the Consent Calendar.
NONE

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6P.
BD-BW-DD-ML-HM**

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Recess to the Lake Berryessa Resort Improvement District meeting
(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)
- 8B. 9:15 a.m. - Recess to the Napa County Housing Authority special meeting.
(SEE NAPA COUNTY HOUSING AUTHORITY MINUTES)
- 8C. 10:15 a.m. - Recess to the Silverado Community Services District special meeting.
(SEE SILVERADO COMMUNITY SERVICES DISTRICT MINUTES)
- 8D. 10:30 a.m. - Director of Public Works requests discussion regarding greenhouse gas emissions, and the development of a Baseline Year Analysis as an element of a Green House Gas Action Plan.
PRESENTATION MADE
- 8E. 10:45 a.m. - Director of Public Works requests discussion and possible direction regarding implementation of Resolution Number 04-05 to support the purchase of clean air vehicles for general services vehicles.
PRESENTATION MADE
- 8F. 11:00 a.m. - Recess to the In-Home Supportive Services Public Authority of Napa County special meeting. **(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY MINUTES)**
- 8G. 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)

Administrative Items

- 9A. Director of Public Works requests the following regarding the Hall of Justice Booster Replacement Project, PW 07-30:
1. Find that the unexpected failure of a water system booster pump at the Hall of Justice constitutes an emergency as defined by Section 1102 of the Public Contract Code due to the following facts:
 - a. There are only two booster pumps for the facility, and it is suspected that the remaining pump could also fail at any time, including during the time required to solicit competitive bids to replace the pump assembly;
 - b. If the remaining pump fails before the first pump has been replaced, the County Jail portion of the Hall of Justice would no longer be habitable for the inmates;

9A. Continued.

c. There is currently no alternate location to house the inmates in the event the County Jail portion of the Hall of Justice suddenly becomes uninhabitable and remains so during repair; and,

d. The circumstances in (a), (b) and (c) create a need for immediate action to replace the entire pump assembly to prevent impairment of the health and safety of the inmates housed in the County Jail portion of the Hall of Justice and impairment of the essential public service of providing secure detention of inmates.

2. Find, based upon the circumstances set forth in 1(a) through (d) and pursuant to Public Contract Code Sections 20134(a) and 22050(a)(2), that the foregoing emergency will not permit the delay that would result from adopting plans, specifications, strain sheets or working details or giving notice for competitive bids to replace the pump assembly.

3. Award the contract for the "Hall of Justice Booster Replacement Project," PW 07-30, to Bell Products of Napa, California, as an emergency time and materials contract subject to Public Contract Code sections 20134(a) and 22050(a), to replace the pump assembly for an amount not to exceed \$40,000, and authorize the Chair to sign the construction contract on behalf of the County. (4/5 vote required)

APPROVED REQUEST

ML-BW-DD-BD-HM

10. Legislative Items
NONE

11. Board of Supervisors Committee Reports and Announcements.
SUPERVISOR DILLON STATED THAT SHE AND SUPERVISOR LUCE ATTENDED A RETREAT HELD BY THE WATERSHED INFORMATION CENTER AND CONSERVANCY OF NAPA COUNTY (WICC) WHERE THE CENTER'S VISION AND MISSION STATEMENT WERE FURTHER DEVELOPED.

SUPERVISOR DILLON ALSO ATTENDED A MEETING OF THE LAND TRUST OF NAPA COUNTY HELD AT STERLING VINEYARDS. STERLING IS DONATING THE PROCEEDS FROM ITS "WILDLAKE WINE" TO THE LAND TRUST FOR THE WILDLAKE PROJECT.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT AN EMERGENCY MEETING OF THE BAY AREA QUALITY MANAGEMENT DISTRICT (BAAQMD) BOARD OF DIRECTORS CONCERNING AUDIT ISSUES. HE ALSO ATTENDED A MEETING OF THE COUNTY MEDICAL SERVICES PROGRAM (CMSP).

12. Board of Supervisors Future Agenda Items.
SUPERVISOR DILLON INQUIRED AS TO WHETHER OR NOT ENVIRONMENTAL MANAGEMENT DIRECTOR STEVE LEDERER WOULD RETURN ON A FUTURE AGENDA TO DISCUSS THE ECO-TOURISM PROPOSAL PRESENTED BY MS. NORTHRUP DURING PUBLIC COMMENT.

12. Continued.

NANCY WATT, COUNTY EXECUTIVE OFFICER, ADVISED THAT DIRECTOR LEDERER WILL RESPOND TO THE PROPOSAL.

SUPERVISOR DILLON STATED THAT DR. ROBERT JACKSON WAS SLATED TO BE A SPEAKER AT THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA). SHE SUGGESTED THAT IF HEALTH AND HUMAN SERVICES DIRECTOR RANDY SNOWDEN OR PUBLIC HEALTH OFFICER KAREN SMITH ATTEND THE MEETING, THEY COULD REPORT ON THE SPEECH AT A FUTURE AGENDA UNDER DEPARTMENT HEAD'S REPORTS AND ANNOUNCEMENTS.

13. County Executive Officer Reports and Announcements.

NANCY WATT, COUNTY EXECUTIVE OFFICER, REPORTED ON THE STATUS OF THE PRISON REFORM BILL. THE BILL HAS BEEN PASSED BY THE LEGISLATURE AND IS EXPECTED TO BE SIGNED BY THE GOVERNOR. THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) IS CURRENTLY DEVELOPING A REPORT ON THE IMPACT OF THE BILL ON COUNTIES.

14. Closed Session.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: Public Defender

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)

CLOSED SESSION HELD – NO REPORTABLE ACTION

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (Two cases)

CLOSED SESSION HELD – NO REPORTABLE ACTION

D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

CLOSED SESSION HELD – NO REPORTABLE ACTION

15. Adjournment.

ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MAY 8, 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