

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

May 15, 2007

1. Call to Order; Roll Call
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, MAY 15, 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 9:03 A.M.
2. Pledge of Allegiance
PAM KINDIG, COUNTY AUDITOR-CONTROLLER, LED THE SALUTE TO THE FLAG.
- 3A. Presentation of a proclamation declaring May as "Mental Health Month" in Napa County.
PRESENTATION MADE
- 3B. Presentation of a proclamation declaring May as "Fall Prevention Awareness Month" in Napa County.
PRESENTATION MADE
4. Public Comment
NONE
5. Department Heads' Reports and Announcements
PAM KINDIG, COUNTY AUDITOR-CONTROLLER, INTRODUCED NEW ASSISTANT AUDITOR TRACY SCHULZE.

HILLARY GITELMAN, DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING, REPORTED THAT SHE HAD PREPARED A MEMO BRIEFLY OUTLINING THE FACTS REGARDING FARMWORKER HOUSING ISSUES AND CODE ENFORCEMENT.

Consent Calendar

- 6A. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4888 with Napa Valley First Impressions, Inc., increasing the amount by \$1,934 for a new maximum of \$7,736 for Fiscal Year 2006-2007, and establishing a maximum amount of \$8,650 for Fiscal Year 2007-2008 to assist CalWORKs clients obtain employment by providing them career clothing and image services. **A-4888 (AMEND. 4)**
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Seneca Residential Day Treatment Center for Children, Inc.:
 1. An agreement for the term May 15, 2007 through June 30, 2007, with a provision for automatic annual renewal, for a maximum of \$72,000 to provide Therapeutic Behavioral

6B. Continued.

Services (TBS); and,

A-6809

2. Business Associate Agreement, setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.

A-6809-1

6C. Director of Health and Human Services requests the following actions regarding the Outreach, Enrollment, Retention, and Utilization (OERU) allocation for families with uninsured children:

1. Approval of Napa County's OERU Plan and Budget for Fiscal Years 2006-2007, 2007-2008 and 2008-2009;

2. Authorization for the Director of Health and Human Services and the responsible HHS program manager to sign the Department of Health Services Allocation Certification Statement accepting \$288,000 per fiscal year for OERU activities for the term May 1, 2007 through June 30, 2009;

3. Authorization for the Chair to sign an agreement with Children's Health Initiative, Napa County, Inc. (CHI), for the term May 15, 2007 through June 30, 2008 for a maximum of \$273,139 for CHI to provide case management services for Medi-Cal and Healthy Families beneficiaries under the terms of the OERU allocation; and,

A-6810

4. Approval of Budget Transfer No. 64 increasing appropriations in the Social Services budget by \$29,265 with offsetting revenue from the OERU allocation to fund contract expenditures for Fiscal Year 2006-2007. (4/5 vote required)

BT-64

6D. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6656 with Seifel Consulting Inc. increasing the amount by \$11,290 for a new maximum of \$44,290 for consulting services related to review of the City of Napa's proposed Soscol Gateway Redevelopment Project.

A-6656

(AMEND. 1)

6E. Director of Public Works requests approval of and authorization for the Chair to sign an agreement for Deferred Construction of Improvements related to installation of a left turn lane which is required as a condition of approval of Silver Oak Wine Cellars' Winery Use Permit Modification No. P06-01344.

A-6811

6F. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements for geotechnical, environmental, design and construction administration assistance services for the term May 15, 2007 through June 30, 2008, for the following flood repair related projects:

1. Steven C. Devin, P.E. for a maximum of \$89,870 for the Spring Mountain Road repairs;

A-6812

2. Winzler & Kelly Consulting Engineers for a maximum of \$121,748 for the Steele Canyon Road repairs;

A-6813

6F. Continued.

3. Coastland Civil Engineering, Inc. for a maximum of \$105,083 for the 4700 Block Redwood Road repairs; **A-6814**

4. Coastland Civil Engineering, Inc. for a maximum of \$86,418 for the 4800 Block Redwood Road repairs; **A-6815**

5. Coastland Civil Engineering, Inc. for a maximum of \$34,002 for the Westgate Bridge over Milliken Creek repairs; and, **A-6816**

6. Coastland Civil Engineering, Inc. for a maximum of \$102,388 for the Diamond Mountain Road repairs. **A-6817**

6G. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4518 with Beronica and Jose Gomez, dba Super Cleaning Service, increasing the amount by \$1,850 for a new maximum of \$5,690, for the term July 1, 2007 through June 30, 2008 for new service to the Sealer of Weights and Measures facility in addition to present service provided to the Roads Yountville Yard premises. **A-4518**
(AMEND. 1)

6H. Director of Public Works requests acceptance of the work as complete and authorization for Chair to sign and the Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 06-02, "650 Imperial Way Mechanical and Lighting Improvements Project", and to release retention per Public Contract Code Section 7107.

6I. Director of Public Works requests the following actions for Contract No. PW 06-15, "Napa County Airport Pollution Control Facility Project" at the Napa County Airport:

1. Approval of Budget Transfer No. 60 appropriating \$50,000 in the Airport Capital Improvement budget with offsetting revenues from the Federal Aviation Administration, the State and the Airport Enterprise Fund; (4/5 vote required) and, **BT-60**
2. Acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder.

6J. Human Resources Director requests adoption of a resolution adding one (1) (C) Human Resources Services Specialist to the Departmental Allocation List for the Human Resources Division of the County Executive Office and deleting the subsequent vacancy, effective May 15, 2007. **R-07-61**

6K. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Napa City-County Library adding one (1) Senior Library Assistant and deleting one (1) Library Assistant I/II position, effective May 19, 2007. **R-07-62**

6L. Human Resources Director requests the adoption of a resolution regarding the following in connection with the Community Partnership Program of the County Executive Office, effective May 15, 2007:

1. Amend the Departmental Allocation List to add (1) (M) Housing and Community Development Coordinator;

6L. Continued.

2. Amend the Table and Index of Classes to add one Housing and Community Development Coordinator; and,

3. Amend appropriate personnel polices to add reference to the Housing and Community Development Coordinator. **R-07-63**

6M. Chief Information Officer requests approval of Budget Transfer No. 55 increasing appropriations in the Information Technology Services (ITS) budget in the amount of \$10,000 with offsetting revenues from the Napa County Superior Court and establishment of a fixed asset in the amount of \$10,000 for the purchase of a Battery Power Monitoring System. (4/5 vote required)

BT- 57

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

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

Set Matters or Public Hearings

8A. 9:00 a.m. - Director of Public Works requests adoption of a resolution with the following actions regarding the removal and undergrounding of poles, overhead wires and associated overhead structures:

1. Rescinds Resolution 93-124, establishing the Galleron Undergrounding Utility District; and,

2. Establishes the South St. Helena Highway Underground Utility District, effective immediately.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

ADOPTED RESOLUTION

DD-BD-BW-ML-HM

R-07-60

8B. 9:15 a.m. - Napa County Mental Health Board to present its annual report for 2006.
REPORT PRESENTED

8C. 9:30 a.m. - Recess to the Board of Equalization Meeting.
(SEE BOARD OF EQUALIZATION MINUTES)

8D. 10:00 a.m. - Recess to the Lake Berryessa Resort Improvement District special meeting. **(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**

8E. 10:30 a.m. - Recess to the Napa County Housing Authority special meeting.
(SEE NAPA COUNTY HOUSING AUTHORITY MINUTES)

8F. 11:00 a.m. - County Fire Chief requests first reading and intention to adopt an ordinance amending the County Code by adding a new chapter 8.36 to provide regulations for fire protection, weed and rubbish abatement in the unincorporated areas of Napa County and assigning the responsibility of hearing appeals relating to imposed abatement costs to the County Hearing Officer.

8F. Continued.

ENVIRONMENTAL DETERMINATION: The project consists of the adoption of an ordinance changing enforcement mechanisms for gaining compliance with current standards and does not change any current fuel management standards. The proposed ordinance does not have the potential to result in a direct or indirect change to the environment, and therefore does not meet the definition of a “project” under the California Environmental Quality Act (CEQA) pursuant to Section 15378(a). Furthermore, fuel management activities presently authorized under the proposed and current ordinance are categorically exempt from the provisions of CEQA pursuant to Section 15304(i).

PUBLIC HEARING HELD – TESTIMONY PRESENTED

TITLE READ

**THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.
BW-DD-BD-ML-HM**

**THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.
DD-BW-BD-ML-HM**

8G. 11:30 a.m. - Presentation by the Napa Valley Economic Development Corporation (NVEDC) regarding accomplishments, organizational changes and its recently adopted strategic plan.
PRESENTATION MADE

Administrative Items

9A. County Executive Officer requests discussion and possible action related to the request by the City of American Canyon for Board of Supervisors and County staff participation on a Blue Ribbon Committee on Water Resources.
**THE BOARD APPOINTED CHAIRMAN MOSKOWITE TO REPRESENT THE BOARD OF SUPERVISORS ON THE COMMITTEE.
BD-DD-BW-ML-HM**

10. Legislative Items
NONE

11. Board of Supervisors’ Committee Reports and Announcements.
SUPERVISOR LUCE REPORTED ON MEETINGS (2 BY 2) THAT HE HAS ATTENDED WITH CITY OF NAPA REPRESENTATIVES TO DISCUSS ISSUES REGARDING THE DEVELOPMENT OF THE NAPA PIPE PROPERTY. ONE PROPOSAL ON THE FOREFRONT IS TO ASK THE DEVELOPER TO DO AN UPFRONT ANALYSIS ON THE IMPACTS OF THE DEVELOPMENT ON TRAFFIC, WATER AND THE COST OF SERVICE. SUPERVISOR LUCE STRESSED THE IMPORTANCE OF EFFECTIVE COMMUNICATION BETWEEN THE NAPA CITY COUNCIL AND BOARD OF SUPERVISORS WITH REGARD TO THE PROJECT.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT A NAPA CHAMBER OF COMMERCE LEGISLATIVE COMMITTEE MEETING. NEW CITY OF NAPA COMMUNITY DEVELOPMENT COORDINATOR DANA SMITH

11. Continued.

EXPLAINED HER ROLE IN THE CITY AND MICHAEL HALEY OF THE TAX PAYERS ALLIANCE EXPRESSED HIS CONCERNS WITH PUBLIC EMPLOYEE RETIREMENT BENEFITS.

SUPERVISOR WAGENKNECHT STATED THAT HE ATTENDED A HOUSING TRUST FUND MEETING WHERE FUNDING CHANGES FOR THE FUTURE WERE DISCUSSED. HE ALSO ATTENDED A NAPA VALLEY HOUSING AUTHORITY MEETING WHERE A SETTLEMENT WAS REACHED ON FARMWORKER HOUSING ISSUES AND A PRELIMINARY AUDIT WAS DISCUSSED.

SUPERVISOR WAGENKNECHT ALSO MET WITH ARMY CORPS BRIGADIER GENERAL JOHN MCMAHON REGARDING THE FLOOD CONTROL PROJECT.

SUPERVISOR DILLON REPORTED ON HER ATTENDANCE WITH SUPERVISOR DODD AT A UNITED WAY FUNCTION CELEBRATING THE IMPLEMENTATION OF THE "211" PHONE SYSTEM IN NAPA COUNTY.

SUPERVISOR LUCE REPORTED ON HIS ATTENDANCE WITH SUPERVISOR DODD AT A DINNER CELEBRATING THE GOOD WORK OF FOSTER PARENTS IN NAPA COUNTY. HE ALSO REPORTED ON A CELEBRATION OF INTERNATIONAL COMPOST MONTH WHICH WAS HELD AT RUTHERFORD GROVE WINERY. NAPA COUNTY RESIDENT BOB PESTONI WAS RECOGNIZED FOR HIS EXCELLENT COMPOSTING FACILITY.

12. Board of Supervisors' Future Agenda Items
NONE

13. County Executive Officer Reports and Announcements
NANCY WATT, COUNTY EXECUTIVE OFFICER, COMMENTED ON THE MAY REVISIONS TO THE GOVERNOR'S BUDGET AND THE POSSIBLE IMPACT ON NAPA COUNTY.

14. Closed Session.
A. 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 NOT HELD

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
i. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (One case)

ii. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (Two cases)
CLOSED SESSION NOT HELD

15. Adjournment.

**ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MAY
22, 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