

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

June 19, 2007

1. Call to Order; Roll Call
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JUNE 19, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS BILL DODD, DIANE DILLON, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:00 A.M.
2. Pledge of Allegiance.
NAPA COUNTY DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING HILLARY GITELMAN LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
JOHN CLIFTON, RESIDENT OF NAPA, COMMENTED ON THE NEED FOR BETTER COMMUNICATION BETWEEN NAPA VALLEY LOCAL GOVERNMENT AGENCIES AND THE NEED FOR ELECTED OFFICIALS TO BECOME MORE PROACTIVE ON MAJOR ISSUES. HE STATED THAT TRANSPORTATION ISSUES ARE A CHIEF CONCERN SINCE THESE ISSUES HAVE A DIRECT EFFECT ON GLOBAL WARMING. MR. CLIFTON SUGGESTED THAT CURRENT TRANSPORTATION SYSTEMS IN PLACE SUCH AS THE VALLEJO FERRY AND THE RAILROAD, NEEDED TO COORDINATE WITH EACH OTHER IN ORDER TO BRING TOURISTS INTO THE NAPA VALLEY.

TAXPAYERS ALLIANCE PRESIDENT MICHAEL HALEY COMMENTED ON THE COUNTY BUDGET FOR 2007-2008. HE EXPRESSED HIS CONCERN THAT LOCAL GOVERNMENTS CAN NO LONGER AFFORD TO PAY FOR INCREASED EMPLOYEE BENEFITS. MR. HALEY ALSO STATED THAT THERE NEEDED TO BE A BETTER PLAN TO FIX LOCAL ROAD SYSTEMS.
5. Department Heads' Reports and Announcements.
NAPA COUNTY DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING HILLARY GITELMAN REPORTED THAT THE COMMENT PERIOD ON THE GENERAL PLAN UPDATE AND THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) CLOSED MONDAY, JUNE 18, 2007.

ASSISTANT AGRICULTURAL COMMISSIONER/SEALER GREG CLARK REPORTED THAT THE SPRAYING FOR THE LIGHT BROWN APPLE MOTH BEGAN MONDAY, JUNE 18, 2007. INITIAL SPRAYING TOOK PLACE IN THE NEIGHBORHOOD WHERE THE MOTH WAS FOUND.

Consent Calendar

- 6A. Napa Special Investigations Bureau (NSIB) Governing Board requests approval of the following distribution totaling \$140,394 from seized and forfeited funds from narcotic/drug trafficking investigations in Napa County during Fiscal Year 2006-2007 (4/5 vote required):
1. Napa Sheriff's Department 41.5% \$58,264
 2. Napa Police Department 23.5% \$32,993
 3. Bureau of Narcotic Enforcement 11.0% \$15,443
 4. St. Helena Police Department 9.0% \$12,635
 5. Calistoga Police Department 9.0% \$12,635
 6. Napa Probation Department 6.0% \$8,424
- (CONTINUED FROM JUNE 5, 2007) (TO BE CONTINUED TO JULY 17, 2007)
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with the Regents of the University of California, on behalf of Its University Extension at Davis, to train Health and Human Services staff in technical skills, quality of casework, and excellence in service delivery:
1. Amendment No. 1 to Agreement No. 2131 modifying Goals and Objectives for Fiscal Year 2006-2007, with no change to the contract maximum; and, **A-2131 (AMEND. 1)**
 2. Renewal of Agreement No. 2131 for a maximum of \$43,350 for the term July 1, 2007 through June 30, 2008. **A-2131**
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 3580 with Queen of the Valley Medical Center, Inc., through its CARE Network Program, for a maximum of \$30,800 for the term July 1, 2007 through June 30, 2008 to provide Housing Opportunities for Persons With AIDS (HOPWA) services. **A-3580**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 3700 with the California Department of Health Services for \$29,961 for the term July 1, 2007 through June 30, 2008 for the Immunization Program. **A-3700**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewals of the following agreements to provide indigent medical services, each for the term July 1, 2007 through June 30, 2008:
1. Agreement No. 3740 with Community Health Clinic Ole for a maximum of \$95,000; and, **A-3740**
 2. Agreement No. 3741 with Queen of the Valley Medical Center for a maximum of \$70,000.
ITEM AMENDED TO REFLECT THE AMOUNT OF \$75,000 RATHER THAN \$70,000. **A-3741**

- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments regarding the Transitional Residential Alliance and Integrated Network (TRAIN) grant for supportive services for the homeless:
1. Amendment No. 1 to Agreement No. 3989 with Community Action of Napa Valley, Inc., increasing the amount by \$4,227 for a new maximum of \$82,856 to provide counseling services for adult homeless persons and administer rent subsidies;
A-3989
(AMEND. 1)
 2. Amendment No. 1 to Agreement No. 3990 with Napa Emergency Women's Services, Inc. (NEWS) decreasing the amount by \$3,020 for a new maximum of \$27,980 to provide case management and referral for homeless women and families including those with domestic violence issues; and
A-3990
(AMEND. 1)
 3. Amendment No. 1 to Agreement No. 6654 with the City of Napa decreasing the amount by \$3,019 for a maximum of \$25,919 to provide outreach and case management services to the homeless population.
A-6654
(AMEND. 1)
- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6302 with George Monteverdi, M.D., increasing the amount by \$39,000 for a new maximum of \$78,000 and revising the insurance requirements and the contractor's auditing tool to provide medical consultation services in the California Children's Services and Medical Therapy Unit Programs.
A-6302
(AMEND. 2)
- 6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 6320 with Angie Ito, LCSW, increasing the amount by \$15,000 for a new maximum of \$35,000 for the provision of additional services in the Mental Health Outpatient Managed Care Program due to an increased number of clients. **A-6320**
(AMEND. 4)
- 6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6441 with Napa Valley Child Advocacy Network, dba Parent-Child Advocacy Network (PCAN), decreasing the amount by \$20,755 for a new maximum of \$334,364 for Fiscal Year 2007-2008, reducing the number of PCAN staff funded by the agreement, revising the contractor's budget to eliminate services provided to Mental Health, and revising the Scope of Work to include additional services.
A-6441
(AMEND. 3)
- J. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6470 with Redwood Children's Services, Inc., revising the Compensation section to reflect an increase in the rates for Fiscal Year 2006-2007 and Fiscal Year 2007-2008 for the provision of specialty mental health services to specifically referred clients, with no change to the contract maximum.
A-6470
(AMEND. 2)

- 6K. Director of Health and Human Services requests approval of and authorization for the Chair to sign an Amendment No. 3 to Agreement No. 6647 with Christine Marquis, dba Precious Cargo, revising the term of the agreement to add a provision for automatic renewal for the contractor to continue to provide education, demonstration and proper installation regarding child passenger restraint systems for Fiscal Year 2007-2008. **A-6647**
(AMEND. 3)
- 6L. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Community Action of Napa Valley, Inc., for a maximum of \$131,250 for the term July 1, 2007 through June 30, 2008, with a provision for automatic annual renewal, for the provision of Proposition 99 tobacco control services. **A-4072-1**
- 6M. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to an agreement (formerly Agreement No. AUD-5736) with Jim Carr increasing the amount by \$2,400 for a new maximum of \$17,900 for Fiscal Year 2006-2007 to provide additional HIV Surveillance services, and establishing a maximum dollar amount of \$15,500 for Fiscal Year 2007-2008, with a provision for annual renewal, for the continued development of an active AIDS Surveillance System. **A-6835**
(AMEND. 1)
- 6N. Director of Health and Human Services requests approval of Budget Transfer No. 72 appropriating \$104,493 in the Mental Health budget with offsetting revenues from the Managed Care Trust to fund Fiscal Year 2003-2004 and Fiscal Year 2004-2005 disallowed Short-Doyle/Medi-Cal claims for Fee-For-Service providers. (4/5 vote required) **BT-72**
- 6O. Agricultural Commissioner requests adoption of a resolution which will provide for the following actions:
1. Acceptance of the Engineers' Report for the Napa County Winegrape Pest and Disease Control District for the Fiscal Year 2007/2008 and the proposed levy of assessment for the district;
 2. Set a Public Hearing for July 17, 2007 at 9:00 A.M. to hear protests to the establishment of the proposed assessment;
 3. Direct the Clerk of the Board to comply with the requirements of Article XIII D of the California Constitution with respect to notice requirements for the proposed assessment; and,
 4. Designate Sora O'Doherty of the County Counsel's Office, as the person to answer questions regarding the assessments and protest proceedings. **R-07-73**
- 6P. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Joaquin's Landscaping Service for a maximum of \$10,684 for the term July 1, 2007 through June 30, 2008, with an automatic renewal provision, to provide maintenance, landscaping and trash removal services at the Napa River Ecological Reserve. **A-6836**

- 6Q. Director of Public Works requests 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 for Contract No. PW 07-05, "Modifications at Various Napa County Offices Project".
- 6R. Director of Public Works requests approval of and authorization for the Chair to sign a Federal Apportionment Exchange Program and State Match Program Agreement with the State of California Department of Transportation (State Agreement No. X07-5921(041)) for Fiscal Year 2006-2007 in order to receive \$337,648 into the County Road Fund. **A-6837**
- 6S. Director of Public Works requests the following actions regarding the Hall of Justice Booster Replacement Project, PW 07-30:
1. Acknowledge that the following findings made on May 1, 2007 are still in effect:
 - a. 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;
 - b. That 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;
 - c. That 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;
 - d. That there currently is 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;
 - e. That 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; and,
 - f. That upon the circumstances set forth in 1(a) through (e) 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.
 2. Per Public Contract Code Section 22050(C), review the emergency actions taken by the Board at the May 1 Board of Supervisors meeting, determine that there is a need to continue the emergency actions, and continue acquisition of all necessary materials, supplies, equipment and labor by direct purchase, force account, or emergency contract awarded without adoption of plans and specifications and solicitation of competitive bids, as appropriate to complete the work (4/5ths vote required); and,
 3. Direct the Director of Public Works to prepare an agenda item for a regular meeting of the Board no later than 14 days from the date of this meeting to review the need to continue these emergency actions.

6T. Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign Amendment No. 1 to Revenue Agreement No. 6635 with California Secretary of State to extend the term of the Agreement to June 30, 2008. **A-6635**
(AMEND. 1)

6U. County Counsel requests:

1. Adoption of a resolution providing for the following:

a. Acceptance of the Engineers Report relating to the assessments for County Service Area No. 4 to provide funding for the farmworker housing centers;

b. Setting a public hearing for August 7, 2007 at 9:30 a.m. to hear protests to the proposed assessment, including tabulation of ballots from qualifying property owners;

c. Directing the Clerk of the Board to comply with applicable notice requirements with respect to the proposed assessment and the mailed notice and ballot requirements for imposition of the proposed assessment; and,

d. Designating Sora O'Doherty of the County Counsel's office as the person to answer questions regarding the assessments and protest proceedings; and

2. Acceptance of the Fiscal Year 2007/2008 proposed budget for County Service Area No. 4 with a total appropriation of \$428,124. **R-07-74**

6V. Clerk of the Board requests the following actions:

1. Approve minutes of the regular meetings held on the following dates:

a. April 4, 2006;

b. August 22, 2006;

c. January 9, 23, and 30, 2007;

d. February 6, 2007;

e. March 13, 2007; and

f. April 9, 2007.

(CONTINUED FROM JUNE 5, 2007)

6W. Second reading and adoption of an ordinance amending Napa County Code section 15.04.090 to change the composition of the Board of Appeals that decides appeals of orders, decisions or determinations made relative to the application and interpretation of the various Building and Construction Regulations adopted by Chapters 15.12, 15.16, 15.20, 15.24, 15.28, 15.30, 15.32, 15.34, 15.36, and 15.44 of Title 15 of the Napa County Code.

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. **O-1292**

7. Discussion of items removed from the Consent Calendar.

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6W.

ML-DD-BW-BD-HM

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Continuation of Fiscal Year 2007/2008 Recommended Final Budget Hearings in accordance with the Fiscal Year 2007/2008 Recommended Final Budget Hearing Schedule.
DUE TO THE COMPLETION OF FISCAL YEAR 2007/2008 RECOMMENDED FINAL BUDGET HEARINGS ON MONDAY, JUNE 18, 2007, THE BOARD CANCELLED THE PUBLIC HEARING AND FURTHER CANCELLED THE PUBLIC HEARING SET FOR WEDNESDAY, JUNE 20, 2007.
ML-DD-BW-BD-HM
- 8B. 9:00 a.m. - Recess to the Flood Protection and Watershed Improvement Authority special meeting.
(SEE FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)
- 8C. 10:30 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)**
9. Administrative Items.
NONE
10. Legislative Items.
NONE
11. Board of Supervisors' Reports and Announcements.
SUPERVISOR DILLON REPORTED THAT SHE ATTENDED THE QUARTERLY MEETING OF THE BLUE RIDGE BERRYESSA NATURAL AREA (BRBNA). SHE ALSO REPORTED THAT LAKE COUNTY IS CURRENTLY EMBARKING ON NEW TOURISM IDEAS WHICH IF IMPLEMENTED, COULD HAVE IMPACTS ON NAPA COUNTY ROADS.

SUPERVISOR DILLON INFORMED THE BOARD THAT THE BUREAU OF RECLAMATION IS SEEKING NEW CONCESSIONAIRES FOR LAKE BERRYESSA.
12. Board of Supervisors' Future Agenda Items.
SUPERVISOR DILLON STATED THAT THE CITY OF CALISTOGA WAS CONSIDERING THE APPROVAL OF A CALISTOGA AMERICAN VITICULTURAL AREA (AVA). SHE ASKED THAT IF THE ITEM WAS APPROVED BY THE CITY, THE MATTER SHOULD BE PLACED ON A BOARD OF SUPERVISORS AGENDA.

SUPERVISOR WAGENKNECHT ASKED THAT A DISCUSSION OF NAPA COUNTY ROAD ISSUES BE PLACED ON AN AGENDA.

SUPERVISOR DODD ASKED THAT AN ITEM TO DISCUSS RAISING THE STIPEND OF NAPA COUNTY PLANNING COMMISSIONERS BE PLACED ON AN AGENDA.
13. County Executive Officer Reports and Announcements.
NONE

14. Closed Session.

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

Title: Library Director

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); Napa County Deputy Sheriffs' Association (Employee Unit and Supervisory Unit of the County of Napa)

Unrepresented Employees: Non-Classified, Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

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: (One case)

CLOSED SESSION HELD – NO REPORTABLE ACTION

15. Adjournment.

ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JUNE 26, 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