

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

November 20, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, NOVEMBER 20, 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
HAROLD MOSKOWITE, CHAIR OF THE BOARD OF SUPERVISORS, LED THE SALUTE TO THE FLAG.

Presentations And Commendations

- 3A. Presentation of Retirement Proclamation to Janet McCoy, Library Director, in recognition of 16 years of service.
PRESENTATION MADE.

4. Public Comment.
HERB FORD COMMENTED ON THE ANNUAL MEETING OF THE ANGIN COMMUNITY COUNCIL WHERE THE VOLUNTEER FIRE DEPARTMENT AND PARAMEDICS WERE RECOGNIZED.

GABRIEL FERREIRA OF PRO-TRANSPORT-1, LLC, MEDICAL TRANSPORTATION SPECIALISTS OFFERED ASSISTANCE TO NAPA COUNTY IN THE EVENT OF DISASTERS.

LINDSAY KITCHENS COMMENTED ON THE LACK OF CHANGING TABLES IN PUBLIC RESTROOMS IN NAPA COUNTY.

5. Department Heads Reports and Announcements.
NONE

Consent Calendar

- 6A. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 2390 with the California Department of Mental Health for a maximum of \$227,090 for the term July 1, 2007 through June 30, 2008 for the Conditional Release Program (CONREP). **A-2390**
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with First 5 Napa Children and Families Commission for \$31,855 for
- 6B. Continued.
the term July 1, 2006 through December 31, 2007 for the provision of occupational therapy services in the Therapeutic Child Care Center. **A-6916**

- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the California Department of Public Health for a maximum of \$58,226 for the term August 31, 2007 through August 9, 2008 for 30% of the Fiscal Year 2007-2008 Centers for Disease Control and Prevention (CDC) preparedness funding. **A-6917**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Memorandum of Understanding with Calistoga Family Center, Inc., for the term November 20, 2007 through June 30, 2008, with a provision for automatic annual renewal, to specify the respective roles and responsibilities of each party in assisting clients to apply for and renew Medi-Cal and Food Stamp benefits and access mental health and other County services at no cost to the County. **A-6918**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Napa Valley College for a maximum of \$12,500 for the term November 20, 2007 through June 30, 2008, with a provision for automatic annual renewal, to provide small business plan development, business plan counseling and mentoring services to businesses at risk of staff layoff or closure. **A-6919**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 3724 with Cope Family Center, Inc., increasing the amount by \$32,788 for a new maximum of \$175,811, revising the Scope of Work to include supervised court ordered visitation, and revising the contractor's budget to reflect payment for these additional services and other increased costs for Fiscal Year 2007-2008. **A-3724**
(AMEND. 5)
- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements in relation to the Universal Perinatal Home Visiting Program:
1. Amendments extending each of the terms through June 30, 2009 to provide Universal Perinatal Home Visiting services, with no change to the contract maximums:
 - a. Amendment No. 2 to Agreement No. 6365 with Cope Family Center, Inc.;
A-6365
(AMEND. 2)
 - b. Amendment No. 2 to Agreement No. 6366 with Queen of the Valley Medical Center, Inc.;
A-6366
(AMEND. 2)
 - c. Amendment No. 2 to Agreement No. 6367 with St. Helena Hospital, Inc.
A-6367
(AMEND. 2)
 2. Renewal of Agreement No. 6680 with Jennifer Wilson-Heun, PHN, for a maximum of \$50,000 for the term December 1, 2007 through June 30, 2009 to coordinate perinatal and home visitation services to pregnant women and newborns; and **A-6680**

6G. Continued.

3. Agreement with Ruth Sawyer, RN, for a maximum of \$36,000 for the term December 1, 2007 through June 30, 2009 to provide perinatal and home visitation services to pregnant women and newborns.

A-6920

6H. Director of Health and Human Services and Human Resources Director request adoption of resolution amending the Departmental Allocation List of the Substance Abuse Services Division of the Health and Human Services Agency (HHS), deleting one (1) Alcohol and Drug Counselor III and adding one (1) Staff Services Analyst I/II position, effective November 20, 2007.

R-07-156

6I. Second reading and adoption of an ordinance incorporating the revised California Building Standards Code with amendments addressing local climatic, geographic and topographic characteristics by amending Title 15 of the Napa County Code as follows: adding Chapters 15.29 (Energy Code) and 15.35 (Existing Building Code); amending Section 13.16.500 (Violations); amending Chapters 15.04 (Administration of Building Regulations), 15.12 (Building Code), 15.20 (Plumbing Code), 15.24 (Mechanical Code), 15.28 (Electrical Code), 15.30 (Historical Code), and 15.32 (Fire Code); and repealing Chapter 15.34 (Building Conservation Code).

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 8: It has been determined that this type of action does not have a significant effect on the environment and is exempt from the California Environment Quality Act because the action is designed to assure the maintenance, restoration, enhancement, or protection of the environment are exempt from review. [See Class 8 which may be found in the guidelines at CCR section 15321.] Additionally, 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-1297

6J. Library Director requests adoption of a revised Library "Community Meeting Room Policy."

6K. Library Director requests the following:

1. Accept a donation in the amount of \$14,648.61 from the "Friends Ex-Officio Account"; and

2. Adopt a resolution establishing a Revolving Fund for the receipt, management, expenditure and accounting of funds donated to the County for Library programs by the Friends of the Library, other organizations and individual members of the public.

R-07-157

6L. Director of Public Works requests acceptance of the work as complete, authorization for the Chair to sign and for the Clerk of the Board to file a Notice of Completion with the Clerk/Recorder, for Contract No. RDS 06-04, "Wooden Valley Road Overlay Project".

6M. Director of Public Works requests approval of Budget Transfer No. 7 increasing appropriations in the Equipment Pool budget with offsetting revenue and establishment of fixed assets in the amount of \$71,927 for the purchase of three replacement vehicles assigned to the Sheriff, Environmental Management and Agriculture Commissioner/Sealer. (4/5 vote required)

BT-7

6N. Director of Public Works requests approval of the following actions pertaining to the installation of interior improvements to property leased by the County (Assessor's Parcel No. 002-152-012):

6N. Continued.

1. Authorization for the Chair to execute a Right of Entry Agreement to be signed by certain volunteers to allow them, and persons for whom they are responsible, the right to enter and install interior improvements to such County leased property; and

2. Acceptance of initial list of names of designated volunteers. (CONTINUED FROM NOVEMBER 6, 2007; STAFF REQUESTS CONTINUANCE TO DECEMBER 4, 2007)

ITEM REMOVED FROM THE AGENDA AND CONTINUED TO DECEMBER 4, 2007.

6O. Assessor-Recorder-County Clerk requests approval of Budget Transfer No. 11 appropriating \$9,233 in the Assessor and Recorder-Clerk Divisions with offsetting revenues from the Recorder Modernization Trust Fund and Assessor Property Tax Administration Trust Fund for electronic recording contract, maintenance of equipment, electronic viewing of scanned images and professional assistance. (4/5 vote required) **BT-11**

6P. 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 September 30, 2007.

6Q. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Audit Report for the Uniform Transient Occupancy Tax Audit of Silverado Resort & Country Club Inc. for the period of January 1, 2006 to December 31, 2006.

6R. Acting Chief Information Officer requests approval of and authorization for the Purchasing Agent to issue purchase orders for increased Peoplesoft software license and maintenance fees from Oracle USA, Inc. of Palatine, Illinois, for a total of \$118,547.26 for the term November 1, 2007 through June 30, 2008.

6S. Acting Chief Information Officer requests approval of and authorization for the Chair to sign Amendment No. 1 of Napa County Revenue Agreement No. 4433 with the Local Agency Formation Commission (LAFCO) for a maximum of \$16,387 for the term September 1, 2007 through June 30, 2008 to provide information technology services. **A-4433**

(AMEND. 1)

ITEM REMOVED FROM THE AGENDA AND CONTINUED TO DECEMBER 4, 2007.

6T. County Counsel requests adoption of a resolution authorizing consolidation of the Napa Valley Community College District bond election with the February 5, 2008 Presidential Primary Election. **R-07-158**

6U. Human Resources Director requests the adoption of a resolution effective December 1, 2007 amending the Department Allocation List deleting two Planning Technician positions, adding two Planner I positions, and distinguishing the Planner I as a separate classification from the flexibly staffed Planner II/III classifications in order to more accurately reflect the work performed by each level as well as the manner in which the Planner classifications are utilized. **R-07-159**

- 6V. County Executive Officer requests the following:
1. Adoption of a resolution appointing Patricia Hector as the Interim Library Director of the City-County Library and Acting County Librarian to serve at the will of the Board of Supervisors, effective November 24, 2007; and **R-07-160**
 2. Approval of and authorization for the Chair to sign an agreement with North Bay Cooperative Library System for a maximum of \$23,400 for the term November 24, 007 through January 31, 2008 for a service of a qualified person to be appointed as the Interim Director of the Napa City-County Library to perform as acting county librarian during the period of recruitment to fill the Director's position vacated by the retirement of the current Director. **A-6921**
- 6W. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to 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)
- 6X. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to declare certain vehicles and equipment as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)
- 6Y. County Executive Officer requests appointments from the following applicant to the Napa County Housing Commission with term of office to commence immediately and expire as follows:
- | <u>Applicant</u> | <u>Representing</u> | <u>Term Expires</u> |
|-------------------|--|---------------------|
| Reverdy Johnson | Napa Valley Vintners or Authorized Agent | 6-5-2011 |
| Rafael Limon Napa | County Housing Authority Tenant | 6-5-2009 |
- 6Z. County Executive Officer requests adoption of a resolution appointing Danis Kreimeier as Director of the Napa City-County Library and County Librarian to serve at the will of the Board of Supervisors, effective January 14, 2008. **R-07-161**
- 6AA. Second reading and adoption of an ordinance amending Sections 15.60.010, 15.60.030, 15.60.040, 15.60.050 and 15.60.060 of the Napa County Code eliminating the Housing Trust Fund Board and transferring its functions to the Housing Director. 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-1298**
7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6N AND 6S.
- APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6AA, AS NOTATED ABOVE.**
- DD-BW-BD-ML-HM**
- Set Matters or Public Hearings.
- 8A. 9:00 a.m. - Recess to the Board of Equalization Special Meeting.
(SEE BOARD OF EQUALIZATION MINUTES)

- 8B. 9:00 a.m. - Recess to the Lake Berryessa Resort Improvement District Special Meeting.
(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)
- 8C. 9:00 a.m. - Recess to the Napa Berryessa Resort Improvement District Special Meeting.
(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)
- 8D. 9:45 a.m. - Report by Barbara Nemko, Napa County Superintendent of Schools, regarding the results of the Williams Monitoring Visits in Napa County Schools.
REPORT PRESENTED.
- 8E. 10:00 a.m. - County Executive Officer requests the following related to Phase I of the Adult Correctional System Master Plan:
1. Receive an update concerning the conclusion of Phase I of the planning process, designed to identify and address the County's jail and other adult correctional system needs over the next 20 years; and
UPDATE PRESENTED.
 2. Approve the conclusions and recommendations contained in the Phase I report, including implementing evidence-based correctional practices, creation of a community corrections services center and the need for additional jail beds and direct staff to proceed to Phase II of the master planning process.
RECOMMENDATIONS APPROVED.
ML-BW-DD-BD-HM
- 8F. 11:00 a.m. - Recess to the Napa County Housing Authority Special Meeting.
(SEE NAPA COUNTY HOUSING AUTHORITY MINUTES)
- 8G. 11:30 a.m. - Director of Public Works requests direction regarding whether to extend the term of nonexclusive License Agreement No. 1-06 with Balloons Above the Valley for operation of the balloon launch facility at the Yountville Corporation Yard beyond the current expiration date of December 31, 2007.
THE BOARD APPROVED THE EXTENSION OF LICENSE AGREEMENT NO. 1-06 FOR ONE YEAR.
ML-BD-DD-BW-HM
N

Administrative Items

- 9A. Public Hearing
Director of the Conservation, Development and Planning Department and County Fire Chief request the first reading and intention to adopt an ordinance of the Board of Supervisors of the County of Napa, State of California, amending Title 15 of the Napa County Code requiring residential sprinklers in all newly constructed residences.
ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 8: It has been determined that this type of action does not have a significant effect on the environment and is exempt from the California Environment Quality Act because the action is designed to assure the maintenance, restoration, enhancement, or protection of the environment are exempt from review. [See Class 8 which may be found in the guidelines at CCR section 15321.] Additionally, 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.

9A. Continued.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BW-ML-DD-BD-HM

THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.

BW-DD-BD-ML-HM

N

9B. Public Hearing

First reading and intention to adopt an ordinance amending Chapter 6.04 (Animal Control and Rabies Prevention), Chapter 6.08 (Kennels, Zoos and Animal Exhibits), and Chapter 6.12 (Beehives) 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.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

THE BOARD CONTINUED THIS MATTER TO DECEMBER 11, 2007 AT 10:00 A.M.

BW-ML-DD-BD-HM

10. Legislative Items.

NONE

11. Board of Supervisors Committee Reports and Announcements.

SUPERVISOR DILLON REPORTED ON HER ATTENDANCE AT THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) CONFERENCE LAST WEEK.

SUPERVISOR LUCE REPORTED ON THE RUTHERFORD DUST SOCIETY MEETING CELEBRATING THEIR KICKOFF OF THE RESTORATION OF THE NAPA RIVER.

SUPERVISOR WAGENKNECHT REPORTED ON THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT EXECUTIVE COMMITTEE MEETING. HE ALSO COMMENTED ON HIS ATTENDANCE AT THE CSAC CONFERENCE.

12. Board of Supervisors Future Agenda Items.

NONE

13. County Executive Officer Reports And Announcements

COUNTY EXECUTIVE OFFICER NANCY WATT SUBMITTED A DRAFT CALENDAR OF THE 2008 BOARD OF SUPERVISORS MEETINGS FOR DISCUSSION. SHE INDICATED THAT THIS ITEM WILL BE BROUGHT BACK TO THE BOARD WITH A FINAL DRAFT.

14. Closed Session

A. 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

14. Continued.

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a)) Name of case: Claim No. 07-542.

CLOSED SESSION HELD – NO REPORTABLE ACTION.

15. Adjournment.

ADJOURNED IN REMEMBRANCE OF GEORGE CARL TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, DECEMBER 4, 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