

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

December 18, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION, TUESDAY, DECEMBER 18, 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 9:01 A.M.

2. Pledge of Allegiance.
SUPERVISOR MARK LUCE LED THE SALUTE TO THE FLAG.

Presentations and Commendations

- 3A. Presentation of Retirement Proclamation to Marcia Hull, Treasurer-Tax Collector, in recognition of 21 years of service.
PRESENTATION MADE
- 3B. Presentation of Retirement Proclamation to Carol Wright, Accountant Auditor II, in recognition of 29 years of service.
PRESENTATION MADE

4. Public Comment.
HERBERT FORD OF ANGWIN COMMENDED THE COUNTY ON THE REFURBISHING OF THE ENTRANCES TO THE COUNTY ADMINISTRATION BUILDING. MR. FORD SUGGESTED A NEW COAT OF PAINT, IN A WARMER COLOR, ON THE EXTERIOR OF THE BUILDING.

5. Department Heads Reports and Announcements.
DIRECTOR OF CORRECTIONS JULIE HUTCHENS INTRODUCED THE NEW ASSISTANT DIRECTOR OF CORRECTIONS D. J. JOHNSON.

DISTRICT ATTORNEY GARY LIEBERSTEIN INTRODUCED NEW CHIEF DEPUTY DISTRICT ATTORNEY JOHN GOOLD.

DIRECTOR OF COMMUNITY AND INTERGOVERNMENTAL AFFAIRS HOWARD SIEGEL INTRODUCED NEW ANALYST CELESTE BUCKLEY.

Consent Calendar

- 6A. Director of Corrections and Chief Probation Officer request approval of and authorization for the Chair to sign Amendment No. 1 to revenue Agreement No. 6334 with T-Netix, Inc. for the term December 18, 2007 through June 30, 2010 for the inmate phone systems at the Department of Corrections and Juvenile Hall.
**A-6334
(AMEND. 1)**

6B. Sheriff requests the following actions related to the Rural and Small County Law Enforcement Assistance Program:

1. Approval of Budget Transfer No. 13 in the amount of \$432,756 increasing appropriations in the Sheriff's budget with offsetting revenues from the Sheriff's Rural and Small Counties Law Enforcement Assistance Program Trust (4/5 vote required); and,

BT-13

2. Establishment of fixed assets in the amount of \$227,142 for the purchase of a Talon Generation IV Robot System (\$149,863), Kongsberg MS 100 Scanning Sonar (\$44,788), and a Portable Digital X-Ray (32,491);

3. Waiver of competitive bidding requirements and sole source awards pursuant to County Ordinance Code 2.36.090 for the purchase of:

a. Talon Robot System from Foster-Miller, Inc., Waltham, MA (\$149,863);

b. Portable Digital X-Ray System from Logos Imaging LLC, Richmond, IN (\$32,491); and,

c. Side Scanning Sonar System from Kongsberg Mesotech LTD, Port Coquitlam, British Columbia, Canada (\$44,788); and,

4. Approval of and authorization for the Chair to sign an agreement with Cit Com, Inc. for a maximum of \$34,000 for the term December 18, 2007 through June 30, 2008.

A-6925

6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4648 with Beverage Consulting Network, Inc., increasing the amount by \$15,000 for a new maximum of \$20,000, revising the Scope of Work to increase the amount of responsible beverage training, add activities related to community education, and allow the contractor to participate on a Driving Under the Influence task force, and revising the Compensation section to reimburse the contractor for the additional activities.

A-4648

(AMEND. 5)

6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following in relation to the Safe and Drug Free Schools and Communities Grant:

1. Amendment No. 1 to Agreement No. 6245 with Mark Duerr, dba Duerr Evaluation Resources, decreasing the amount by \$9,105 for a new maximum of \$9,105, revising the Scope of Work to reduce the level of services, revising the budget for Program Year 2007-2008 and subsequent years, and incorporating compliance with HIPAA requirements within the contractor's agreement;

A-6245

(AMEND. 1)

2. Amendment No. 1 to Agreement No. 6254 with the Boys and Girls Club of Napa Valley, Inc. decreasing the amount by \$33,275 for a new maximum of \$33,272, revising the Scope of Work to reduce the level of services, and revising the budget for Program Year 2007-2008 and subsequent years; and

A-6254

(AMEND. 1)

6D. Continued.

3. Amendment No. 1 to Agreement No. 6255 with Cope Family Center, Inc. decreasing the amount by \$57,385 for a new maximum of \$57,388, revising the Scope of Work to reduce the level of services, revising the budget for Program Year 2007-2008 and subsequent years, and incorporating compliance with HIPAA requirements within the contractor's agreement.

A-6255
(AMEND. 1)

6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6803 with Jim Cassio, Inc., doing business as Workforce Investment Group, increasing the amount by \$4,500 for a new maximum of \$43,500 and extending the term through June 30, 2008 for additional consulting services in relation to the At-Risk Business Identification Program.

A-6803
(AMEND. 1)

6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to revenue Agreement No. 6911 with the Workforce Investment Board of Solano County, increasing the amount by \$11,025 for a new maximum of \$16,276 to fund the California Health Incentives Improvement Project (CHIIP).

A-6911
(AMEND. 1)

6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the Area Agency on Aging Serving Napa and Solano, Inc. for a maximum of \$45,974 for the term July 1, 2007 through June 30, 2008 for the County's required basic support match for Federal and State funds, and for expanded support agreed to by the Board on September 11, 2007.

ITEM REMOVED FROM THE AGENDA.

6H. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following Memoranda of Understanding with local health care organizations to provide coordinated emergency medical services in disaster situations, each for the term December 18, 2007 through June 30, 2010, with a provision for automatic annual renewal:

1. Community Health Clinic Ole, Inc.
2. Kaiser Foundation Hospitals, Inc.
3. Napa State Hospital
4. Queen of the Valley Medical Center, Inc.
5. St. Helena Hospital, Inc.
6. Veterans Home of California, Yountville

A-6927

6I. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the University of Southern California, through its Division of Occupational Science and Occupational Therapy, for the term January 1, 2008 through December 31, 2008, with a provision for automatic annual renewal, reciting terms and conditions for the placement of interns for field work to be performed at the Health and Human Services Agency.

A-6928

- 6J. Director of Health and Human Services requests the following actions for the purpose of funding Anasazi electronic health record and billing system costs in the current fiscal year:
1. Approval of Budget Transfer No. 14 appropriating \$80,240 in the Mental Health budget (4/5 vote required); and, **BT-14**
 2. Cancellation of the Anasazi designation in the amount of \$80,240.
- 6K. Director of Health and Human Services and the Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Health and Human Services Agency Substance Abuse Services Division, adding one (.5) FTE Alcohol and Drug Counselor III Limited Term position through June 30, 2008, effective December 18, 2007. **R-07-173**
- 6L. Director of Conservation, Development and Planning requests the following actions relating to a Watershed Coordinator grant application submitted by the Napa County Resource Conservation District to the Department of Conservation for funding under the CALFED Watershed Program:
1. Approval of and authorization for the Chair to sign a letter in support of the Watershed Coordinator grant application; and,
 2. Approval of and authorization for the Watershed Information Center & Conservancy (WICC) Board staff to participate in Watershed Coordinator grant related activities.
- 6M. Director of Public Works requests approval of plans and specifications for the "650 Imperial Way ADA Compliant Automated Sliding Glass Doors Project, " PW 07-45, 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.
- 6N. Director of Public Works requests the following actions related to the improvements on Duhig Road and Highway 121:
1. Approval of Budget Transfer No. 16 appropriating \$1,159,000 in the General Fund Roads budget with offsetting revenues from private property owners (4/5 vote required); **BT-16**
 2. Approval of and authorization for the Chair to sign Cooperative Agreements with Dorothy Hageman (Assessor's Parcel No. 047-070-022) for a 49.6% contribution and Robert Lee Hudson (Assessor's Parcel No. 047-070-016) for a 50.4% contribution toward the actual costs of the betterments at this location including County staff time for the term of December 18, 2007 through June 30, 2008; and, **A-6929**
A-6930
 3. Approval of and authorization for the Chair to sign a Cooperative Agreement with Caltrans providing payment for adding turn pocket improvements to State Highway 121 between Duhig Road and Sonoma County Line. **A-6931**
- 6O. Director of Public Works requests adoption of a resolution establishing a speed limit of 40 miles per hour on Kirkland Ranch Road and restricting left hand turn movement at the easterly intersection of Kirkland Ranch Road and State Highway 12 (Jamieson Canyon Road) from 3:00 p.m. to 7:00 p.m. Monday through Friday. **R-07-174**

- 6P. Director of Public Works requests award of the contract for the "Las Amigas Road Class II Bike Lane Project," RDS 06-05, to W.R. Forde Associates of Richmond, CA, for its low base bid of \$197,565 and authorization for the Chair to sign the construction contract.
- 6Q. Director of Public Works requests adoption of a resolution authorizing the Director to apply for a Local Groundwater Assistance Program grant in the amount of \$250,000 for the term June 1, 2008 through June 30, 2010. **R-07-175**
- 6R. Director of Public Works requests approval of and authorization for the Chair to sign agreements (Program Supplement Agreement No. 018-N and No. 019-N) with the California Department of Transportation for administering Agency-State Agreement No. 04-5921R to provide reimbursement of \$1,401,046 for emergency flood repairs made in 2005-2006 for Federal Highway Administration eligible roads in Napa County. **A-6932**
A-6933
- 6S. Director of Public Works requests adoption of a resolution summarily vacating an irrevocable offer of dedication of a right-of-way, off of Silverado Trail in the vicinity of Yountville Cross Road, as recorded on April 2, 1980 in Book 11 for Assessor Parcel Nos. 032-070-014, 032- 070-017, 032-070-019 and 032-070-025. (CONTINUED FROM DECEMBER 4, 2007) **R-07-176**
- 6T. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Steven A. Giovannoni. (Assessor's Parcel No. 057-130-003)
- 6U. Director of Public Works/Aviation requests the following actions pertaining to the Master Plan Feasibility and Alternate Site Selection Study of Angwin Airport (Parrett Field) in Angwin, CA:
1. Approval of and authorization for the Chair to sign an agreement with Coffman Associates, Inc. of Scottsdale, AZ, for a maximum of \$332,843, for specialized professional services related to the preparation of the study; and,
2. Authorization for the Chair to sign a Memorandum of Understanding with Pacific Union College relating to its obligations for this study.
(CONTINUED FROM DECEMBER 4, 2007 STAFF REQUESTS THIS ITEM BE DROPPED TO BE BROUGHT BACK AT A FUTURE DATE.)
- 6V. Auditor-Controller requests approval of Fiscal Year 2006-2007 Budget Transfer No. 75 appropriating \$344,417 in the Employee/Retiree Benefits budget with offsetting revenues from General Fund contingencies to fund the County's share of retiree health insurance premiums for Fiscal Year 2006-2007. (4/5 vote required) **BT-75**
- 6W. Acting Chief Information Officer requests approval of and authorization for the Chair to sign a revenue agreement with the City of St Helena for a maximum of \$3,393 per fiscal year for the term December 1, 2007 through June 30, 2009 to provide access to the County's Geographic Information System resources and services. **A-6936**

6X. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for County Counsel, deleting one (1) (M) 0.8 FTE Attorney IV and adding one (1) (M) 1.0 FTE Attorney IV, effective December 29, 2007. **R-07-177**

6Y. Human Resources Director requests the following concerning Delta Dental of California and Pacific Union Dental:
1. Authorization to provide notice of termination of Agreement No. 2612 to Pacific Union Dental, effective January 1, 2008; and **A-2612**
2. Approval of and authorization for the Chair to sign a dental service contract with Delta Dental of California for dental benefits effective January 1, 2008. **A-6937**
A-6937-1

6Z. County Executive Officer requests the following appointments/reappointments to the Napa County Commission on Aging:

<u>Applicant</u>	<u>Representing</u>	<u>Term Expiration</u>
Albert Iliff*	Organization Concerned with Older Adults	September 30, 2009
Dr. Kenneth P. Lee*	Organization Concerned with Older Adults	September 30, 2009
JoAnn Busenbark*	Organization Concerned with Older Adults	September 30, 2009
Mark Perkins	Organization Concerned with Older Adults	September 30, 2009
Kristi Lesnewich	Organization Concerned with Older Adults	September 30, 2009
Naomi Dreskin-Anderson*	District 2	September 30, 2009
Dr. Olive Jack*	Commissioner Emeritus Indefinite	

*Incumbents

ITEM REMOVED FROM THE AGENDA.

6AA. Clerk of the Board requests approval of minutes of the Special and Regular meetings held on November 20, 2007.

6BB. County Executive Officer and County Counsel request adoption of a resolution amending the rules of conduct of business for the Board of Supervisors pertaining to meetings of the Board of Supervisors (Rule 1) and availability of agenda supporting documents to the public (Rule 2). **R-07-178**

7. Discussion of Items Removed from the Consent Calendar.
SEE ITEMS 6G AND 6Z.

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6F, 6H THROUGH 6Y AND 6AA THROUGH 6BB. BD-DD-BW-ML-HM

Set Matters or Public Hearings

- 8A. 9:00 A.M. - Public Hearing.
Director of Conservation, Development and Planning requests adoption of a resolution rescinding one existing contract and replacing with one new contract, due to a lot line adjustment with Patrick and Julie Garvey 1988 Family Trust in the general location of South Whitehall Lane, establishing certain Agricultural Preserves (Type H), and approval of and authorization for the Chair to execute the Williamson Act related contract. (CONTINUED FROM DECEMBER 11, 2007)
ADOPTED RESOLUTION BD-DD-BW-ML-HM R-07-179
- 8B. 9:00 A.M. - Recess to the Napa Berryessa Resort Improvement District special meeting. (**SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES**)
- 8C. 9:00 A.M. - Recess to the Lake Berryessa Resort Improvement District special meeting. (**SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES**)
- 8D. 9:00 A.M. - Recess to the Board of Equalization Special Meeting. (**SEE BOARD OF EQUALIZATION MINUTES**)
- 8E. 10:00 A.M. - Child Abuse Prevention Council of Napa County to present 2006-2007 Annual Report.
REPORT PRESENTED. STAFF WILL RETURN AROUND SPRING OF 2008 WITH AN UPDATE.

APPROVED STAFF RECOMMENDATIONS.

DD-BD-BW-ML-HM

- 8F. 10:30 A.M. - Public Hearing.
First and final reading and adoption of an ordinance amending the Conservation Regulations, Sections 18.108.025, 18.108.027, 18.108.030, 18.108.050, 18.108.070, 18.108.100 and 18.108.140 of the Napa County Code.
ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 5: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. The project will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity may have a significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, cause substantial adverse change in the significance of a historical resource or extract groundwater in excess of the Phase 1 groundwater extraction standards as set by the Department of Public Works. [See Class 5 (“Minor Alterations in Land Use Limitations”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]
PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

8F. Continued.

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

ADOPTED ORDINANCE DD-BW-BD-ML-HM O-1300

8G. 11:00 A.M. - Recess to the Napa County Housing Authority special meeting. (SEE NAPA COUNTY HOUSING AUTHORITY MINUTES.)

8H. 11:30 A.M. - Public Hearing.

Acting Chief Information Officer requests adoption of a resolution establishing fees for Geographical Information Systems services and copies of records.

ENVIRONMENTAL DETERMINATION: The proposed action is categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, section 15273(a)(1) and (2) in that the amount of the fees do not exceed the reasonable cost to the County of the labor, materials and equipment required for the County to duplicate the records or provide related services.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTION BD-DD-BW-ML-HM R-07-180

Administrative Items

9A. Director of Conservation, Development & Planning and Director of Public Works seek direction regarding preparation of an ordinance clarifying whether and under what conditions successive applications for lot line adjustments affecting up to four parcels will be processed by the County. **DISCUSSION HELD.**

APPROVED STAFF RECOMMENDATIONS. STAFF WILL PREPARE AND RETURN WITH AN ORDINANCE.

BW-BD-DD-ML-HM

9B. Public Hearing.

First reading and intention to adopt an ordinance of the Board of Supervisors of the County of Napa, State of California, amending Sections 10.12.020 and 10.12.080 of the Napa County Code pertaining to county parking lots.

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

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

9B. Continued

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

9C. Director of Public Works requests the following:

1. Approval of and authorization for the Chair to sign a Property Exchange Agreement between the County and the St. Helena Cemetery Association, a corporation, to reconfigure the 2.02 acres of County land within the cemetery district into to a more contiguous, regularly shaped parcel to provide better use of the land for both the County and the Association; and,

2. Authorization for the Director of Public Works to sign all related closing documents necessary for the processing of the property exchange and the City of St. Helena lot line adjustment application. (4/5 vote required)

APPROVED REQUEST DD-BW-BD-ML-HM A-6938

9D. Director of Public Works requests approval of the following actions regarding participation in the North Bay Water Reuse Authority (NBWRA) for the benefit of Milliken-Sarco-Tulocay (MST) Recycled Water Project:

1. Direct staff to negotiate an Agreement with Napa Sanitation District (NSD) for a maximum amount of \$250,000 to participate in the preparation of an Environmental Impact Report (EIR) and Federal lobbying efforts for funding for recycled water projects in the MST and Carneros areas, returning to the Board with a recommendation for approval;

2. Direct staff to prepare an amendment to Agreement No. 4202 with the Napa County Flood Watershed Authority to increase Measure A funding by \$250,000 to cover the cost of NBWRA participation;

3. Designation of two (2) members of the Board of Supervisors to participate in ongoing discussions and coordination with members of the Napa Sanitation District Board regarding NBWRA and other beneficial issues; and

4. Direct staff to work with NSD in 2008 to poll the MST property owners support of the recycled water project and proposed assessment.

**APPROVED REQUESTS AND DESIGNATED SUPERVISORS BILL DODD AND HAROLD MOSKOWITE TO REPRESENT THE BOARD IN FURTHER DISCUSSIONS.
DD-BW-BD-ML-HM**

9E. Public Hearing.

County Executive Officer requests acceptance of water system master plans for Howell Mountain Mutual Water Company and St. Helena Hospital for submittal to the State Department of Housing and Community Development (HCD) in relation to the Community Development Block Grant (CDBG) funds awarded to the County.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

APPROVED REQUEST DD-BD-BW-ML-HM

A

13. County Executive Officer Reports and Announcements.
NONE
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
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Agricultural Commissioner/Sealer of Weights and Measures
(CONTINUED FROM DECEMBER 11, 2007)
CLOSED SESSION NOT HELD
15. Adjournment.
ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JANUARY 8, 2008 AT 9:00 A.M.

BRAD WAGENKNECHT, 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