



A Tradition of Stewardship
A Commitment to Service

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

June 15, 2010

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in regular session on Tuesday, June 15, 2010 at 9:00 a.m. with the following supervisors present: Chair Diane Dillon, Supervisors Mark Luce, Bill Dodd and Keith Caldwell. Supervisor Brad Wagenknecht was excused. The meeting was called to order by Chair Diane Dillon.

2. PLEDGE OF ALLEGIANCE

Executive Director of Winegrowers of Napa County Debra Dommen led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

- A. Presentation of a proclamation to Ron Rosenbrand acknowledging Spring Mountain Vineyard as a recipient of an "IPM (Integrated Pest Management) Innovator Award" by the California Environmental Protection Agency, Department of Pesticide Regulation.

Presented proclamation.

- B. Presentation of a proclamation to Kris Brown, Health and Human Services Agency Deputy Director, Comprehensive Services for Older Adults, declaring June 15, 2010 as "World Elder Abuse Awareness Day" in Napa County.

Presented proclamation.

- C. Presentation of Retirement Proclamation to Ernie Loveless, Napa County Fire/CAL FIRE Chief, in recognition of 40 years in the fire service, 5 years of which were as Fire Chief of Napa County.

Presented proclamation.

5. PUBLIC COMMENT

None.

6. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Registrar of Voters John Tuteur presented update on elections.

7. CONSENT ITEMS

Law & Justice

- A. Chief Probation Officer requests acceptance of a donation in the amount of \$1,500 from the Kiwanis Club for the Chamberlain High School Special Revenue Fund that provides funding for student activities.
- B. Chief Probation Officer requests approval of the following related to the Juvenile Accountability Block Grants (JABG) Direct Allocation Grant Application to reduce juvenile crime through programs that focus on offender accountability:
 - 1. Acceptance of a grant in the amount of \$10,005 for Napa County Peer Court, a diversion program for first time juvenile offenders that focuses on juvenile accountability and education; and
 - 2. Adoption of a resolution authorizing the Chief Probation Officer to submit the JABG application and sign the Grant Contract with the Corrections Standards Authority (CSA).

R-2010-67

- C. Director of Child Support Services requests approval of and authorization for the Chair to sign Amendment No.1 to Agreement No. 7196 with Laboratory Corporation of America Holdings increasing the amount by \$3,000 for a new maximum of \$9,000 for the term June 1, 2010 through June 30, 2010, and annually thereafter, for the provision of additional genetic testing services.

A-7196 (Amend. 1)

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Discovery Office Systems, Inc. for the term February 26, 2010 through June 30, 2010 with a provision for automatic annual renewal, for the maintenance of five copier machines at a rate of \$0.013 per copy, inclusive of all labor and routine replacement parts or supplies.

A-7417

Community Resources & Infrastructure

E. Agricultural Commissioner requests adoption of a resolution which will provide for the following actions:

1. Acceptance of the Engineer's Report for the Napa County Winegrape Pest and Disease Control District for the Fiscal Year 2010/2011 and the proposed levy of assessment for the district;
2. Set a Public Hearing for August 3, 2010 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 County Counsel to answer questions regarding the assessments and protest proceedings.

R-2010-68

F. Agricultural Commissioner/Sealer of Weights & Measures requests approval of and authorization for the Chair to sign the renewal of Cooperative Agreement No. 2036 with the United States Department of Agriculture (USDA) for a maximum of \$84,969 for the term July 1, 2010 through June 30, 2011 for USDA's performance of wildlife management.

A-2036

G. Director of Public Works/Aviation requests the following actions concerning County Service Area No. 3:

1. Acceptance of the Fiscal Year 2010-2011 proposed budget with a total appropriation of \$397,893;
2. Acceptance of the filing of the Engineer's Report relating to the assessments to provide services;
3. Adoption of a resolution approving a service plan in accordance with Chapter 3.10 of the Napa County Code;
4. Adoption of a resolution providing for the following:
 - a. Declaring the Board's intent to levy assessments for streetside landscaping, street and highway lighting, street sweeping, and structural fire protection services pursuant to the Engineer's Report;
 - b. Setting a public hearing for August 3, 2010 at 9:00 a.m. to hear protests to the proposed assessments;
 - c. Directing the Clerk of the Board to comply with applicable notice requirements for the proposed assessments; and
 - d. Designating Martin Pehl, Airport Manager, to answer questions regarding the assessments and protest proceedings.

R-2010-69

R-2010-70

Correction memo regarding revised resolution was provided.

Item removed for separate discussion. See Item 8.

- H. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with M & M Sanitary LLC for an annual maximum amount of \$1,000 for the term June 15, 2010 through June 30, 2011, with an automatic annual renewal, to provide portable toilet services at the Napa County Airport.

A-7418

General Admin & Finance

- I. Human Resources Director requests adoption of a resolution for paying and reporting to CalPERS the value of Employer Paid Member Contributions (EPMC) for County and Trial Court employees for Fiscal Year 2010-2011.

R-2010-71

- J. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 7192 with Environmental Stewardship & Planning, Inc. for a maximum of \$156,000 for the term of June 1, 2010 through June 30, 2011 amending the scope of work to include consultation services regarding the special districts contracting with the County through its Public Works Department until key staff vacancies are filled.

A-7192 (Amend. 2)

- K. Clerk of the Board and County Counsel request authorization for the Clerk of the Board to execute a memorandum notifying the St. Helena Unified School District ("District") that the Board of Supervisors of the County of Napa have decided to not authorize the issuance of Tax and Revenue Anticipation Notes ("TRANS") on behalf of the District due to the fact that the District is participating in the California School Cash Reserve Program (2010-2011 Pool Bonds/Certificates of Participation).

Motion moved by Bill Dodd, seconded by Keith Caldwell, to approve consent items. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 7G:

Motion moved by Keith Caldwell, seconded by Mark Luce, to approve revised resolution. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

9. SET MATTERS OR PUBLIC HEARINGS

- A. 9:00 AM Recess to the Board of Equalization Meeting (**See BOE Minutes**).
- B. 10:00 AM PUBLIC HEARING Community and Intergovernmental Affairs Manager requests the following regarding the establishment of the Napa Valley Tourism Improvement District (NVTID):
1. Conduct a public hearing to receive protests to the formation of the NVTID, and if a majority protest does not exist, adopt the resolution which will establish the District, levy assessments, and approve the Management District Plan;
 2. Adoption of a resolution forming the Napa County NVTID Local Governing Committee;
 3. Appoint a Board member to serve on the Napa County NVTID Local Governing Committee; and
 4. Appoint a County representative to serve on the Board of Directors of the Napa Valley Tourism Corporation (that representative shall be either a County elected or appointed official, staff member, or chamber of commerce official).

R-2010-72

R-2010-73

Opened public hearing.

Community and Intergovernmental Affairs Manager Larry Florin presented item.

The Chair requested additional protests be submitted to the Clerk.

Testimony presented.

Closed public hearing.

Clerk of the Board Gladys Coil stated 2 protests were received which totalled .92%, therefore, a majority protest does not exist.

Motion moved by Bill Dodd, seconded by Mark Luce, to approve the Management District Plan in Item B.1. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

Motion moved by Bill Dodd, seconded by Mark Luce, to approve adoption of resolution in Item B.1. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

Motion moved by Mark Luce, seconded by Keith Caldwell, to approve adoption of a resolution in Item B.2. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

Motion moved by Bill Dodd, seconded by Mark Luce, to approve appointment

of Supervisor Keith Caldwell as the Board member for Item B.3. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

Motion moved by Mark Luce, seconded by Keith Caldwell, to approve appointment of Supervisor Diane Dillon as the County representative for Item B.4. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

C. 11:00 AM Agricultural Commissioner/Sealer of Weights and Measures together with representatives from Napa County's food community will give an update on the Napa Local Food forum and seek direction regarding the following:

1. Establishing a citizen task force charged with advising the Agricultural Commissioner/Sealer of Weights and Measures regarding promotion and facilitation of a sustainable local food system;
2. Undertake a review of County regulations and operations to identify and address barriers and opportunities associated with local food production, distribution, and access; and
3. Identify needed changes in State law for incorporation into the County's legislative platform.

Agricultural Commissioner/Sealer of Weights and Measures Dave Whitmer presented item.

Testimony presented.

10. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. County Executive Officer requests appointment/reappointment of a board member to the Napa County Workforce Investment Board with the term of office to commence immediately and expire June 30, 2012.

Motion moved by Mark Luce, seconded by Bill Dodd, to approve reappointment of Brad Wagenknecht. Motion passed 4 - 0, with Mark Luce, Diane Dillon, Bill Dodd, and Keith Caldwell voting yes / Brad Wagenknecht absent.

11. LEGISLATIVE ITEMS

None.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

None.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Supervisor Keith Caldwell requested a future discussion to decide if the Napa County Arts Commission should be brought back under the County of Napa or remain under the Napa County Transportation and Planning Agency.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

- A. County Executive Officer to present a status report on the Strategic Objectives.

County Executive Officer Nancy Watt presented report.

15. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Name of Case: Latinos Unidos de Napa vs. County of Napa, et. al. (Napa County Superior Court Case No. 26-50568)

Closed session held. No reportable action.

- B. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Designated Representative: Suzanne Mason, Human Resources Director
Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and 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, Classified Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

Closed session held. No reportable action.

- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Name of Case: Mishewal Wappo Tribe of Alexander Valley v. Ken Salazar (U.S. District Court #5:09-CV-02502-JW)

Closed session held. No reportable action.

- D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

1. Significant exposure to litigation pursuant to subdivision (b)(3)(A) of Government Code Section 54956.9: (One case)
2. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (One case)

1. Closed session held. No reportable action.

2. Closed session held. No reportable action.

16. ADJOURNMENT

Adjourned to the Board of Supervisors special meeting, Monday, June 21, 2010 at 9:00 a.m.

DIANE DILLON, Chair

ATTEST:

GLADYS I. COIL, Clerk of the Board