

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

April 25, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, APRIL 25, 2006 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN BILL DODD, SUPERVISORS DIANE DILLON, HAROLD MOSKOWITE, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIR DODD AT 9:02 A.M.
2. Pledge of Allegiance.
BARBARA NEMKO, COUNTY SUPERINTENDENT OF SCHOOLS, LED THE SALUTE TO THE FLAG.

Presentations and Commendations

- 3A. Registrar of Voters and the County Superintendent of Schools request the Board proclaim the month of May 2006, "Napa County High School Voter Registration Month" to encourage high school students who will be 18 years of age on or before June 6, 2006 to register to vote and to vote in the June 6, 2006 Primary Election.
PRESENTATION MADE
- 3B. Presentation of a proclamation declaring May, 2006 as Glassy-winged Sharpshooter Awareness Month.
PRESENTATION MADE
- 3C. Presentation of Retirement Resolution No. 06-66 to Linda Jensen, Tax Collections Manager, in recognition of more than 30 years of service.
PRESENTATION MADE **R-06-66**
4. Public Comment.
NONE
5. Department Heads' Reports and Announcements
DON RIDENHOUR, ASSISTANT DIRECTOR OF PUBLIC WORKS, INTRODUCED FELIX REISENBERG AS THE NEW PRINCIPLE WATER RESOURCES ENGINEER IN PUBLIC WORKS.

GARY SIMPSON, SHERIFF OF NAPA COUNTY, GAVE A BRIEF OVERVIEW OF PRESIDENT GEORGE BUSH'S VISIT TO NAPA COUNTY.

Consent Calendar

- 6A. Chief Probation Officer requests adoption of a resolution approving the Fiscal Year 2006-2007 Juvenile Justice Coordinating Council's Comprehensive Multi-Agency Juvenile Justice Plan and authorize submitting the plan to the Corrections Standards Authority (CSA) in the amount of \$371,117 to provide services to minors on probation.
ITEM CONTINUED ONE WEEK TO MAY 2, 2006
BW-DD-HM-ML-BD
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4580 with Napa Valley College to provide Assessment Technologies Institute (ATI) testing for clients participating in the Training and Employment Center (TEC) program. **A-4580**
(AMEND. 1)
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4648 with Beverage Consulting Network, Inc. revising the Scope of Work to update applicable federal and state regulations and establishing deadlines for quarterly reports to the County regarding the Responsible Beverage Program. **A-4648**
(AMEND. 3)
- 6D. Director of Health and Human Services requests the following relating to First 5 Napa County Children and Families Commission:
1. Rescission of Agreement No. 6503 dated May 23, 2005; and **A-6503**
2. Approval of and authorization for the Chair to sign a revenue agreement for a maximum of \$50,000 for the term May 23, 2005 through June 30, 2006 to provide services in the Therapeutic Child Care Center (TCCC). **A-6611**
- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the Loyd Wolfe Juvenile Justice Network, Inc., for a maximum of \$27,826 for the term April 25, 2006 through June 30, 2006 to provide services for the Juvenile Drug Court. **A-6612**
- 6F. Director of Health and Human Services requests adoption of a resolution authorizing the Chair to sign the Participating Physician Group Agreement between Blue Cross of California and the County of Napa for the term April 25, 2006, until terminated by either party, relating to the County Medical Services Program (CMSP). **R-06-81**
A-6613
- 6G. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign a grant request in the amount of \$75,000 to the San Francisco Bay Trail Project and the State Coastal Conservancy, to undertake a feasibility analysis and preliminary engineering for a segment of the Bay Trail.

- 6H. Director of Public Works and Records Manager request approval of and authorization for the Chair to sign Amendment No. 2 to Lease Agreement No. 4313 with Joseph Lenzi Potter for office and warehouse space located at 994 Kaiser Road for the Records Center increasing the amount by \$19,050 for a new maximum of \$80,509 annually, extending the term through June 30, 2009 and adding 1,804 square feet of storage space.
A-4313
(AMEND. 2)
- 6I. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4923 with Empire Elevator Company, Inc., increasing the amount by \$2,309 for a new maximum of \$38,700 annually, for elevator maintenance service at the Juvenile Justice Center.
A-4923
(AMEND. 2)
- 6J. Director of Public Works requests the following actions regarding agreements with the State of California for operations at the Napa State Hospital:
1. Authorization to rescind the previously approved Amendment No. 1 to Agreement No. 6536;
A-6236
(AMEND. 1)
 2. Approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6536 for the term November 1, 2005 to April 15, 2006 amending the use and early termination of the Napa State Hospital operation of the winter shelter.
A-6536
(AMEND. 2)
- 6K. Director of Public Works requests approval of and authorization for the Chair to sign a Right-of-Entry agreement with Jerry & Viola Hale, the owner of Assessor's Parcel No. 039-222-005, for the term April 15, 2006 through October 1, 2006, for disposing of soils generated by the storms occurring on the weekend of January 1, 2006.
A-6614
- 6L. Director of Public Works requests partial release of retention for Phase II of the "Juvenile Justice Center Project," PW 02-17, per Public Contract Code Section 7107.
- 6M. Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign Amendment No. 1 to Revenue Agreement No. 6585 with California Secretary of State amending the Scope of Work to include the following:
1. Use of funds for the reasonable cost of storage and warehousing, cell phones, forklifts, and/or retrofitting a voting system with an accessible voter-verified paper audit trail, up to maximum of \$52,996; and
 2. Use of funds for the reasonable cost of absentee voting system equipment upgrades and the reasonable cost of services, training and initial implementation of any new absentee voting system process or procedural changes.
A-6585
(AMEND. 1)
- 6N. Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Cherry Road Technologies Inc. for a maximum of \$13,360 for the term April 25, 2006 through June 30, 2007 for an assessment of the Peoplesoft Human Resources software application.
A-6615

- 6O. County Counsel requests adoption of a resolution amending the bylaws of, and extending the life of the Watershed Information Center and Conservancy of Napa County ("WICC") indefinitely. **R-06-82**
- 6P. Human Resources Director requests adoption of Retirement Resolution No. 06-65 for Patricia Lytle, Licensed Mental Health Counselor, in recognition of over 23 years of service. **R-06-65**
- 6Q. Local Enforcement Agency Manager and Director of Public Works request approval of Budget Transfer No. 65 increasing appropriations in the Fleet budget with offsetting revenues from the Local Enforcement Agency budget and establishment of a fixed asset in the amount of \$22,000 for the purchase of a four wheel drive vehicle. (4/5 vote required) **BT-65**
- 6R. County Executive Officer requests the reappointment of Stephen Emerick to serve on the Napa County Dangerous Animal Hearing Panel as a regular member with the term of office to commence immediately and expire January 31, 2009.
- 6S. County Executive Officer and Auditor-Controller request adoption of a resolution amending Resolution No. 93-130 authorizing examination of sales and use tax records to include the following:
1. Designation of positions/titles only rather than provide individual names to examine sales and use tax records of the State Board of Equalization (BOE) pertaining to sales and use taxes collected for the County by the BOE pursuant to the contract between the County and BOE; and
 2. Authorize the release of registration data from the BOE to the County's designated positions.

ITEM REMOVED FROM THE AGENDA

- 6T. County Executive Officer/Director of Emergency Services requests adoption of a resolution extending the Proclamation of Local Emergency declared by the Assistant County Executive Officer acting as the Director of Emergency Services on December 30, 2005 and confirmed by the Board of Supervisors by Resolution No. 06-02 on January 3, 2006. **R-06-79**
6. Discussion of Items Removed from the Consent Calendar.
SEE ITEMS 6A AND 6S

**APPROVED CONSENT CALENDAR ITEMS 6B THROUGH 6R AND ITEM 6T.
BW-DD-HM-ML-BD**

Set Matters or Public Hearings

- 8A. 9:15 a.m. Presentation by Agricultural Commissioner/Sealer of Weights and Measures of the Annual Crop Report for 2005.
PRESENTATION MADE

- 8B. 9:30 a.m. Recess to the Lake Berryessa Resort Improvement District special meeting
(**SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES**)
- 8C. 9:35 a.m. Recess to the Board of Equalization special meeting .
(**SEE BOARD OF EQUALIZATION MINUTES**)

Administrative Items

- 9A. County Executive Officer requests three appointments/reappointments to the Wildlife Conservation Commission representing the following with the term of office to commence immediately and expire February 1, 2009.

Public At Large (two positions)

Janet R. Barth *
Cheryl L. Harris
Lee Roberta Loban
Christopher Sauer
Robert Soper*

Napa County Conservation, Development, and Planning Commission

David Graves*

*Incumbents

**THE BOARD APPOINTED INCUMBENTS JANET R. BARTH, ROBERT SOPER AND
DAVID GRAVES. DD-BW-HM-ML-BD**

- 9B. Discussion and possible action on a request from The Salvation Army, Napa Corps to send a letter endorsing the purchase of a food service vehicle to be used in emergency disaster services.
(Supervisor Dodd)

APPROVED REQUEST HM-ML-BW-DD-BD

Legislative Items

- 10A. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)

NONE

- 10B. Approval of and authorization for the Chair to sign a letter of support for each of the following bills:

1. AB 2479, Noxious and Invasive Weeds (state legislation);
 2. AB 2297, High Risk Pest Exclusion (state legislation); and
 3. HR 4049, Early Pest Detection and Surveillance Improvement Act (federal legislation).
- (Unanimous vote of the Board members present required for each bill)

**THE BOARD WENT ON RECORD IN SUPPORT OF AB2479, AB2297 AND HR4049.
ML-BW-HM-DD-BD**

11. Board of Supervisors' Committee Reports And Announcements

SUPERVISOR DILLON REPORTED ON HER ATTENDANCE AT THE REGIONAL COUNCIL OF RURAL COUNTIES (RCRC) ANNUAL MEETING IN AMADOR COUNTY HELD LAST WEDNESDAY AND THURSDAY.

SUPERVISOR DILLON COMMENDED THE ST. HELENA HOSPITAL STAFF FOR THEIR WORK IN PREPARATION OF THE PRESIDENT'S VISIT.

SUPERVISOR WAGENKNECHT REPORTED ON THE FOLLOWING MEETINGS WHICH HE ATTENDED:

- 1. BAY AREA AIR QUALITY MANAGEMENT DISTRICT'S (BAAQMD) PUBLIC OUTREACH COMMITTEE MEETING;**
- 2. NAPA COUNTY FIRST FIVE (CHILDREN AND FAMILIES COMMISSION); AND,**
- 3. THE DANGEROUS AND VICIOUS DOG TASK FORCE.**

HE ALSO REPORTED ON THE HOME DEPOT LAWN MOWER BUY BACK PROGRAM HELD LAST WEEKEND.

SUPERVISOR LUCE ATTENDED THE ASSOCIATION OF BAY AREA GOVERNMENTS' (ABAG) GENERAL ASSEMBLY MEETING. AMONG THE TOPICS DISCUSSED WERE EARTHQUAKE PREPAREDNESS.

CHAIR DODD REPORTED ON THE FOLLOWING:

- 1. THAT THE CHILDREN'S HEALTH INITIATIVE KICK OFF MEETING WOULD BE HELD NEXT WEDNESDAY, MAY 3, 2006 AT 5:00 P.M. IN YOUNTVILLE. HE ENCOURAGED ALL THE BOARD MEMBERS TO ATTEND;**
- 2. HIS ATTENDANCE AT THE SENIOR TRANSPORTATION FORUM HELD LAST WEEK;**
- 3. THAT HE AND CITY OF NAPA MAYOR TECHEL MET WITH SENATOR FEINSTEIN AND CONGRESSMAN THOMPSON ON FLOOD CONTROL ISSUES AND THE NEED FOR ADDITIONAL FUNDING; AND,**
- 4. THAT HE AND MAYOR TECHEL TESTIFIED AT THE STATE ASSEMBLY BUDGET SUBCOMMITTEE MEETING.**

12. Board of Supervisors' Future Agenda Items
NONE

13. County Executive Officer Reports and Announcements
NONE

14. Closed Session
A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Public Defender
CLOSED SESSION HELD - NO REPORTABLE ACTION

14. Continued.

B. PUBLIC EMPLOYEE APPOINTMENT/ONGOING RECRUITMENT OF THE FOLLOWING POSITIONS (Government Code Section 54957):

Director of Environmental Management

Director of Corrections

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

Adjournment

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
MAY 02, 2006 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