

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

July 11, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JULY 11, 2006, WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN BILL DODD, SUPERVISORS DIANE DILLON, HAROLD MOSKOWITE, AND BRAD WAGENKNECHT. SUPERVISOR MARK LUCE WAS PREVIOUSLY EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN DODD AT 9:03 A.M.
2. Pledge of Allegiance.
BILL JABIN, DISTRICT ATTORNEY INVESTIGATOR, LED THE SALUTE TO THE FLAG.

Presentations and Commendations

- 3A. Agricultural Commissioner requests the Chair proclaim the week of July 17 - July 23, 2006 as "Invasive Weed Awareness Week".
PRESENTATION MADE
- 3B. Presentation of a proclamation declaring the week of July 16, 2006 as "Probation and Community Supervision Week" in Napa County.
PRESENTATION MADE
- 3C. Presentation of a proclamation declaring July 11, 2006 as "The Land Trust of Napa County Day". (Supervisors Dillon and Wagenknecht)
PRESENTATION MADE
4. Public Comment
JOHN MCGILL OF NAPA REQUESTED THE BOARD'S ASSISTANCE REGARDING A LANDSLIDE ON HIS PROPERTY. HE EXPLAINED THE DIFFICULTIES IN TRYING TO FIX THE PROBLEM AND INVITED THE BOARD TO THE PROPERTY TO VIEW THE SITE. HE REQUESTED THAT THE COUNTY INFORM HIM IN WRITING OF WHAT THEY ARE GOING TO DO TO ASSIST HIM.

SUPERVISOR DILLON STATED THAT SHE HAD BROUGHT THIS ISSUE UP IN MAY WITH REGARD TO ROAD REPAIRS AND THE NEED FOR A PRIORITY LIST. SHE SUGGESTED THAT THE ISSUE NEEDED TO BE DISCUSSED AS SOON AS POSSIBLE.

SUPERVISOR DODD STATED THAT HE DID SPEAK WITH STAFF AND THE WORK ON THE ISSUE WAS ON-GOING AND THAT MR. MCGILL WOULD SOON RECEIVE A RESPONSE FROM COUNTY STAFF.

MR. FRANCISCO, ON BEHALF OF THE EMPLOYEES AT THE HIGHWAY #29 FLEA MARKET, AND LARRY AZB OF AMERICAN CANYON SPOKE IN SUPPORT OF THE MARKET.

5. Department Heads' Reports and Announcements.
JOHN TUTEUR, ASSESSOR-RECORDER-COUNTY CLERK-REGISTRAR OF VOTERS, GAVE AN UPDATE ON THE CURRENT ASSESSMENT ROLL. HE REPORTED THAT THERE HAD BEEN A 10.58% INCREASE IN THE PAST YEAR WHICH TRANSLATED TO OVER A \$2 BILLION INCREASE IN THE COUNTY'S ASSESSED VALUE.

MR. TUTEUR ASKED THE BOARD TO SUPPORT AB1717, THE PROPERTY TAX ADMINISTRATION BILL.

Consent Calendar

- 6A. District Attorney requests ratification and authorization for the Auditor-Controller to provide reimbursement of travel expenses for three employees of the District Attorney's Child Abduction Unit to attend the Sixth Binational Child Abduction Conference in Ensenada, Mexico, from June 8 - June 10, 2006.
- 6B. Acting Director of Corrections requests approval of Budget Transfer No. 77 in the amount of \$6,341 from within the Corrections budget and establishing a fixed asset for the replacement of the heater which provides hot water to the kitchen and laundry. (4/5 vote required)
BT-77
- 6C. County Fire Chief requests authorization to accept a donation on behalf of the County Fire Department of a four-gas air monitor valued at \$2,215 from Palmaz Winery.
- 6D. Napa Special Investigations Bureau (NSIB) Governing Board requests approval of Budget Transfer No. 1 transferring \$10,788 from the NSIB Asset Forfeiture Trust Fund to the NSIB budget for the purchase of replacement computers. (4/5 vote required) **BT-1**
- 6E. Director of Health and Human Services requests the ratification and authorization for the Auditor-Controller to reimburse a staff psychiatrist's travel expenses incurred in attending a psychiatric medical conference in Toronto, Canada from May 19 - May 25, 2006.
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Workforce Investment Act Subrecipient Release for the grant period April 1, 2004 through March 31, 2007.
- 6G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6366 with Queen of the Valley Hospital of Napa, California for a combined maximum of \$30,000, to be shared by three contract providers, for the term July 11, 2006 through June 30, 2007 for the Universal Perinatal Home Visiting Program.
A-6366
- 6H. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewals of the following agreements with the California Department of Food and Agriculture (CDFA) and the United States Department of Agriculture (USDA) to perform services for the term July 1, 2006 through June 30, 2007:
1. Agreement No. 2683 for reimbursement of county expenditures for performance of inspections and sampling of petroleum products and performance of

6H. Continued.

weighmaster audits with revenue not to exceed \$6,000; **A-2683**

2. Agreement No. 4212 for reimbursement of expenditures for the enforcement of the California Organic Foods Act with revenue not to exceed \$1,400; and

A-4212

3. Agreement No. 2036 for payment not to exceed \$69,818 for wildlife management services provided by USDA.

A-2036

6I. Director of Public Works requests authorization for the Chair to sign a Certificate of Acceptance of an Easement Deed, pertaining to Sheehy Creek, for Habitat Conservation and Open Space Access from Creekside Gateway Business Park. (Assessor's Parcel Nos. 057-210-048 and 057-210-052)

6J. Assessor-Recorder-County Clerk requests the following:

1. Authorization to accept a donation of 400-C Optical Scan Counter valued at \$75,000 from the Sequoia Voting Systems, Inc.; and
2. Establishment of fixed asset in an amount not to exceed \$75,000.

6K. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the following Audit Reports:

1. Department of County Counsel Departmental Audit for the 12 months ended June 30, 2005;
1. Department of Public Works Departmental Audit for the fiscal year ended June 30, 2004.

6L. Chief Information Officer requests a waiver of competitive bidding requirements and sole source award for the purchase of annual software maintenance from Oracle USA, Inc. of Palatine, Illinois, for the total of \$276,333 pursuant to County Ordinance Code 2.36.090.

6M. Communications Manager requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6449 with AMS.NET increasing the amount by \$27,636 for a new maximum of \$40,636, extending the term through June 30, 2007 and amending the list of covered products for Voice over Internet Protocol (VoIP) telephone system maintenance and repair services.

A-6449

(AMEND. 1)

6N. County Counsel requests approval of and authorization for the Chair to sign the following amendments to have the mileage reimbursement rate the same as the current IRS rate for travel from Napa to St. Helena Hospital and amend Section 7(c) relating to insurance certificates to include County's new language:

1. Amendment No. 4 to Agreement No. 4793 with John Dawdy; and

A-4793

(AMEND. 4)

6N. Continued.

2. Amendment No. 3 to Agreement No. 4794 with Judith Jones.

**A-4794
(AMEND. 3)**

6O. Human Resources Director requests adoption of a resolution amending the Table and Index for the purpose of increasing the bi-weekly compensation of the Board of Supervisors effective February 1, 2006, as authorized by Napa County Ordinance No. 1263.

ITEM APPROVED AS AMENDED

R-06-139

6P. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Human Resources Division of the County Executive Office with regards to deleting one (1) (MC) Principal Human Resources Analyst and adding one (1) (MC) Staff Services Manager effective July 11, 2006.

R-06-140

6Q. County Executive Officer requests adoption of a resolution designating certain emergency interim successors for each member of the Board of Supervisors pursuant to Napa County Code Section 2.04.080.

R-06-141

6R. County Executive Officer requests adoption of a resolution appointing John Pearson as Director of Corrections to serve at the will of the Board of Supervisors effective July 29, 2006.

R-06-142

6S. County Executive Officer requests adoption of a resolution designating the Arts Council of Napa Valley as the County's Arts Council, and authorizing preparation of an application for a grant from the California Arts Council should funds become available for Fiscal Year 2006-2007.

R-06-143

6T. County Executive Officer requests the following:

1. Appointment of Supervisor Dillon as the alternate representative for Napa County to the Association of Bay Area Governments (ABAG) Executive Board for the July 20, 2006 ABAG Executive Board meeting; and
2. Approval of and authorization for the Chair to sign a letter to the ABAG Executive Director confirming the appointment of Supervisor Dillon as the County's alternate representative to the ABAG Executive Board for the July 20, 2006 ABAG Executive Board meeting.

6U. County Executive Officer/Purchasing Agent and Director of Public Works request the following actions (4/5 vote required):

1. Declare certain items of personal property, which are fixed assets, as surplus, no longer required for public use, and authorize their removal from the fixed asset inventory;
2. Declare certain items of personal property, which are non-fixed assets, as surplus and no longer required for public use; and
3. Authorize the disposal of the fixed and non-fixed asset surplus property at public auction.

7. Discussion of Items Removed from the Consent Calendar.
NONE

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6U, AS NOTATED ABOVE.
BW-DD-ML-HM-BD**

X

Set Matters or Public Hearings

- 8A. 9:15 a.m. Recess to the In-Home Supportive Services Public Authority of Napa County meeting. **(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY MINUTES)**

- 8B. 9:30 a.m. Public Hearing

Agricultural Commissioner/Sealer of Weights and Measures requests the following actions relating to the Napa County Winegrape Pest and Disease Control District (District):

1. Open Public Hearing to consider any objections or protests with respect to proposed assessments and the proposal to expand the scope of use District assessments for winegrape pests and diseases other than just the glassy-winged sharpshooter and Pierce's disease;
2. Close Public Hearing;
3. Recess and direct Clerk of the Board or Clerk's designees to tabulate ballots from qualifying landowners on the proposal to expand the scope of use of District assessments; and
4. Reconvene item, receive ballot results and, depending on the outcome of the balloting, adopt one of two alternative resolutions authorizing and levying assessments for Fiscal Year 2006-2007 on qualifying properties in the District.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED.

THE BOARD RECESSED TO TABULATE BALLOTS.

THE BOARD RECONVENED AT 1:34 P.M. WITH VICE-CHAIR MOSKOWITE PRESIDING IN THE ABSENCE OF CHAIRMAN DODD.

THE BALLOT RESULTS WERE ANNOUNCED AND THE BOARD ADOPTED RESOLUTION "A" (IMPOSING ASSESSMENTS – EXPANDED SCOPE) IMPOSING A \$4.95 PER ACRE ASSESSMENT FOR THIS FISCAL YEAR.

BW-DD-HM-ML-BD

X X

- 8C. 10:00 a.m. Recess to the Napa County Flood Protection and Watershed Improvement Authority special meeting. **(SEE NAPA COUNTY FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)**

Administrative Items

- 9A. Discussion and possible designation of two board members to an informal ad hoc committee, supplemented by County staff, for the purposes of discussing issues concerning the City of American Canyon's Rural Urban Limit Line and related matters raised in the 2003 Housing Agreement between the City and the County.

DISCUSSION HELD

APPOINTED CHAIRMAN DODD AND SUPERVISOR MOSKOWITE

DD-BW-HM-ML-BD

X

- 9B. County Executive Officer/Purchasing Agent and Director of Public Works request discussion and possible direction regarding the establishment a Local Vendor's Preference Policy for the purchase of goods and supplies. (Supervisor Dodd)

DISCUSSION HELD - STAFF TO RETURN AT A LATER DATE WITH A CHANGE IN PURCHASING POLICY TO INDICATE A 5% LOCAL PREFERENCE.

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

11. Board of Supervisors' Committee Reports and Announcements.

SUPERVISOR WAGENKNECHT ANNOUNCED THAT THERE WILL BE AN AGENDA ITEM ON THE BOARD'S JULY 25TH MEETING RECOMMENDING THAT THE PROPOSED ARTS COMMISSION BECOME PART OF THE NAPA COUNTY LEAGUE OF GOVERNMENTS (NCLOG).

CHAIRMAN DODD REPORTED ON HIS ATTENDANCE ALONG WITH COUNTY EXECUTIVE OFFICER NANCY WATT AT THE WOLFE CENTER GRADUATION CEREMONY.

12. Board of Supervisors' Future Agenda Items.

SUPERVISOR DILLON REQUESTED THAT AN UPDATE ON THE ROAD REPAIR PRIORITY LIST BE PUT ON THE JULY 25TH AGENDA.

SUPERVISOR DILLON ALSO REQUESTED THAT THE ELECTION REIMBURSEMENT BILL AND THE CABLE FRANCHISE BILL BE PLACED ON THE JULY 25TH AGENDA FOR DISCUSSION AND POSSIBLE SUPPORT.

13. County Executive Officer Reports and Announcements.

NANCY WATT, COUNTY EXECUTIVE OFFICER, UPDATED THE BOARD ON PENDING LEGISLATIVE ISSUES INCLUDING CABLE FRANCHISING AND HEALTH SERVICES.

14. Closed Session

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)

CLOSED SESSION HELD – NO REPORTABLE ACTION.

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

Name of case: Melissa Devos, et. al. vs. County of Napa, et. al. (Napa Superior Court Case No. 26-28362)

CLOSED SESSION HELD – NO REPORTABLE ACTION.

Adjournment.

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
JULY 25, 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