

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

March 6, 2007

1. Call To Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY MARCH 6, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS BILL DODD, BRAD WAGENKNECHT AND MARK LUCE. SUPERVISOR DILLON WAS EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:00 A.M.
2. Pledge of Allegiance.
THE PLEDGE WAS LED BY BEVERLY BERNARD, DAUGHTER OF CHAIRMAN MOSKOWITE.
3. Presentations and Commendations.
NONE
4. Public Comment.
NONE
5. Department Heads' Reports And Announcements.
NONE

Consent Calendar

- 6A. Director of Health and Human Services requests approval of Budget Transfer No. 48 appropriating \$266,501 in the Social Services budget with offsetting revenues from the Department of Social Services, Child Welfare Services Outcome Improvement Project (CWSOIP) allocation and Kinship Support Services Program (KSSP) allocation to fund staff costs and contract expenditures. (4/5 vote required) **B-48**
- 6B. 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 and its divisions as follows, effective March 6, 2007:
 1. Extend the Limited Term (LT) of four (4) Eligibility Worker I/II (LT) positions in the Social Services Division from December 31, 2006 through June 30, 2007; and
 2. Add one (1) Emergency Response Worker (LT) position in the Mental Health Division through June 30, 2007. **R-07-39**
- 6C. Director of Conservation, Development and Planning requests adoption of a resolution to amend the bylaws of the Napa County Wildlife Conservation Commission. **R-07-36**

FOR THE RECORD EXHIBIT A HAS BEEN REVISED AS IS STATED IN THE MEMO FROM STAFF.

- 6D. Director of Conservation, Development and Planning, at the request of the Watershed Information Center & Conservancy (WICC) Board, recommends approval of and authorization for the Chair to sign a comment letter to the San Francisco Bay Regional Water Quality Control Board (RWQCB) regarding the scoping of a newly proposed Stream and Wetland Protection Policy and possible Amendments to the San Francisco Bay Water Quality Control Plan (Basin Plan).
- 6E. Director of Public Works requests adoption of a resolution temporarily closing a portion of Henry Road from 7:00 A.M. to 10:00 A.M. on Saturday, March 31, 2007, for the Carneros Vineyard Run. **R-07-38**
- 6F. Director of Public Works requests approval of plans and specifications for the "Administration Building Landscape Project," PW 07-23, 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.
- 6G. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Richard Long. (Assessor's Parcel No. 057-250-007).
- 6H. County Counsel requests adoption of a resolution Approving Napa Berryessa Resort Improvement District's Draft Resolution of Notice of Intent to Levy Assessments and Issue Bonds to fund necessary facility repairs. **R-07-37**
- 6I. County Executive Officer requests approval of and authorization for the Chair to sign the following agreements with Betsy Strauss for the term February 22, 2007 through February 22, 2008:
1. Agreement for a maximum of \$30,000 for investigative and neutral fact finding in employment matters; and **A-6773**
 2. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule. **A-6773-1**
- 6J. County Executive Officer requests authorization for out of state travel for Diane Dillon, Supervisor District Three, who traveled to Washington, D.C., to conduct legislative and administrative advocacy from February 28-March 6, 2007.
- 6K. Approve minutes of the regular meetings held on the following dates:
1. December 20, 2005;
 2. January 10, 24 and 31, 2006; and
 3. February 7 and 14, 2006

- 6L. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 5064 with the Peter A. and Vernice H. Gasser Foundation to modify the description of the Ground Lease to exclude a vacant portion of the leased premises not occupied by the South Napa Homeless Shelter facility and for the Chair to execute and record a Memorandum of Amended Ground Lease to reflect this change. **A-5064**

ITEM REMOVED FOR DISCUSSION

(AMEND. 4)

APPROVED 6L AND 6M IN ONE ACTION

BD-BW-ML-HM-DD

X

- 6M. County Executive Officer requests approval of and authorization for the Chair to sign the following documents with the City of Napa related to a \$500,000 forgivable loan for the term March 6, 2007 through March 6, 2062 for the purchase of the homeless shelter:

1. A Loan Agreement; **A-6772**
2. A Regulatory Agreement; **A-6772-1**
3. A Deed of Trust; **A-6772-2**
4. A Promissory Note; and **A-6772-3**
5. All other documents necessary to implement the loan. (Promissory Note) **A-6772-4**

ITEM REMOVED FOR DISCUSSION

FOR THE RECORD IT WAS STATED IN A STAFF MEMO THAT THE LOAN TO THE CITY IS NOT A FORGIVABLE LOAN AND MUST BE RE-NEGOTIATED OR PAID AT THE END OF FIFTY-FIVE YEARS.

APPROVED 6L AND 6M IN ONE ACTION

BD-BW-ML-HM-DD

X

7. Discussion of Items Removed from the Consent Calendar.
SEE 6 C, 6L AND 6M

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6K

ML-BD-BW-ML-DD

X

Set Matters or Public Hearings.

- 8A. 9:00 a.m. - Recess to the Napa Berryessa Resort Improvement District (NBRID) meeting (See NBRID Agenda).
(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)

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

The Conservation, Development and Planning Commission and Director of Conservation, Development and Planning recommend the following:

1. Adoption of the Negative Declaration regarding the ordinance and use permit referenced in items 2 and 3;
2. First and final reading and adoption of an ordinance amending Section 18.28.030 of the Napa CountyCode to allow "art studios and galleries" as a new land use permitted upon grant of a use permit in the CL (Commercial Limited) zoning district; and

PUBLIC HEARING HELD –TESTIMONY PRESENTED

8B Continued.

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BD-BW-ML-HM-DD

X

ADOPTED ORDINANCE

BD-ML-BW-HM-DD

O-1288

X

3. Approval of Use Permit # P06-01458-UP based on findings 8 -15 subject to the conditions of approval.

PUBLIC HEARING HELD-NO TESTIMONY PRESENTED.

APPROVED USE PERMIT

ML-BW-HM-BD-DD

X

8C. 1:30 p.m. - Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (See NCFCWCD Agenda).
(SEE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES)

9. Administrative Items.
NONE

10. Legislative Items.
NONE

11. Board Of Supervisors' Committee Reports And Announcements.
SUPERISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT THE FOLLOWING:

- 1. THE LEGISLATIVE ACTION COMMITTEE FOR THE CHAMBER WHERE DESTINATION BRANDING WAS DISCUSSED.**
- 2. SUPERVISORS LUCE AND WAGENKNECHT ATTENDED THE VINTNER'S WOLFE CENTER THIRD ANNIVERSARY CELEBRATION.**
- 3. SUPERVISOR WAGENKNECHT ALSO ATTENDED THE WORK FORCE INVESTMENT BOARD (WIB). THE FUTURE TRADE SCHOOL WAS DISCUSSED.**
- 4. THE LAFCO MEETING YESTERDAY WHERE CHOICES FOR AN ALTERNATE WERE DISCUSSED.**
- 5. THE ASSOCIATION OF BAY AREA GOVERNMENT (ABAG) VISION CONFERENCE WHICH WAS HELD LAST NIGHT AND INCENTIVES FOR MORE HOUSING WAS DISCUSSED.**

SUPERVISOR DODD GAVE AN UPDATE ON THE STATE BOND PROCESS.

12. Board Of Supervisors' Future Agenda Items.
NONE

13. County Executive Officer Reports And Announcements.

NONE

14. Closed Session

A. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
Agency Designated Representatives: Mark Gregersen, Human Resources Director
Employee Organizations: SEIU Local 614 - NAPE (Employee Unit & Supervisory Unit of the County of Napa); Napa County Deputy Sheriffs' Association (Employee Unit & Supervisory Unit of the County of Napa)

CLOSED SESSION NOT HELD

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:
(One case)

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

15. Adjournment.

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
MARCH 13, 2007 AT 9:00 A.M.**

HAROLD MOSKOWITE, Chairman

ATTEST:

GLADYS 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