

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

July 24, 2007

1. Call to Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, JULY 24, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS BILL DODD, DIANE DILLON, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:01 A.M.**
2. Pledge of Allegiance.  
**NAPA COUNTY ASSISTANT DIRECTOR OF HEALTH AND HUMAN SERVICES JIM FEATHERSTONE LED THE SALUTE TO THE FLAG.**
3. Presentations and Commendations.  
**NONE**
4. Public Comment.  
**NONE**
5. Department Heads Reports and Announcements.  
**NAPA COUNTY COMMISSIONER OF AGRICULTURE/SEALER DAVE WHITMER UPDATED THE BOARD ON CHANGES TO THE LIGHT BROWN APPLE MOTH ERADICATION PROGRAM.**

Consent Items

- 6A. Chief Probation Officer, Director of Corrections and Sheriff request approval of and authorization for the Chair to sign the following agreements with Identix, Inc. for the term July 1, 2007 through June 30, 2008:
  1. Agreement for a maximum of \$8,223 for maintenance and repair services for the LiveScan machine located at Juvenile Hall; **A-6685-1**
  2. Agreement for a maximum of \$9,590 for maintenance and repair services for the LiveScan machine located at the Department of Corrections; and, **A-6686-1**
  3. Agreement for a maximum of \$7,892 for a maintenance and repair services for the LiveScan machine located at the Sheriff's Office. **A-6687-1**
- 6B. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6706 with Questa Engineering increasing the amount by \$8,050 for a new maximum of \$80,000 and extending the term of the agreement through August 31, 2007 to investigate the feasibility of a Bay Trail link between the Cities of American Canyon and Napa. **A-6706 (AMEND. 1)**

6C. Library Director requests the following actions to provide funding for extended open hours at the Napa Main Library:

1. Approval of and authorization for the Chair to sign an agreement (replacing expired Agreement No. 4469) with the City of Napa for a maximum of \$319,494 for the term of July 1, 2007 through June 30, 2008; and **A-4469-1**

2. Approval of Budget Transfer No. 3 transferring \$27,716 from Appropriations for Contingencies to the County Contribution budget unit and appropriating \$55,432 in the Library budget with offsetting revenue from the City of Napa and County Contribution budget. (4/5 vote required) **BT-3**

6D. County Counsel requests adoption of a resolution authorizing the issuance and sale of Howell Mountain Elementary School District General Obligation Bonds, Election of 2005, Series 2007, in an aggregate principal amount of \$1,195,432.35 pursuant to Education Code Sections 15264 and 15140, Section 1 of Article XIII A of the California Constitution, and Section 18 of Article XVI of the California Constitution.

6E. County Executive Officer requests the reappointments of the following two incumbents to serve on the Board of Directors of the Area Agency on Aging Serving Napa and Solano Counties with terms of office to commence immediately and expire July 01, 2009:

| <u>Applicant</u> | <u>Representing</u> |
|------------------|---------------------|
| Richard F. Hum   | District #2         |
| Wendy A. Wallin  | District #3         |

6F. County Executive Officer requests the Board:

1. Accept and file the 2006-2007 Grand Jury Final Report with the Clerk of the Board; and,

2. Direct the County Executive Officer to prepare a response to the Grand Jury Report by September 26, 2007 as prescribed by law.

**REMOVED FOR SEPARATE DISCUSSION.**

**APPROVED REQUEST DD-BW-BD-ML-HM**

7. Discussion of Items removed from the Consent Calendar.

**SEE ITEM 6F.**

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6E.**

**DD-BW-BD-ML-HM**

Set Matters or Public Hearings

8A. 9:00 AM – Public Hearing - Consideration and possible action regarding an Application filed by Baudelina A. Arroyo requesting abatement of the penalty for failure to file a Change of Ownership

8A. Continued.

Statement for Assessor's Parcel Number 038-143-003.

**PUBLIC HEARING HELD – TESTIMONY PRESENTED**

**A MOTION FOR ABATEMENT OF THE PENALTY FAILED.**

**BD-HM-DD-BW-ML**

**N N N**

8B. 9:15 AM - Director of Health and Human Services requests approval of the recommended recipients of Fiscal Year 2007-2008 Tobacco Master Settlement grant funds.

**PRESENTATIONS MADE**

**APPROVED REQUESTS**

**BD-BW-DD-ML-HM**

8C. 9:30 AM - Recess to the Napa Berryessa Resort Improvement District special meeting. (SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)

8D. 9:40 AM - Recess to the Lake Berryessa Resort Improvement District special meeting. (SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)

8E. 1:30 PM - Recess to the Napa County Flood Control and Water Conservation District meeting. (SEE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES)

Administrative Items

9A. Director of Conservation, Development and Planning requests approval for County to nominate agricultural and watershed lands within Napa County as a Priority Conservation Area for the Focusing Our Vision initiative sponsored by the Association of Bay Area Governments and others.

**APPROVED REQUEST**

**DD-BW-BD-ML-HM**

9B. County Executive Officer requests appointments from the following applicants to the Napa County Housing Commission with term of office to commence immediately and expire as follows:

| <u>Applicant</u>            | <u>Representing (One Representative)</u> | <u>Term Expires</u> |
|-----------------------------|--|---------------------|
| Cristobal Flores Caratachea | Napa County Housing Authority Tenant     | 6-5-2009            |
| Rafael Limon                | Napa County Housing Authority Tenant     | 6-5-2009            |
| Severiano Ponce Meza        | Napa County Housing Authority Tenant     | 6-5-2009            |
| Gabriel Robledo             | Napa County Housing Authority Tenant     | 6-5-2009            |
| Moises Sanchez              | Napa County Housing Authority Tenant     | 6-5-2009            |

| <u>Applicant</u> | <u>Representing</u>   | <u>Term Expires</u> |
|------------------|-----------------------|---------------------|
| Pete Richmond    | Farm Labor Contractor | 6-5-2011            |

**THE BOARD APPOINTED CRISTOBAL FLORES CARATACHEA AND PETE RICHMOND.**

**DD-BW-BD-ML-HM**

Legislative Items

- 10A. County Executive Officer requests discussion, direction and possible action concerning seeking legislation to provide authority for future consolidation options relating to the offices of Treasurer-Tax Collector and Auditor-Controller.

**DISCUSSION HELD**

11. Board of Supervisors Committee Reports and Announcements.  
**SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT A MEETING OF THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC). THE COMMISSION VOTED APPROVAL OF A CLIMATE CHANGE ACTION PLAN.**

**SUPERVISOR DODD REPORTED ON HIS ATTENDANCE AT A NAPA COUNTY TRANSPORTATION PLANNING AGENCY MEETING. IMPROVEMENTS WERE MADE TO SEVERAL TRANSIT LINES IN THE COUNTY.**

**SUPERVISOR DILLON REPORTED ON HER ATTENDANCE AT A COMMISSION ON AGING MEETING HELD IN ST. HELENA. THE COMMISSION CONTINUES TO ADVOCATE FOR THE FINGERPRINTING OF SENIOR CARE GIVERS.**

**SUPERVISOR LUCE REPORTED ON HIS ATTENDANCE AT AN ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) EXECUTIVE BOARD MEETING. HOUSING ALLOCATION NUMBERS WERE DISCUSSED.**

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: Director of Environmental Management  
**CLOSED SESSION HELD – NO REPORTABLE ACTION**
  - B. 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**
  - C. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)  
Agency Designated Representatives: Mark Gregersen, Human Resources Director  
Employee Organization: SEIU Local 1021 - NAPE (Employee Unit & 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 and Confidential Employees of the County of Napa (Excluding Elected Officials)  
**CLOSED SESSION HELD – NO REPORTABLE ACTION**

14. Continued.

**D. 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**

15. Adjournment.

**ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JULY 31, 2007 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