

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

July 31, 2007

1. Call to Order; Roll Call  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, JULY 31, 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 9:02 A.M.**
2. Pledge of Allegiance  
**NAPA COUNTY AGRICULTURAL COMMISSIONER/SEALER DAVE WHITMER LED THE SALUTE TO THE FLAG.**

Presentations and Commendations

- 3A. Presentation of Retirement Proclamation to Erika Carvalho, Accountant Auditor Manager, in recognition of over 17 years of service.  
**PRESENTATION MADE**
4. Public Comment.  
**NONE**
5. Department Heads Reports and Announcements.  
**NAPA COUNTY DIRECTOR OF PUBLIC WORKS BOB PETERSON UPDATED THE BOARD ON THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) ENERGY WATCH PROGRAM.**

Consent Items

- 6A. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with the Napa County Resource Conservation District for a maximum of \$200,004 for the term July 1, 2007 through June 30, 2008 for services pertaining to the implementation the County's Conservation Regulations, including the technical review and inspection of agricultural erosion control plans, development and presentation of watershed education materials, Watershed Information Center & Conservancy (WICC) Board/Committee support, and watershed monitoring. **A-6854**
- 6B. Director of Environmental Management requests approval of and authorization for the Chair to sign a Non-Exclusive Abandoned Vehicle enforcement Franchise Agreement with A & A Towing for the term July 31, 2007 through June 30, 2008 with an annual renewal to provide removal of vehicles and parts declared to be a nuisance pursuant to Chapter 8.20 of the County Code. **A-6855**
- 6C. Director of Public Works requests approval of and authorization for Chair to sign an agreement with Peterson Power Systems, Inc. for a maximum of \$11,235 for the term July 1, 2007 through June 30, 2008 with an automatic renewal provision, for the service and maintenance of generators. **A-6856**

- 6D. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the quarterly report of gifts, bequests and devices (donations) deposited into the Donation Revenue accounts of Napa County, with the exception of the Library, for the quarter ended June 30, 2007.
- 6E. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file the Audit Report for the County of Napa Health and Human Services Agency, with Financial Statements for the nine months ended March 31, 2006.
- 6F. Human Resources Director requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6571 with NewLevel Group, LLC, increasing the amount by \$5,000 for a maximum of \$25,000 per fiscal year for mandatory harassment training facilitation.  
**A-6571**  
**(AMEND. 1)**
- 6G. Human Resources Director requests the adoption of a resolution amending the following in connection with Conservation, Development and Planning, effective July 31, 2007:
1. Amend the Departmental Allocation List to delete one (1) (M) Assistant Director of Conservation, Development and Planning and add one (1) Administrative Secretary II;
  2. Amend the Table and Index of Classes to delete Assistant Director of Conservation, Development and Planning; and,
  3. Amend appropriate policies to delete reference to Assistant Director of Conservation, Development and Planning.  
**R-07-96**
- 6H. Human Resources Director requests approval of and authorization for the Chair to sign an agreement with Liebert Cassidy Whitmore for a maximum of \$3,820 for the term July 31, 2007 through June 30, 2008 to provide training workshops and consulting services covering employment relations subjects.  
**A-6857**
- 6I. County Executive Officer requests adoption of a resolution adopting Special Projects Fund Allocation Policies and Procedures, as recommended by the Board's Ad Hoc Special Projects Fund Allocation Committee, including:
1. Special Projects Fund Allocation Principles, Priorities and Process;
  2. Special Projects Fund Request for Proposals Standards and Process; and,
  3. Special Projects Fund Proposal Award Criteria.  
**R-07-97**
- 6J. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 3 to an agreement (formerly Agreement No. AUD-5855) with Mark Carey, increasing the amount by \$75,000 for a new maximum of \$90,000, with an automatic renewal provision, to provide a review and analysis of the data compiled for the Adult Correctional System Master Plan and to propose evidence based practices that will assist in an overall reduction in recidivism.  
**A-6858**

- 6K. Clerk of the Board requests the following actions:
1. Approve minutes of the regular meetings held on the following dates:
    - a. March 20 and 27, 2007; and,
    - b. April 3, 10, 17 and 24, 2007.

**ITEM REMOVED FROM THE AGENDA.**

7. Discussion of Items Removed from the Consent Calendar.  
**SEE ITEM 6K.**

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6J.  
BW-BD-ML-DD-HM**

Set Matters or Public Hearings

- 8A. 9:00 AM – Public Hearing - First reading and intention to adopt an ordinance of the Board of Supervisors of the County of Napa, State of California, amending Napa County Code Sections 10.12.010, 10.12.030, 10.12.050, 10.12.070 and 10.12.080 and figures 10.12.010, 10.12.010-1 and 10.12.010-2 of the Napa County Code pertaining to County Parking Lots.  
ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B (insert).  
**PUBLIC HEARING HELD – NO TESTIMONY PRESENTED**

**TITLE READ**

**THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.  
ML-BW-BD-DD-HM**

**THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.  
ML-DD-BD-BW-HM**

- 8B. 9:10 AM – Public Hearing - Director of Environmental Management requests the following:
1. First reading and intention to adopt an ordinance making administrative and procedural amendments to portions of Chapter 13.15 (Groundwater Conservation) of the Napa County Code.  
ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b) (3)].
  2. Adoption of a resolution establishing and increasing fees for services provided by the Department of Environmental Management relating to groundwater permits.  
ENVIRONMENTAL DETERMINATION: The proposed action is exempt from the

8b. Continued.

California Environmental Quality Act pursuant to Title 14, California Code of Regulations, section 15273 (a)(1) (Rates, Tolls, Fares, and Charges).

**PUBLIC HEARING HELD – NO TESTIMONY PRESENTED**

**TITLE READ**

**THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.**

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

**THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE AND RESOLUTION. BD-BW-ML-DD-HM**

8C. 9:20 AM - Recess to the Flood Protection and Watershed Improvement Authority special meeting. (SEE FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)

Administrative Items

9A. Discussion and possible adoption of the California Rangeland Resolution. (Unanimous vote of Board members present required.)

**ADOPTED RESOLUTION**

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

**R-07-98**

9B. Auditor-Controller requests authorization to prepare the necessary accounting entries to close the financial books for the Fiscal Year ended June 30, 2007.

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

10. Legislative Items.

Discussion and possible action related to SB1577 Patient Safety and Abuse Prevention Act of 2007. (Unanimous vote of the Board members present required.)

**THE BOARD WENT ON RECORD IN SUPPORT OF SB1577.**

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

11. Board of Supervisors Committee Reports and Announcements.

**NONE**

12. Board of Supervisors Future Agenda Items.

**SUPERVISOR LUCE REQUESTED AN AGENDA ITEM TO DISCUSS A POSSIBLE DONATION TO HELP PAY THE FUEL COSTS OF UPCOMING BAY AREA BOAT TOURS FOR DISABLED VETERANS.**

13. County Executive Officer Reports and Announcements.

**COUNTY EXECUTIVE OFFICER NANCY WATT REPORTED THAT THE STATE LEGISLATURE HAD STILL NOT ADOPTED A FISCAL YEAR 2007-2008 BUDGET.**

14. Closed Session.
- A. 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**
- B. 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 NOT HELD**
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (Two Cases)  
**CLOSED SESSION HELD - ONE CASE DISCUSSED - NO REPORTABLE ACTION**
15. Adjournment  
**ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, AUGUST 7, 2007 AT 9:00 A.M.**

\_\_\_\_\_  
HAROLD MOSKOWITE, Chairperson

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