

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

October 25, 2005

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, OCTOBER 25, 2005 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRPERSON DIANE DILLON, SUPERVISORS BILL DODD, HAROLD MOSKOWITE, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIR DILLON AT 9:02 A.M.
2. Pledge of Allegiance.
MARTHA BURDICK, PUBLIC WORKS ADMINISTRATIVE MANAGER, LED THE SALUTE TO THE FLAG.
3. Public Comment.
WILLIAM COCKE ADDRESSED THE BOARD REGARDING SERENITY HOMES OF NAPA VALLEY AND THE INCREASE IN RECOVERY OR "HALF-WAY" HOUSES IN LOCAL NEIGHBORHOODS. HE REQUESTED THAT SOMEONE STUDY THE CUMULATIVE IMPACT THESE TYPES OF RESIDENCES ARE HAVING ON LOCAL NEIGHBORHOODS.

CHAIR DILLON ADVISED THAT HE WOULD RECEIVE A RESPONSE TO HIS REQUEST.

RANDY SNOWDEN, DIRECTOR OF HEALTH AND HUMAN SERVICES, INFORMED THE BOARD THAT HE WILL MEET WITH MR. COCKE TO DISCUSS THESE CONCERNS.

4. Department Heads' Reports and Announcements.
NANCY WATT, COUNTY EXECUTIVE OFFICER, INTRODUCED NEW COUNTY EXECUTIVE OFFICE MANAGEMENT ANALYST MAIKO KLIEMAN.
ERNIE LOVELESS, COUNTY FIRE CHIEF, REPORTED TO THE BOARD THAT HIS DEPARTMENT HAS EMBARKED ON A STRATEGIC PLAN FOR THE FIRE DEPARTMENT. THE FIVE YEAR PLAN WILL INVOLVE REORGANIZATION AS WELL AS ADDRESS OTHER INTERNAL ISSUES. A COPY OF THE PLAN WAS DISTRIBUTED TO THE BOARD.

Consent Calendar

- 6A. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with Leaders in Community Alternatives, Inc. for a maximum of \$10,000 for the term October 25, 2005 through June 30, 2006, with an automatic annual renewal, to provide electronic monitoring equipment and reports for wards of the Juvenile Court participating in the home detention program. **A-6531**
- 6B. District Attorney requests approval of and authorization for the Chair to sign an agreement with Calvin Groeneweg for a maximum of \$45,000 for the term October 1, 2005 through June 30, 2006, and \$60,000 yearly thereafter, through June 30, 2007, to provide blood sample collection

6B. Continued.

Services in connection with law enforcement activity.

ITEM REMOVED FROM THE AGENDA.

- 6C. District Attorney requests the following actions in connection with the State of California Department of Justice Domestic Violence Spousal Abuser Program for Fiscal Year 2005-2006:
1. Authorization to sign a grant award in the amount of \$33,913; and
 2. Adoption of a resolution approving \$6,652 in County General Fund monies as match. **R-05-189**
- 6D. District Attorney requests the following actions in regards to the Violence Against Women Vertical Prosecution Program which provides vertical prosecution of crimes against women, including domestic violence:
1. Authorization for the District Attorney's Office to prepare, execute, and submit to the Office of Emergency Services an application for the first one half year of the two and one half year grant cycle, commencing January 1, 2006 through June 30, 2006 in the amount of \$45,000 for the first one half year and \$90,000 each subsequent year; and
 2. Adoption of a resolution in support of this grant application. **R-05-190**
- 6E. District Attorney requests authorization for out of state travel to attend the National District Attorneys Association Board of Directors Meeting in Chicago, Illinois, from November 3 - November 6, 2005.
- 6F. Director of Health and Human Services requests acceptance of a grant from the Napa Valley Wine Auction, dba Auction Napa Valley, in the amount of \$400,000 for the term September 29, 2005 through June 30, 2007 to provide funding for the operation of a new residential substance abuse detoxification and treatment program (Project Ninety Napa Valley). **A-6532**
- 6G. Director of Health and Human Services requests adoption of a resolution authorizing the approval of the In-Home Supportive Services (IHSS) rate package, increasing IHSS provider wages to \$10.50 per hour plus \$.60 in health benefits. **R-05-191**
- 6H. Director of Public Works requests adoption of the Disadvantaged Business Enterprise program methodology and goal for the Federal Government Fiscal Year 2005-2006 for Federal Highway Administration funded projects.
- 6I. Director of Public Works requests adoption of a resolution designating 4.8 miles of roadway in the unincorporated area of Napa County as included in the Bay Area Ridge Trail. **R-05-192**
- 6J. Director of Public Works requests approval of and authorization for the Chair to sign a Space License Agreement for the County facility located at 933 Water Street with Copia, The American Center for Wine Food & The Arts, for a maximum annual payment to the County of \$31,920 for the term November 1, 2005 through June 30, 2006 with year to year automatic renewal, for storage, workshop, and office space. **A-6533**
- 6K. Assessor-Recorder-County Clerk requests adoption of a resolution designating the County Executive Officer as the Authorized Representative for the Open Space Subvention Program. **R-05-193**

6L. Chief Information Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4805 with Fakouri Electrical Engineering, Inc., increasing the amount by \$1,000 for a new annual maximum of \$9,000 for the term September 27, 2005 until terminated by either party, for critical power maintenance and emergency repair services. **A-4805 (AMEND. 2)**

6M. Acting Human Resources Director requests adoption of a resolution approving the Memoranda of Understanding between the County of Napa and the Deputy Sheriffs' Association (DSA) Law Enforcement and Law Enforcement - Supervisory Units, effective October 9, 2004. **R-05-194**

6N. Acting Human Resources Director requests adoption of a resolution regarding an application for industrial disability retirement determining that an employee in the Sheriff's Department is substantially incapacitated within the meaning of the Public Employee's Retirement Law for performance of his duties, effective November 5, 2005. **R-05-195**

6O. County Executive Officer requests the appointment of Charles Robert Burton to the Emergency Medical Care Committee with the term of office to commence immediately and expire January 31, 2008.

6P. County Executive Officer requests the appointments/reappointments of the following applicants to serve on the Napa County Farmworker Housing Oversight Committee with terms of office to commence immediately and expire as indicated.

Name	Representing	Term Expires
Rosa Segura*	Farmworker Committee	September 30, 2008
Bonnie Schoch*	City of St. Helena	September 30, 2008
Del Britton	City of St. Helena, Alternate	September 30, 2008
Samuel E. Turner*	Napa Valley Grape Growers	September 30, 2008
Jennifer Kopp*	Napa Valley Grape Growers, Alternate	September 30, 2008
Steven Rosa	Town of Yountville	September 30, 2007
Bill Dutton	Town of Yountville, Alternate	September 30, 2007

*Incumbents

6Q. Second reading and adoption of an ordinance amending Sections 18.108.027 (Sensitive Domestic Water Supply Drainages), 18.108.050 (Exemptions), 18.108.060 (Slope Regulations--Prohibited Uses) and 18.108.140 (Security, Violations, And Penalties) of the Conservation Regulations as they Relate to Exemptions, Uses Prohibited Without An Exemption and Security Required For Erosion Control Plans. ENVIRONMENTAL DETERMINATION: Categorical exemption pursuant to Class 5 (CEQA Guidelines Section 15305), Minor alterations to land use limitations. **O-1269**

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

**APPROVED CONSENT CALENDAR ITEMS 6A AND 6C THROUGH 6Q.
BW-BD-HM-ML-DD**

Set Matters or Public Hearings

- 8A. 9:15 a.m. Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County special meeting. **(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY MINUTES)**
- 8B. 9:30 a.m. Director of Health and Human Services to provide a status report on the development of a substance abuse detoxification and short-term residential treatment program known as Project Ninety Napa Valley.
REPORT GIVEN
- 8C. 10:00 a.m. Napa County Child Care Planning Council to present report on the Council's Strategic Plan for 2005-2006.
REPORT GIVEN
- 8D. 10:30 a.m. County Counsel requests the Board consider and adopt a resolution of Findings of Fact and Decision on Appeal regarding the appeal filed by Gary Houck, applicant, to a decision by the Conservation, Development and Planning Commission on May 18, 2005 to deny Viewshed Request #P05-0005 VIEW to construct a new two-story 8,219 square foot main residence and approximately 10,000 square foot separate landscaped yard area located predominantly on a major ridgeline as defined in 18.106.020 of the Napa County Code and a 1,200 square foot second unit and a 1,000 square foot guest cottage located 25-feet below the major ridgeline. (These two units are proposed to be constructed on the property at a later date, under a separate Viewshed Protection Program application; however, they were included in the environmental review of this application as part of the entire project.) The project site is on a 41.35-acre parcel, located off a private driveway approximately 1,300-feet west of Soda Canyon Road and 3.5 miles north of its intersection with Silverado Trail within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel No. 039-640-001) 2275 Soda Canyon Road, Napa. ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Aesthetics and Biological Resources. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5. (CONTINUED FROM AUGUST 23 AND SEPTEMBER 13, 2005; STAFF REQUESTS CONTINUANCE TO NOVEMBER 1, 2005 AT 2:30 P.M.)

**THE BOARD CONTINUED THE MATTER TO NOVEMBER 1, 2005 AT 10:30 A.M.
BD-ML-BW-HM-DD**

- 8E. 1:30 p.m. Public Hearing - Director of Conservation, Development and Planning recommends the Board:
1. Conduct the Public Hearing regarding the potential amendment of Section 18.08.370 (Marketing of Wine);
 2. At the close of the Public Hearing, take one of the following actions:
 - a. Consistent with the Planning Commission's negative recommendation regarding this item, vote not to adopt the proposed ordinance; or
 - b. Adopt the environmental document, conduct a first and final reading and adopt the ordinance amending Section 18.08.370 to expand the definition of "Marketing of Wine" to allow cultural, business and social events to occur at wineries under certain conditions. ENVIRONMENTAL DETERMINATION: Negative Declaration prepared.

8E. Continued.

According to the Negative Declaration, the proposed action would have no significant environmental impacts.

SUPERVISOR MOSKOWITE RECUSED HIMSELF DUE TO POTENTIAL CONFLICT OF INTEREST.

PUBLIC HEARING OPENED – TESTIMONY PRESENTED

PROPOSED ORDINANCE NOT ADOPTED

BW-BD-HM-ML-DD

X

8F. 4:00 p.m. - Recess to a joint meeting with the Napa City Council. (BOS Meeting Room)

1. City/County presentation regarding the CAD/RMS/Mobile Project.

PRESENTATION GIVEN

2. Report from the City regarding garbage service.

REPORT GIVEN

3. Discussion regarding implementation of AB 2158 & ABAG's (Association of Bay Area Governments) schedule for Regional Housing Needs Allocation.

ITEM DISCUSSED

9. Administrative Items.

NONE

10. Legislative Items.

CHAIR DILLON REPORTED THAT THE PROPOSED LEGISLATIVE PLATFORM FOR 2006 WAS DISCUSSED AT THE OCTOBER 24, 2005 LEGISLATIVE SUBCOMMITTEE MEETING.

11. Board of Supervisors' Committee Reports and Announcements.

SUPERVISOR DODD REPORTED ON THE ACTIONS OF THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA) MEETING WHICH HE ATTENDED. THE AGENCY MOVED THE DRAFT TRANSPORTATION EXPENDITURE PLAN TOWARDS THE JUNE 7TH BALLOT. THE MATTER WILL NOW GO TO THE CITIES FOR THEIR INPUT AND APPROVAL.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT'S PUBLIC OUTREACH COMMITTEE MEETING YESTERDAY. THE "SPARE THE AIR" PERIOD HAS ENDED (BETWEEN JUNE AND OCTOBER 14). THEY ARE NOW WORKING ON THE EFFECTS OF WOOD BURNING ON AIR QUALITY.

SUPERVISOR LUCE REPORTED THAT THE NAPA SANITATION DISTRICT WILL SOON ASK FOR PUBLIC FEEDBACK ON ITS STRATEGIC PLAN FOR EXTENDING RECLAIMED WATER SERVICE TO VARIOUS AREAS IN NAPA COUNTY.

11. Continued.

CHAIR DILLON REPORTED ON HER ATTENDANCE WITH SUPERVISOR DODD AT THE MAYORS DISABILITY BREAKFAST WHERE THOSE WHO HIRE DISABLED PERSONS WERE HONORED.

SHE FURTHER REPORTED ON HER ATTENDANCE AT THE NAPA COUNTY LEAGUE OF GOVERNMENTS (NCLOG) QUARTERLY MEETING, THE NAPA VALLEY ECONOMIC DEVELOPMENT CORPORATION (NVEDC) ECONOMIC OUTLOOK MEETING, AND HER ATTENDANCE AT AN EVENT IN ST. HELENA WHERE DAVID GARDEN WAS HONORED FOR HIS EFFORTS IN PRESERVATION OF THE SULPHUR CREEK WATERSHED.

SHE WAS ALSO THE KEYNOTE SPEAKER AT PACIFIC UNION COLLEGE FOR THE DEDICATION OF THE COGENERATION PLANT, AND SHE ATTENDED THE POPE VALLEY FIRE DEPARTMENT TURKEY SHOOT EVENT ON SUNDAY.

12. Board of Supervisors' Future Agenda Items.
NONE

13. County Executive Officer Reports and Announcements.
NANCY WATT, COUNTY EXECUTIVE OFFICER, REPORTED THAT NEXT YEAR NAPA COUNTY WILL HOST THE NAPA COUNTY LEAGUE OF GOVERNMENTS (NCLOG) QUARTERLY MEETINGS. THE CHAIR OF THE BOARD WILL PRESIDE AT THESE MEETINGS.

SHE ALSO REPORTED ON THE ANNUAL COUNTY EXECUTIVE OFFICERS CONFERENCE WHERE SHE VOLUNTEERED TO SERVE ON THE HOUSING, LAND USE AND TRANSPORTATION COMMITTEE FOR THE COMING YEAR.

14. Closed Session
A. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS (Government Code Section 54957)Titles:
Agricultural Commissioner/Sealer of Weights and Measures;
CLOSED SESSION HELD

THE BOARD UNANIMOUSLY APPROVED THE REAPPOINTMENT OF DAVE WHITMER AS AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES FOR THE TERM PRESCRIBED BY LAW.

Director of Health and Human Services
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

Adjournment

ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,

NOVEMBER 1, 2005 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