

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

December 13, 2005

1. Call to Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, DECEMBER 13, 2005 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRPERSON DIANE DILLON, SUPERVISORS BILL DODD, HAROLD MOSKOWITE, AND BRAD WAGENKNECHT. MARK LUCE WAS EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIR DILLON AT 9:06 A.M.**
  
2. Pledge of Allegiance.  
**RICHARD LONERGAN, RETIRED UNDER-SHERIFF, LED THE SALUTE TO THE FLAG.**
  
3. Presentations and Commendations.
  - A. Presentation of Retirement Resolution No. 05-221 to Ed Wynn, Chief District Attorney Investigator in recognition of over 35 years of service.  
**PRESENTATION MADE**
  
  - B. Presentation by Diane Dillon, Chair of the Board of Supervisors, of Certifications of Completion to participants of the Napa County Supervisory Academy.  
**PRESENTATIONS MADE**
  
4. Public Comment.  
**CANDACE ELIZA SPOKE ABOUT ABUSED AND TRAUMATIZED CHILDREN OF NAPA COUNTY. SHE INQUIRED ABOUT PROP 63 MONEY AND SPOKE OF THE \$200 MILLION COMING TO NAPA VALLEY.**  
  
**CHAIR DILLON CLARIFIED THAT THE \$200 MILLION UNDER PROP 63 IS STATEWIDE FUNDING AND NOT FOR NAPA COUNTY ALONE. NAPA COUNTY EXPECTS TO RECEIVE APPROXIMATELY \$2 MILLION FROM PROP 63 OVER THE NEXT SEVERAL YEARS.**
  
5. Department Heads' Reports and Announcements.  
**PAM KINDIG, NAPA COUNTY AUDITOR-CONTROLLER, SPOKE AS SECRETARY OF THE BOARD OF CONTROL FOR THE NAPA COUNTY DEFERRED COMPENSATION PROGRAM. SHE ANNOUNCED THERE WERE FOUR RESPONDENTS TO THE REQUEST FOR PROPOSAL PROCESS. IN JANUARY, SHE WILL RETURN TO THE BOARD WITH A RECOMMENDATION THAT THE COUNTY ENTER INTO A CONTRACT WITH THE HARTFORD GROUP AS THE SOLE PROVIDER FOR THE COUNTY'S DEFERRED COMPENSATION PLAN.**  
  
**ROBERT WESTMEYER, COUNTY COUNSEL, COMMENTED THAT THE EMPLOYEES WILL SAVE ABOUT \$200,000 AS A RESULT OF REDUCED FEES FROM THE HARTFORD GROUP.**

Consent Calendar

- 6A. Acting Director of Corrections requests adoption of a resolution authorizing the provision of a Home Detention Program and approving the Home Detention rules and regulations pursuant to Penal Code Section 1203.016. **R-05-228**  
**AMENDED RESOLUTION**
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with the California Department of Mental Health:
1. Renewal of Agreement No. 3315 for the term July 1, 2005 through June 30, 2006 establishing the County's mental health services performance contract for Fiscal Year 2005-2006; and **A-3315**
  2. Amendment No. 1 to Agreement No. 4028 increasing the amount by \$1,000 for a new maximum of \$726,603 for the Napa County Mental Health Managed Care Program. **A-4028**  
**(AMEND. 1)**
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following:
1. Amendment No. 2 to Agreement No. 3409 with the California Department of Health Services (AIDS Master Grant Agreement) increasing the amount by \$168,344 for a new combined maximum of \$382,256 for Fiscal Years 2004-2005, 2005-2006 and 2006-2007; **A-3409**  
**(AMEND. 2)**
  2. Amendment No. 2 to Agreement No. 3820 with the California Department of Health Services increasing the amount of the subordinate MOU governing AIDS education and prevention by \$168,344 for Fiscal Year 2005-2006; **A-3820**  
**(AMEND. 2)**
  3. Agreement with Community Health Clinic 'Ole for a maximum of \$56,000 for the term December 13, 2005 through June 30, 2006 to provide HIV education and prevention services; **A-6567**
  4. Budget Transfer No. 34 increasing appropriations by \$168,344 in the Public Health Budget with offsetting revenue to fund contract and educational material expenditures. (4/5 vote required) **BT-34**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4458 with Barbara McCarroll, Ph.D., for a maximum of \$133,875 for the term January 1, 2006 through June 30, 2007 to provide Infant/Child Mental Health Specialist services for the Therapeutic Child Care Center. **A-4458**

- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to revenue Agreement No. 6502 with the Napa County Children and Families Commission increasing the amount by \$5,000 for a new maximum of \$105,000 to provide additional funding for an Infant-Child Mental Health Specialist and a Special Education Instructor/Early Childhood Teacher at the Therapeutic Child Care Center. **A-6502  
(AMEND. 1)**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Community Impact Consulting, Inc., for a maximum of \$46,000 for the term December 13, 2005 through June 30, 2006 to provide consultation on the recruitment and retention of foster parents as defined in the Child Welfare Services (CWS) System Improvement Plan (SIP). Community Resources & Infrastructure. **A-6568**
- 6G. Director of Conservation, Development and Planning requests adoption of a resolution rescinding the "County of Napa Conservation, Development and Planning Department Code Compliance Policies and Procedures Manual (3/10/98)", which is in conflict with current County policy to impose inspection fees on all construction work completed without necessary building permits as provided for in the County Policy Manual, Section 70.020. **R-05-229**
- 6H. Director of Public Works requests the following actions relating to the "Energy Efficient Mechanical Retrofit for the Hall of Justice and Administration Building Project," PW 04-15:
1. Rejection of all the bids received on October 13, 2005; and
  2. Approval of revised plans and specifications for the "Energy Efficient Mechanical Retrofit for the Administration Building Project PW 06-08", 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.
- 6I. Director of Public Works requests approval of plans and specifications for the "Napa County Library HVAC Replacement Project," PW 06-01, 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.
- 6J. Director of Public Works requests adoption of a resolution summarily vacating an Offer of Dedication of certain road easements. (Assessor's Parcel No.'s 057-010-037, 057-020-017, 057-020-018, 057-020-019, 057-020-020, 057-210-002, and 057-250-005)  
**ITEM REMOVED FROM AGENDA**
- 6K. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Edd Clark & Associates, Inc. for a maximum of \$48,684 for the term December 13, 2005 through June 30, 2006 for environmental consulting services related to the underground fuel tank site remediation at various County sites. **A-6569**
- 6L. Communications Manager requests approval of and authorization for the Chair to sign an agreement with AMS.NET, Inc. for a maximum of \$9,800 for the term December 13, 2005 through June 30, 2006 for Internet Protocol Contact Center (IPCC) configuration services. **A-6570**

- 6M. 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 2005, in an aggregate principal amount not to exceed \$1,700,000, 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. **R-05-230**
- 6N. County Counsel requests adoption of a resolution establishing, for the 2006 calendar year, a \$500 direct contribution to the 401(a) pre-tax sub-account of each 401(a) deferred compensation participant whose department qualifies for the direct contribution. **R-05-231**
- 6O. County Counsel and Napa County Deferred Compensation Board of Control request approval of and authorization for Chair to sign Amendment No. 2 to Agreement No. 6348 with Arnerich Massena & Associates extending the term through June 30, 2006, to allow more time to conduct the comprehensive deferred compensation provider vendor review process with no change in the maximum amount. **A-6348  
(AMEND. 2)**
- 6P. Acting Human Resources Director requests adoption of a resolution regarding the following in connection with the County Executive Office, effective December 17, 2005:
1. Amend the Departmental Allocation list to delete:
    - a. Two (2) (C) Secretary;
    - b. One (1) (C) .5 Secretary;
    - c. One (1) (C) Deputy Clerk of the Board;
  2. Amend the Departmental Allocation list to add:
    - a. One (1) (C) Administrative Support Technician;
    - b. One (1) .5 (C) Administrative Support Technician;
    - c. Two (2) (C) Board Clerk I/II;
  3. Amend the Table and Index to add:
    - a. Administrative Support Technician;
    - b. Board Clerk I/II; and
  4. Amend appropriate personnel policies to add Administrative Support Technician and Board Clerk I/II to the list of confidential positions. **R-05-232**
- 6Q. Acting Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Social Services Division of the Health and Human Services Agency to extend the term through December 31, 2006, of four (4) Eligibility Worker I/II Limited Term positions, effective December 17, 2005. **R-05-233**
- 6R. Acting Human Resources Director requests adoption of a resolution revising the County Retirement Award Program effective December 13, 2005 to allow all safety employees retiring with fifteen (15) or more years of service in both the Sheriff's Department and the District Attorney's Office the opportunity to purchase their service weapon in lieu of a retirement award. **R-05-234**
- 6S. Acting Human Resources Director requests approval of and authorization for the Chair to sign an agreement with The NewLevel Group for a maximum of \$20,000 for the term October 1, 2005

- 6T. County Executive Officer requests the appointment of Maria C. Carter to serve on the Napa County Tobacco Advisory Board as a representative of a health care organization with the term of
- 6U. County Executive Officer recommends the Board accept a report regarding the status of the District Attorney's budget including a minimum reduction in the Net County Cost of \$92,400 in the current year.
7. Discussion of Items Removed from the Consent Calendar.  
**SEE ITEM 6J**

**APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6I AND 6K THROUGH 6U.  
BD-BW-HM-ML-DD  
X**

Set Matters or Public Hearings

- 8A. 9:00 a.m. Public Hearing - Consideration and possible action regarding appeals filed by Lylah and Richard Schieck, Jurgen and Marie Schutz and Lynn and Susan Hill of a decision by the Conservation, Development and Planning Department on September 26, 2005 approving a Site Plan Approval application request (No. P05-0215-SPA) to store materials used in conjunction with the construction business owned by George Nielson located at 147 Camino Oruga with no employee parking or permanent facilities. This project is within an GI:AC (General Industrial: Airport Compatibility) zoning district. (Assessor's Parcel No. 057-151-020) Camino Oruga, Napa. ENVIRONMENTAL DETERMINATION: This project is Statutorily Exempt from the provisions of CEQA, under Section 15268, "Ministerial Projects". As specified under Section 18.140.010 (A) of the Napa County Code, site plan approvals are considered ministerial projects.  
**PUBLIC HEARING HELD – TESTIMONY PRESENTED**

**THE BOARD DECLARED INTENT TO DENY THE APPEALS AND REFERRED THE MATTER TO COUNTY COUNSEL TO PREPARE FINDINGS TO INCLUDE A 90 DAY IMPLEMENTATION PLAN OF THE CONDITIONS OF APPROVAL AND SET FINDINGS FOR DECEMBER 20, 2006 AT 3:30 P.M.**

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

- 8B. 10:00 a.m. - Recess to the Lake Berryessa Resort Improvement District special meeting.  
**(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT SPECIAL MEETING MINUTES.)**
- 8C. 10:00 a.m. - Recess to the Napa Berryessa Resort Improvement District special meeting.  
**(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT SPECIAL MEETING MINUTES)**
- 8D. 11:30 a.m. - Recess to Old Timers Luncheon at River City, 505 Lincoln Avenue.
9. Administrative Items.  
**NONE**

Legislative Items

10. The Legislative Subcommittee will present a report concerning the proposed 2006 Napa County legislative platform. The Board may or may not take action on any or all items presented for discussion. (Unanimous vote required)

**PRESENTATION MADE.**

**THE BOARD ADOPTED THE PLATFORM AS AMENDED.**

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

**X**

11. Board of Supervisors' Committee Reports and Announcements.  
**CHAIR DILLON REPORTED ON THE MEETING OF THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) REGIONAL PLANNING COMMITTEE LAST WEEK. THE FOCUS OF THE MEETING WAS ON THE JOINT POLICY COMMITTEE AND THEIR DIRECTION TO ABAG, METROPOLITAN TRANSPORTATION COMMISSION (MTC) AND BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) TO ORGANIZE INTER-AGENCY RESOURCES TO PURSUE INTEGRATED REGIONAL PLANNING.**

**SUPERVISOR DODD COMMENTED ON HIS PARTICIPATION ON THE JOINT PLANNING COMMISSION AND EXPRESSED HIS CONCERNS AND ENCOURAGED EVERYONE ON THE BOARD TO PARTICIPATE AS MUCH AS POSSIBLE AND MAKE THE CASE KNOWN AS TO WHAT IS NEEDED FOR NAPA COUNTY REGARDING REGIONAL OBJECTIVES.**

**SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT THE BAAQMD MEETING LAST WEEK.**

**CHAIR DILLON REPORTED ON HER ATTENDANCE AT THE MENTAL HEALTH BOARD MEETING YESTERDAY WHERE THERE WAS A DISCUSSION OF PROPOSITION 63 SPENDING. SHE ANNOUNCED THERE WILL BE A PUBLIC HEARING ON JANUARY 12, 2006 IN THE EVENING.**

**SUPERVISOR WAGENKNECHT ATTENDED AN UPPER VALLEY WASTE MANAGEMENT ASSOCIATION MEETING AT WHICH UPPER VALLEY GARBAGE RATES WERE RAISED.**

12. Board of Supervisors' Future Agenda Items.  
**SUPERVISOR DODD REQUESTED THAT STAFF PLACE THE ISSUE OF THE HOT AIR BALLOONS ON THE AGENDA FOR FURTHER DISCUSSION TO DISCUSS INSURANCE ISSUES.**

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, Acting 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). Unrepresented Employees: Non-Classified, Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

**CLOSED SESSION HELD – NO REPORTABLE ACTION.**

Adjournment.

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,  
DECEMBER 20, 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