

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

August 1, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, AUGUST 1, 2006 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN BILL DODD, SUPERVISORS DIANE DILLON, HAROLD MOSKOWITE, BRAD WAGENKNECHT, AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN DODD AT 9:03 A.M.
2. Pledge of Allegiance.
SUPERVISOR LUCE LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
A. Presentation of a proclamation declaring August, 2006 as "Child Support Awareness Month" in Napa County.
PRESENTATION MADE
4. Public Comment.
NONE
5. Department Heads' Reports and Announcements.
NONE

Consent Calendar

- 6A. Director of Child Support Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6453 with the Superior Court of California, County of Napa, representing the Plan of Cooperation for the term July 1, 2006 through June 30, 2007 with no dollar amount, to provide coordination and delineation of responsibilities for the Child Support Enforcement Program. **A-6453**
- 6B. District Attorney requests approval of and authorization for the Chair to sign an agreement with Robert Jarecki for a maximum of \$9,000 for the term August 1, 2006 through June 30, 2007 for background investigations of potential County employees. **A-6673**
- 6C. Library Director requests the acceptance of the following:
 1. Library Services and Technology Act Grant from the California State Library in the amount of \$30,000 for the Napa City-County Library's adult literacy program;
 2. Library Services and Technology Act Grant from the California State Library in the amount of \$11,058 for three Library employees to be reimbursed for classes taken toward a Masters Degree in Librarianship and approving a grant specific exception to the County's employee tuition reimbursement policy; and
 3. Donation from the Library Foundation in the amount of \$42,300 for the cost of online subscription databases for the Solano/Napa and Partners (SNAP) system and for clerical support.

- 6D. Director of Public Works requests the following actions relating to the "City/County of Napa Fifth Street Parking Garage Project," PW 07-01:
1. Authorization for the Director of Public Works to utilize the design-build project delivery method as allowed by Public Contract Code Section 20133 for the delivery of the subject project;
 2. Approval of and authorization for the Chair to sign an agreement with Watry Design, Inc., of Redwood City, California, for a maximum of \$310,500 for the term August 1, 2006 through June 30, 2007 for the preparation of a design-build bidding package in accordance with Sections 20133(a)-(d) of the Public Contract Code and for construction administration assistance services. **A-6674**
- 6E. Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 02-17, "Juvenile Justice Center Project."
- 6F. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign an agreement with Vortex Industries, Inc. for a maximum of \$40,000 for the term August 1, 2006 through June 30, 2007 for a Preventative Maintenance Program for the hangars and sliding gates located at the Napa County Airport. **A-6675**
- 6G. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign an agreement with Mead & Hunt, Inc. for a maximum of \$45,000 for the term August 1, 2006 through June 30, 2007 for aviation related engineering and planning services. **A-6676**
- 6H. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign a land use (revenue) agreement with Luis Nieves for \$4,032 per year with annual increases based upon the Consumer Price Index, for the term August 1, 2006 through July 31, 2026 for 16,800 square feet of airport land for the purpose of constructing a corporate hanger. **A-6677**
- 6I. County Executive Officer requests the Board:
1. Accept and file the 2005-2006 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 October 4, 2006 as prescribed by law.
- 6J. County Executive Officer requests appointment of Thomas A. Gumina to serve on the Napa City-County Library Commission with the term of office to commence immediately and expire June 30, 2009.
- 6K. County Executive Officer requests the following appointment/reappointment of one member of each group from the following list of applicants to the Napa Child Care Planning Council with the terms of office to commence immediately and expire on June 30, 2009.

Child Care Provider
Marcia Diane Rosecrans

6K. Continued.

Consumer

Lola Cornish*

Public Agency

Linda Courtney Henderson*

Karen Sanchez

At Large

Dee Cuney*

Community Representative

Herbert Salinger*

*Incumbents

ITEM REMOVED FROM CONSENT CALENDAR AND MOVED TO ADMINISTRATIVE ITEM AS 9C.

- 6L. County Executive Officer/Purchasing Agent and Director of Public Works request the following:
 1. Declare one (1) Touchprint fingerprint machine, fixed asset number 3896, as surplus, no longer required for public use, and authorize its removal from the fixed asset inventory;
 2. Declare certain other items of personal property, which are non-fixed assets, as surplus and no longer required for public use; and
 3. Authorize the disposal of the fixed asset and non-fixed asset surplus property items at public auction. (4/5 vote required)

7. Discussion of Items Removed from the Consent Calendar.
APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6J, AND 6L, AS NOTED ABOVE.
ML-DD-HM-BW-BD

Set Matters or Public Hearings

8A. 9:00 a.m. Public Hearing
 Director of Public Works requests the following actions relating to County Service Area No. 3 (CSA No. 3):

1. Open Public Hearing to consider any objections or protests with respect to the assessments for adoption in CSA No. 3;
2. Close Public Hearing and adopt a resolution authorizing and levying assessments for Fiscal Year 2006-2007;

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED
ADOPTED RESOLUTION DD-BW-HM-ML-BD

R-06-148

3. Open Public Hearing to accept testimony on the Fiscal Year 2006-2007 budget, with a total appropriation of \$419,471; and

8A. Continued.

4. Close Public Hearing and continue consideration to August 8, 2006 at 9:00 A.M. for final adoption.

**PUBLIC HEARING HELD – NO TESTIMONY PRESENTED
THE BOARD CONTINUED ADOPTION OF FISCAL YEAR 2006-2007 BUDGET TO
AUGUST 8, 2006 AT 9:00 A.M.**

BW-DD-HM-ML-BD

8B. 9:00 a.m. Public Hearing

County Executive Officer requests the following actions relating to County Service Area No. 4 (CSA No. 4):

1. Open Public Hearing to consider any objections or protests with respect to the assessments proposed for adoption in CSA No. 4
2. Close Public Hearing and adopt a resolution authorizing and levying assessments for Fiscal Year 2006-2007;

**PUBLIC HEARING HELD – NO TESTIMONY PRESENTED
ADOPTED RESOLUTION ML-BW-HM-DD-BD**

R-06-149

3. Open Public Hearing to accept testimony on the Fiscal Year 2006-2007 budget, with a total appropriation of \$428,193; and
4. Close Public Hearing and continue consideration to August 8, 2006 at 9:00 A.M. for final adoption.

**PUBLIC HEARING HELD - NO TESTIMONY PRESENTED
THE BOARD CONTINUED ADOPTION OF FISCAL YEAR 2006-2007 BUDGET TO
AUGUST 8, 2006 AT 9:00 A.M. DD-BW-HM-ML-BD**

8C. 9:00 a.m.

Recess to the Lake Berryessa Resort Improvement District meeting.
(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)

8D. 9:00 a.m.

Recess to the Napa Berryessa Resort Improvement District meeting.
(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)

8E. 9:00 a.m.

Recess to the Silverado Community Services District meeting.
(SEE SILVERADO COMMUNITY SERVICES DISTRICT MINUTES)

8F. 9:00 a.m.

Recess to the Monticello Public Cemetery District meeting.
(SEE MONTICELLO PUBLIC CEMETERY DISTRICT MINUTES)

- 8G. 10:00 a.m.
Consideration and possible action regarding an Application filed by David Lopez requesting abatement of the penalty for failure to file a Change of Ownership Statement for Assessor's Parcel No. 004-593-016.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

**THE BOARD DENIED THE APPLICATION AND UPHELD THE ASSESSOR'S PENALTY.
HM-ML-BW-DD-BD**

Administrative Items

- 9A. Director of Public Works to present a report on the condition of the County roads following the 2005/2006 winter and requests the Board take the following actions:

1. Authorize staff to proceed with repairs identified as Priority One projects estimated at \$1,644,500 in advance of receipt of Federal/State reimbursement approval; and

REPORT PRESENTED

THE BOARD AUTHORIZED STAFF TO PROCEED WITH REPAIRS ON ALL IDENTIFIED PRIORITY ONE PROJECTS.

DD-BW-HM-ML-BD

2. Establish a short-term policy of not seeking federal or state grants that require local matching funds for bike lane projects until such time as all storm damage repairs can be funded.

NO ACTION TAKEN

- 9B. Chief Information Officer and County Executive Officer request adoption of a resolution amending the following sections of the Napa County Policy Manual concerning cell phone and Blackberry wireless PDA use, effective August 12, 2006, to end the practice of providing County-owned cell phones and Blackberry devices to management employees and establish a three tier cell phone allowance and a Blackberry allowance for management employees:

1. Part 1, Section 31B of the Policy Manual, Information Technology Use & Security Policy;
2. Part 1, Section 37C-1 of the Policy Manual, Management Compensation Plan - Management Classified;
3. Part 1, Section 37C-2 of the Policy Manual, Management Compensation Plan - Management Non-Classified; and
4. Part 1, Section 37C-3 of the Policy Manual, Management Compensation Plan – Management Non-Classified (Other).

ADOPTED RESOLUTION

ML-BW-HM-DD-BD

R-06-150

- 9C. County Executive Officer requests the following appointment/reappointment of one member of each group from the following list of applicants to the Napa Child Care Planning Council with the terms of office to commence immediately and expire on June 30, 2009.

Child Care Provider

Marcia Diane Rosecrans

Consumer

Lola Cornish*

Public Agency

Linda Courtney Henderson*

Karen Sanchez

At Large

Dee Cuney*

Community Representative

Herbert Salinger*

*Incumbents

ITEM REMOVED FROM THE AGENDA

Legislative Items

- 10A. Approval of and authorization for the Chair to sign a letter supporting Assembly Bill (AB) 1717, property tax administration program. (Supervisor Dillon) (Unanimous vote of the Board members present required)
THE BOARD WENT ON RECORD IN SUPPORT OF AB1717.
ML-BW-HM-DD-BD
- 10B. Approval of and authorization for the Chair to sign a letter in support of Senate Bill (SB) 1733, water quality - civil penalties. (Supervisor Dillon) (Unanimous vote of the Board members present required)
THE BOARD WENT ON RECORD IN SUPPORT OF SB1733.
BW-DD-HM-ML-BD
- 10C. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)
NOT HELD
11. Board of Supervisors' Committee Reports and Announcements.
SUPERVISOR DILLON REPORTED ON HER PARTICIPATION IN THE ETHICS 1234 TRAINING.

SHE ALSO REPORTED ON A REGIONAL COUNCIL OF RURAL COUNTIES (RCRC) EXECUTIVE COMMITTEE MEETING SHE ATTENDED WHERE THERE WAS A UNANIMOUS NO VOTE ON THE ANDERSON INITIATIVE. SHE ALSO ATTENDED A

11. Continued.

CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) POLICY COMMITTEE MEETING WHERE MEMBERS ALSO VOTED NO FOR THE ANDERSON INITIATIVE.

LAST THURSDAY SUPERVISOR DILLON WENT TO A MEETING OF THE WATERSHED INFORMATION CENTER AND CONSERVANCY (WICC) BOARD. A TOTAL MAXIMUM DAILY LOAD (TMDL) REPORT WAS PRESENTED.

LAST NIGHT SUPERVISOR DILLON ATTENDED THE RED CROSS ANNUAL DINNER.

SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT A MEETING OF THE COUNTY MEDICAL SERVICES PROGRAM (CMSP) THURSDAY.

CHAIRMAN DODD REPORTED ON HIS ATTENDANCE AT A METROPOLITAN TRANSPORTATION MEETING (MTC).

SUPERVISOR LUCE REPORTED ON HIS TRIP TO AFRICA WHERE HE VISITED WITH A TEAM OF INTERNATIONAL MEDICAL AMBASSADORS. DISCUSSION CENTERED ON WATER ISSUES INCLUDING ACCESS TO CLEAN WATER AND THE USE OF SAND FILTERS TO PURIFY WATER.

SUPERVISOR DILLON ALSO REPORTED ON AN ASSOCIATION OF BAY AREA GOVERNMENTS' (ABAG) HOUSING METHODOLOGY MEETING SHE ATTENDED IN SAN FRANCISCO WITH COMMUNITY PARTNERSHIP MANAGER HOWARD SIEGEL.

12. Board of Supervisors' Future Agenda Items.
NONE

13. County Executive Officer Reports and Announcements.
NONE

14. Closed Session

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Name of case: Jorge Deharo, Hector Olvera, Latinos Unidos de Napa, an Unincorporated Association v. County of Napa et. al. (Case No. 26-22255)

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 614 - NAPE (Public Services Employee Unit & Supervisory Unit of the County of Napa) and Deputy Sheriffs' Association (Law Enforcement Unit & Supervisory Unit of the County of Napa)

Unrepresented Employees: Non-Classified, Management and Confidential Employees of the County of Napa, excluding Elected Department Heads.

CLOSED SESSION HELD – NO REPORTABLE ACTION.

14. Continued.

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.

Adjournment

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY,
AUGUST 8, 2006 AT 9:00 A.M.**

HOWARD 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