

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

October 10, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, OCTOBER 10, 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.
MARK LUNDEEN, PUBLIC WORKS' ROAD MAINTENANCE WORKER, LED THE SALUTE TO THE FLAG.
 3. Presentations and Commendations.
NONE
 4. Public Comment.
JOHN MCGILL OF NAPA REPORTED THAT THE SLIDE CONFRONTING HIS HOUSE IS STILL IN DISREPAIR. DESPITE ASSURANCES FROM THE COUNTY THAT THIS ISSUE WAS A NUMBER ONE PRIORITY, THE SITUATION STILL REMAINS THE SAME AS IT WAS A YEAR AGO. HE REQUESTED REPAIRS TO START IMMEDIATELY.
 5. Department Heads' Reports and Announcements.
RANDY SNOWDEN, DIRECTOR OF HEALTH AND HUMAN SERVICES, ANNOUNCED THAT NANCY SCHULTZ, ASSISTANT BEHAVIOR HEALTH CARE MANAGER, WILL BE THE NEW MANAGER FOR THE IN-HOME SUPPORTIVE SERVICES DIVISION.

DIRECTOR SNOWDEN ALSO INTRODUCED LINDA CANAN AS THE NEW CHILD WELFARE SERVICES DIRECTOR.

STEVE LEDERER, DIRECTOR OF ENVIRONMENTAL MANAGEMENT, REPORTED THAT HIS DEPARTMENT IN CONJUNCTION WITH UC COOPERATIVE EXTENSION, CONDUCTED THEIR 42ND FOOD SAFETY HANDLER CLASS. IN THE LAST FIVE YEARS OVER 1600 HANDLERS HAVE BEEN TRAINED.

HE ALSO ANNOUNCED THAT A HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY WILL TAKE PLACE IN CALISTOGA ON OCTOBER 21, 2006.
- Consent Calendar
- 6A. Director of Health and Human Services requests approval of and authorization for the Chair to sign a grant application to the Employment Development Department for a maximum of \$223,800 for the term October 1, 2006 through September 30, 2007 for Rapid Response Special Projects funding for the development of an employer advisory and response network to enhance collaboration between workforce development, economic development and education.

- 6H. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 767 with Silverado Avionics, Inc. extending the term through May 31, 2007 for the business of aviation electronics. **A-767**
(AMEND. 2)
- 6I. Director of Public Works/Aviation requests approval of Budget Transfer No. 12 increasing appropriations in the Airport Enterprise budget by \$1,000 with offsetting revenue from Retained Earnings and establishing a fixed asset for an Airport Surveillance System. (4/5 vote required)
ITEM HELD FOR SEPARATE DISCUSSION

APPROVED REQUEST

BW-DD-HM-ML-BD

BT-12

- 6J. Assessor-Recorder-County Clerk requests approval of Budget Transfer No. 15 appropriating \$352,943 in the Primary-General Elections budget with offsetting revenues from State Voting Modernization Board Act (Proposition 41) funds for reimbursement of remaining county costs for State-mandated Voter Verified Paper Audit Trail equipment already in use. (4/5 vote required)
BT-15
- 6K. Auditor-Controller requests the following actions concerning Maximus, Inc.:
1. Authorize the Auditor-Controller to sign a purchase agreement for the MAXCars software license at \$4,000 and the first year's maintenance fee of \$2,000 to assist the Auditor's office in the preparation of the County's Cost Plan; and
 2. Approval of and authorization for the Chair to sign an agreement for a maximum of \$2,000 for the term October 10, 2006 through June 30, 2007 to provide on site training for the MAXCars software. **A-6705**
- 6L. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the following Audit Reports:
1. Department of Conservation, Development and Planning for the Fiscal Year ended June 30, 2005;
 2. Assessor-Recorder-County Clerk Department - Assessor Division for the Fiscal Year ended June 30, 2005;
 3. Assessor-Recorder-County Clerk Department - Elections Division for the Fiscal Year ended June 30, 2005; and
 4. Assessor-Recorder-County Clerk Department - Recorder-County Clerk Division for the Fiscal Year ended June 30, 2005.
- 6M. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Audit Report for the Uniform Transient Occupancy Tax Audit of Calistoga Ranch for the Period of May 1, 2004 to September 30, 2005.

- 6N. Human Resources Director requests adoption of a resolution regarding the following in connection with the County Executive Office, effective October 10, 2006:
1. Amend the Departmental Allocation List to delete one (1) (M) Administrative Manager/Clerk of the Board and add one (1) (M) Administrative Manager/Clerk of the Board designated as "at will", Management Non-Classified (Other); and
 2. Amend appropriate policies to delete one (1) (M) Administrative Manager/Clerk of the Board and add one (1) (M) "at will" Administrative Manager/Clerk of the Board.

R-06-178

- 6O. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with the Napa Valley Housing Authority (NVHA) for a maximum of \$35,000 for the term October 10, 2006 through June 30, 2007 for administration of the County's Affordable Housing Fund and for services provided by the Greater Napa Fair Housing Center.

A-6304-1

- 6P. County Executive Officer requests the following appointments to the Napa County Advisory Board on Alcohol and Drug Programs:

<u>Applicant</u>	<u>Representing</u>	<u>Term Expires</u>
Sarah Elizabeth Brohaugh	Student	01/01/09
Linda S. Powers	Interested Citizen	01/01/09

7. Discussion of Items Removed from the Consent Calendar.
SEE ITEMS 6E, 6F AND 6J.

APPROVED CONSENT ITEMS 6A THROUGH 6D, 6G THROUGH 6H, AND 6J THROUGH 6P.

DD-ML-HM-BW-BD

Set Matters or Public Hearings.

- 8A. 9:15 a.m. - Joint Meeting of the Board of Supervisors and the Planning Commission, with discussion and possible action concerning the following topics:

1. The status of the General Plan update;
CONSERVATION, DEVELOPMENT AND PLANNING DIRECTOR HILLARY GITELMAN AND GENERAL PLAN STEERING COMMITTEE CHAIRMAN PETER MCCREA PRESENTED REPORT.

2. Code enforcement program accomplishments & needed tools; and,
CONSERVATION, DEVELOPMENT AND PLANNING DIRECTOR HILLARY GITELMAN AND CHIEF BUILDING OFFICER DARREL MAYES PRESENTED REPORT.

3. Other Commissioner/Supervisor comments or concerns.
NONE

8B. 10:15 a.m. Public Hearing

Director of Public Works requests the following actions with respect to the Napa Industrial Area Traffic Mitigation Fee Program:

1. Open a Public Hearing for discussion of:
 - a. Annual report on the Traffic Mitigation Fee Program; and
 - b. Adjustment of the Traffic Mitigation Fee.

2. Close the Public Hearing and adopt:
 - a. Resolution making Government Code Section 66006 findings with respect to the mitigation program for the Fiscal Year 2005-2006; and **R-06-179**

 - b. Resolution adjusting the traffic mitigation fee for new development within the Airport Industrial Area Specific Plan area for inflation, from \$1,600 to \$2,762 per afternoon peak hour vehicle trip, and updating references to the peak hour methodology document. **R-06-180**

PUBLIC HEARING HELD – TESTIMONY PRESENTED

ADOPTED RESOLUTIONS BW-DD-HM-ML-BD

N

8C. 10:30 a.m. Public Hearing

Director of Health and Human Services requests the following actions:

1. Discussion and possible adoption of a resolution establishing a mental health fee schedule for Fiscal Year 2006-2007; and

2. Approval of mental health billing rates for Fiscal Year 2006-2007. **R-06-181**

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

**ADOPTED RESOLUTION AND APPROVED BILLING RATES
DD-ML-HM-BW-BD**

8D. 11:00 a.m. Public Hearing

First and final reading and adoption of an ordinance amending Section 18.124.120 of the Napa County Code as it relates to the County's ability to revoke, suspend or modify a use permit.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

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

ADOPTED ORDINANCE BW-DD-HM-ML-BD O-1281

8E. 11:15 a.m.

Presentation by the Napa County legislative advocate, Don Peterson, regarding the recently completed 2006 California legislative session and prospects for the 2007 legislative session.

PRESENTATION MADE

Administrative Items

- 9A. Director of Health and Human Services requests the following:
1. Endorsement of the United Way of the Bay Area's application to the California Public Utilities Commission to provide non-emergency telephone information and referral (2-1-1 service) to members of the public seeking local health, human, social and related services; and
 2. Authorization for the Chair and appropriate department heads or their designees to sign endorsements or letters of support for the application.

PRESENTATION MADE

THE BOARD WENT ON RECORD IN SUPPORT OF THE APPLICATION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION TO PROVIDE THE 211 SERVICE TO THE PUBLIC. FURTHER, THE BOARD AUTHORIZED THE CHAIR AND APPROPRIATE DEPARTMENT HEADS OR THEIR DESIGNEES TO SIGN ENDORSEMENTS OR LETTERS OF SUPPORT FOR THE APPLICATION.

ML-BW-HM-DD-BD

- 9B. First reading and intention to adopt an ordinance updating Chapter 8.20 (Abandoned vehicles) of the Napa County Code.

ENVIRONMENTAL DETERMINATION: 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)].

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BW-DD-HM-ML-BD

THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.

BW-DD-HM-ML-BD

- 9C. Director of Conservation, Development and Planning requests first reading and intention to adopt an ordinance adding Section 1.20.22 to Chapter 1.20 of the County Code declaring substandard property maintenance as a public nuisance and specifying situations that would meet the definition of a public nuisance.

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class

21: 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 because it constitutes a clarification or amplification of code enforcement responsibilities, and code enforcement activities are themselves exempt from review. [See Class 21 ("Enforcement Actions by Regulatory Agencies") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15321.]

TITLE READ

9C. Continued.

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

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

9D. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6478 with Peterson Consulting, Inc., increasing the amount by \$8,000 per month for eleven months for a new maximum of \$139,327 for Fiscal Year 2006-2007 and a new maximum of \$67,327 for Fiscal Year 2007-2008 for advocacy services related to Regional Housing Need Allocation (RHNA) legislation.

**APPROVED REQUEST ML-DD-HM-ML-BD A-6478
(AMEND.2)**

Legislative Items

10A. Discussion and possible action concerning Measure G, the Napa Valley Unified School District bond measure, which has been placed on the November 7, 2006 ballot for the district's voters to consider. (Supervisor Wagenknecht)

DISCUSSION HELD

**THE BOARD WENT ON RECORD IN SUPPORT OF MEASURE G.
BW-DD-HM-ML-BD**

11. Board of Supervisors' Committee Reports and Announcements.

SUPERVISOR WAGENKNECHT REPORTED ON THE ACTIVITIES OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT'S (BAAQMD) COMMUNITY AIR RISK EVALUATION (CARE) PROGRAM. THE PROGRAM ESTIMATES THE HEALTH RISKS ASSOCIATED WITH EXPOSURE TO OUTDOOR TOXIC AIR CONTAMINANTS (TAC) IN BAY AREA COUNTIES.

SUPERVISOR WAGENKNECHT ANNOUNCED THAT THE AIR BOARD'S SUMMIT ON GLOBAL WARMING WILL TAKE PLACE NOVEMBER 10, 2006.

HE ALSO REPORTED ON HIS ATTENDANCE ALONG WITH SUPERVISOR DILLON AT THE FARMWORKER HOUSING RE-DEDICATION.

12. Board of Supervisors' Future Agenda Items.

SUPERVISOR DILLON REQUESTED STAFF TO STUDY AND REPORT BACK TO THE BOARD ON COUNTY CODE VIOLATIONS, MISDEMEANORS VERSUS INFRACTIONS, AND THEIR IMPACT ON THE CRIMINAL JUSTICE SYSTEM.

13. County Executive Officer Reports and Announcements.

NANCY WATT, COUNTY EXECUTIVE OFFICER, AND MARK GREGERSON, HUMAN RESOURCES DIRECTOR, DEMONSTRATED "NEOGOV" A NEW COMPUTER PROGRAM TO ASSIST IN THE RECRUITMENT AND SELECTION OF NEW EMPLOYEES. IT IS A WEB BASED PROGRAM WHICH WILL AUTOMATE THE RECRUITMENT PROCESS.

14. Closed Session.
NONE.

Adjournment

ADJOURN TO A SPECIAL MEETING OF THE BOARD OF SUPERVISORS ON THURSDAY, OCTOBER 12, 2006 AT 6:00 P.M. FOR THE PURPOSE OF ATTENDING THE QUARTERLY MEETING OF THE NAPA COUNTY LEAGUE OF GOVERNMENTS AT LA STRADA RESTAURANT, 6240 NAPA-VALLEJO HIGHWAY, NAPA, CALIFORNIA.

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