

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

December 5, 2006

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, DECEMBER 5, 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 9:02 A.M.
2. Pledge of Allegiance.
MONICA MOEN LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
MICHAEL HALEY SPOKE ON BEHALF OF THE NEWLY FORMED NAPA VALLEY TAXPAYER ALLIANCE.
5. Department Heads' Reports and Announcements.
CHUCK CASTELLAR, HEALTH AND HUMAN SERVICES' BEHAVIOR HEALTH CARE MANAGER, INTRODUCED THE NEW VETERANS' SERVICE OFFICER PATRICK JOLLY.

GARY LIEBERSTEIN, DISTRICT ATTORNEY, ANNOUNCED THAT A PLEA OF GUILTY HAS BEEN ENTERED IN THE PEOPLE VS. COPPLE MURDER CASE.

Consent Calendar

- 6A. Chief Probation Officer requests acceptance of a report regarding the 2005-06 Juvenile Justice Crime Prevention Act mandated by Government Code 30061 and which supports the STAR (Success Through Acting Responsibly) Program at the Juvenile Justice Center.
- 6B. District Attorney requests adoption of a resolution establishing revolving funds to be used by the Napa County District Attorney's Child Abduction Unit and the Special Investigations Unit.
ITEM REMOVED FOR SEPARATE DISCUSSION.

ADOPTED RESOLUTION

BW-ML-HM-DD-BD

R-6-201

- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6605 with the Loyd Wolfe Juvenile Justice Network, Inc., increasing the amount by \$75,000 for a new maximum of \$165,000 to provide additional youth substance abuse treatment services.

A-6605

(AMEND. 2)

- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Napa Valley College for a maximum of \$10,500 for the term December 5, 2006 through June 30, 2007 to provide small business plan development training for clients participating in the Training and Employment Center Program. **A-6740**
- 6E. Director of Health and Human Services requests approval of Budget Transfer No. 31 increasing appropriations in the Mental Health budget by \$24,618 with offsetting revenues from the cancellation of a portion of the Anasazi designation and establishment of fixed assets in the amount of \$24,618 for the purchase of four PowerEdge servers. (4/5 vote required) **BT-31**
- 6F. Director of Environmental Management requests the Board adopt the Activity Pool Guidance Policy.
ITEM REMOVED FROM THE AGENDA.
- 6G. Agricultural Commissioner requests the following concerning the Napa County Winegrape Pest and Disease Control District:
1. Adoption of a resolution reauthorizing the existence of the Napa County Winegrape Pest and Disease Control District for another five-year term until March 26, 2012; and **R-06-202**
 2. Approval of and authorization for the Chair to sign a cost-sharing agreement between the County and the Napa County Winegrape Pest and Disease Control District for another five-year term until June 30, 2012 to prevent the spread of Pierce's Disease in Napa County via Glassywing Sharpshooters. **A-4949-1**
- 6H. Director of Public Works requests the following actions relating to approved Measure A projects in the County unincorporated area:
1. Approval of and authorization for the Chair to sign Amendment No. 8 to Agreement No. 4202 with the Napa County Flood Protection and Watershed Improvement Authority increasing the amount of Measure A funds by \$432,000 for the Rutherford Dust Restoration Project and the new Oakville Cross Road to Oak Knoll Avenue Sediment Reduction and Habitat Enhancement Project, for a new maximum of \$3,367,000 for all Napa County Measure A projects; and **A-4202 (AMEND.8)**
 2. Approval of Budget Transfer No. 27 appropriating \$432,000 to fund Amendment No. 8 in the Public Works Capital Improvement Budget with offsetting revenues from the County's share of Measure A funds. (4/5 vote required) **BT-27**
- 6I. Director of Public Works requests approval of the following actions:
1. Authorization for the Chair to sign a Lease Agreement with GE Modular Space for a maximum of \$65,358 for the term December 5, 2006 through June 30, 2007 for two modular units located at 2261 Elm Street to provide office space for Health and Human Services; and **A-6741**

6I. Continued.

2. Approval of Budget Transfer No. 28 transferring \$50,688 from Appropriations for Contingencies to the Public Works budget for setup, breakdown and modifications costs for the modular units described above. (4/5 vote required) **BT-28**

- 6J. Director of Public Works requests approval of and authorization for the Chair to sign a cost reimbursement agreement with Silverado Property Owners Association for a maximum of \$25,000 for the term December 5, 2006 through June 30, 2007 to reimburse a portion of the costs to complete a flood damage reduction and creek stabilization study along a portion of Milliken Creek funded through Measure A. **A-6742**
- 6K. 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 05-16, "Napa County Airport Hangar Re-roof Project."
- 6L. Director of Public Works requests approval of plans and specifications for the "1595/1597 Las Amigas Road Nuisance Abatement Project," PW 07-08, 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.
- 6M. Human Resources Director requests adoption of a resolution regarding the following in connection with the District Attorney's Office:
1. Amend the Department Allocation List and the Table and Index of Classes to add one (1) Child Recovery/Consumer Fraud Support Assistant, effective December 5, 2006; and
 2. Amend the Departmental Allocation List and the Table and Index of Classes to delete one (1) .75 Child Recovery Assistant, effective December 30, 2006. **R-06-203**
- 6N. Human Resources Director requests adoption of a resolution amending the appropriate policies adding the classification of Staff Services Analyst II to the list of Confidential classes in the Human Resources Division of the County Executive Office effective December 4, 2006. **R-06-204**
- 6O. Clerk of the Board requests the appointment of Terri Courtney to serve on the Board of Directors of the Circle Oaks County Water District with the term of office to commence immediately and expire December 31, 2009.
- 6P. County Counsel and the Napa County Deferred Compensation Board of Control request approval of and authorization for the Chair to sign an agreement with Arnerich Massena & Associates, Inc. for a maximum of \$30,000 for the term December 5, 2006 through December 4, 2007 with automatic renewal for investment consulting services. **A-6743**

- 6Q. County Executive Officer requests the following appointments to the Workforce Investment Board with the term of office to commence immediately and expire June 30, 2007.
*Recommended by the Workforce Investment Board

<u>Applicant</u>	<u>Representing</u>
Peter D. Schiller*	One Stop Partner - Employment Development Department
Ronald J. Souza*	Private Business Sector

- 6R. Approve minutes of the regular meetings held August 9, August 16, and August 23, 2005.
7. Discussion of Items Removed from the Consent Calendar.
SEE ITEMS 6B AND 6F.

**APPROVED CONSENT CALENDAR ITEMS 6A, 6C THROUGH 6E, AND 6G
THROUGH 6R. BW-ML-HM-DD-BD**

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Recess to the Monticello Public Cemetery District meeting.
(SEE MONTICELLO PUBLIC CEMETERY DISTRICT MINUTES)
- 8B. 9:05 a.m. - County Executive Officer requests that the Board:
1. Receive a report on the development of a plan for allocating Special Project Fund resources;
 2. Provide direction on certain issues related to the development of that plan.
PRESENTATION MADE BY ASSISTANT COUNTY EXECUTIVE OFFICER BRITT FERGUSON.
- 8C. 9:15 a.m. Public Hearing
Director of Conservation, Development and Planning requests adoption of a resolution amending or establishing certain Agricultural Preserves (Types A & H), and approval of and authorization for the Chair to execute the following Williamson Act related amendments and contracts:
1. Thirteen new contracts for 2006 with the following applicants:
 - a. Gary Branham, in the general location of Bale Lane;
 - b. Two with Seavey Ranch LLC., in the general location of Lake Hennessey;
 - c. Two with Ruth Titus, in the general locations of Ehlers Lane and Lodi Lane;
 - d. Two with Peggy Dickson, in the general location of James Creek Road;
 - e. Gordon Ranch, in the general location of Lake Curry;
 - f. Peter and Anne G. Nissen, in the general location of Tubbs Lane and Bennett Lane;
 - g. Sage Hill Vineyard, in the general location of Lake Hennessey;
 - h. Ted W. Hall and Ladislas L. Hall, in the general location of Whitehall Lane;
 - i. Parks Diversified LP., in the general location of Aetna Springs Road;
 - j. Saintsbury LLC., in the general location of Timberhill Lane.

8C. Continued.

2. Three amendments to existing contracts with the following applicant:

a. Round Pond Inc., in the general location of Rutherford Cross Road

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTION

BW-DD-HM-ML-BD

R-06-220

8D. 10:00 a.m.

Director of Environmental Management to present a follow up report on the status of restaurant inspections and the coordinated effort between the Department of Environmental Management and the restaurant industry to maintain and communicate to the public a high level of food safety and cleanliness within Napa County retail food establishments.

REPORT PRESENTED

8E. 10:30 a.m.

Recess to the Napa County Flood Protection and Watershed Improvement Authority special meeting.

(SEE NAPA COUNTY FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)

8F. 1:30 p.m.

Recess to the Napa County Flood Control and Water Conservation District meeting.

(SEE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MINUTES)

Administrative Items

9A. Director of Public Works requests authorization to proceed with the development of a recommended landscape design for the County Administration Building.

**THE BOARD APPROVED OPTION C OF THE RECOMMENDED LANDSCAPE DESIGN.
ML-BW-HM-DD-BD**

9B. County Executive Officer requests the appointment of one of the following individuals to serve on the Juvenile Justice Coordinating Council representing a community-based drug and alcohol treatment program with the term of office to commence immediately and expire December 31, 2007.

Applicants

William Ray Krimm

Thomas F. Powers*

*Recommended by the Juvenile Justice Coordinating Council

APPOINTED THOMAS F. POWERS

BW-DD-HM-ML-BD

10. Legislative Items.

NONE

11. Board of Supervisors' Committee Reports and Announcements.
SUPERVISORS WAGENKNECHT, LUCE, DILLON AND DODD REPORTED THAT THEY ATTENDED VERY GOOD SESSIONS DURING THE RECENT CALIFORNIA ASSOCIATION OF COUNTIES (CSAC) ANNUAL CONFERENCE.

CHAIRMAN DODD ALSO ANNOUNCED THAT THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) WOULD BE HIRING A NEW DIRECTOR.
12. Board of Supervisors' Future Agenda Items.
NONE
13. County Executive Officer Reports and Announcements.
NONE
14. Closed Session
 - A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Titles: Agricultural Commissioner/Sealer of Weights and Measures
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 Organizations: SEIU Local 614 - NAPE (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
 - 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, DECEMBER 12, 2006 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