

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

December 12, 2006

1. Call to Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, DECEMBER 12, 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 9:04 A.M.**
2. Pledge of Allegiance.  
**GENE LYERLA, SHERIFF DEPARTMENT CAPTAIN, LED THE SALUTE TO THE FLAG.**
3. Presentations and Commendations.  
**NONE**
4. Public Comment.  
**MARK TONEN, GENERAL MANAGER OF JAPANESE AIRLINES' (JAL) FLIGHT TRAINING CENTER, PRESENTED JAL FLIGHT CREW HATS TO EACH MEMBER OF THE BOARD.**  
  
**KIMBERLEY WESLEY, REPRESENTING LOCAL SEIU 614, CONGRATULATED MEMBERS OF BOTH SIDES OF THE NEGOTIATING TEAMS ON REACHING A SUCCESSFUL CONTRACT FOR THE IN-HOME SUPPORTIVE SERVICES UNIT, THEREBY ENSURING BETTER QUALITY HOME CARE FOR EVERYONE.**
5. Department Heads' Reports and Announcements.  
**NONE**

Consent Calendar

- 6A. Director of Health and Human Services requests approval of Budget Transfer No. 30 increasing appropriations by \$15,000 in the Public Guardian/Public Conservator budget with offsetting revenues from client accounts for the payment of emergency conservatees' expenses. (4/5 vote required) **BT-30**
- 6B. Director of Health and Human Services and the Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency adding one (1) System Support Analyst - H&HS, effective December 12, 2006. **R-06-205**
- 6C. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with the California Land Stewardship Institute for a maximum of \$190,000 of Measure A funding for the term December 12, 2006 through September 30, 2008 to be used as a local match for preparation of a conceptual design for restoration of the Napa River between Oakville Cross Road and Oak Knoll Avenue.  
**ITEM REMOVED FOR SEPARATE DISCUSSION.**  
**APPROVED REQUEST DD-BW-HM-ML-BD A-6744**

- 6D. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6420 with Napa County Resource Conservation District to extend the term to December 31, 2007 and increase the sub grant by \$42,000 of Measure A funding for a new maximum of \$312,000, for additional work required to complete the preliminary design of the Rutherford Dust Restoration Project.

**ITEM REMOVED FOR SEPARATE DISCUSSION.**

**APPROVED REQUEST**

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

**A-6420**

**(AMEND.2)**

- 6E. Director of Public Works requests the following relating to the State Water Resources Control Board grant for the Rutherford Dust Society Restoration Project:
1. Adoption of a resolution approving a grant agreement with State of California and authorizing the Director of Public Works to sign the grant agreement for a maximum of \$1,000,000 for the term December 31, 2006 through April 1, 2009; and

**R-06-206**

2. Approval of Budget Transfer No. 33 increasing appropriations in the General Fund Capital Improvement Budget by \$1,000,000 with offsetting grant revenues. (4/5 vote required)

**BT-33**

**ITEM REMOVED FOR SEPARATE DISCUSSION**

**ADOPTED RESOLUTION AND APPROVED BUDGET TRANSFER**

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

- 6F. Director of Public Works requests adoption of a resolution establishing Construction Site Runoff Control Requirements for structural projects that require a building or grading permit.

**R-06-207**

- 6G. County Counsel requests adoption of a resolution Approving Lake Berryessa Resort Improvement District's Draft Resolution of Notice of Intent to Levy Assessments and Issue Bonds to fund necessary facility repairs.

**ITEM CONTINUED TO DECEMBER 19, 2006 AT 9:00 A.M.**

- 6H. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for Child Support Services as follows:

1. Adding one (1) Senior Legal Clerk and two (2) Legal Clerk I/II positions, and deleting the resulting vacancies effective December 12, 2006; and
2. Adding two (2) Legal Clerk I/II positions and deleting two (2) Legal Secretary positions effective December 30, 2006.

**R-06-208**

- 6I. Human Resources Director requests adoption of a resolution amending the Table and Index for the purpose of increasing the biweekly compensation of the Board of Supervisors as authorized by Napa County Ordinance No. 1263.

**R-06-209**

- 6J. Human Resources Director requests acceptance of Retirement Proclamation for Catherine O'Neal, Accountant-Auditor Manager, in recognition of over 30 years of service.
- 6K. Human Resources Director requests acceptance of Retirement Proclamation for Claudia Moelk, Accountant-Auditor III, in recognition of over 16 years of service.
- 7. Discussion Of Items Removed From The Consent Calendar.  
**SEE ITEMS 6C, 6D, 6E AND 6G.**

**APPROVED CONSENT CALENDAR ITEMS 6A, 6B, 6F AND 6H THROUGH 6K.  
BW-DD-HM-ML-BD**

Set Matters or Public Hearings.

- 8A. 9:05 a.m. Public Hearing  
Court Executive Officer requests the Board conduct a public hearing and consider adoption of a resolution increasing the amount distributed to the Napa County Law Library from the Uniform Civil Filing Fees of the Superior Court to defray costs commencing January 1, 2007.  
**PUBLIC HEARING HELD – NO TESTIMONY PRESENTED**

**ADOPTED RESOLUTION**

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

**R-06-210**

- 8B. 9:15 a.m. Public Hearing  
Consideration and possible action regarding an appeal filed by Farella Braun and Martel on behalf of their client, Tom Gamble, of a decision by the Zoning Administrator on July 31, 2006, to approve a minor change to the approved tentative map (P06-01097) for the Villa Berryessa subdivision (95071-SUB). The modification would adjust the approved lot configuration, adjust the overall layout and street alignment, decrease the amount of grading work, and relocate the water intake system to comply with the applicable conditions and mitigation measures approved by the Napa County Board of Supervisors in 1997. Additionally, some conditions of approval require minor changes in the timing of implementation; however, the ultimate determination for substantial compliance with the approved tentative map is generally made at the time the Board of Supervisors approves the final map. In this case, the applicant has requested a formal determination for the minor changes to the approved tentative map. The project is located on a ±141.84 acre parcel, on the north side of Pope Canyon Road approximately 1500 feet west of its intersection with Berryessa-Knoxville Road within a PD (Planned Development) zoning district and an area designated UR (Urban Residential) by the Napa County General Plan (Assessor's Parcel Number #019-080-003), Napa, CA.  
ENVIRONMENTAL DETERMINATION: Addendum to a Supplemental Mitigated Negative Declaration to Environmental Impact Report - FEIR-038 prepared (State CEQA guidelines 15164 for minor changes to the project as approved by the Villa Berryessa Use Permit (95070-UP) and Tentative Map (95071-SUB)). The proposed minor change to the approved map does not constitute a substantial change to the project that would require major revisions to the prior environmental document due to the involvement of new significant environmental impacts. Also, no substantial changes in circumstances under which the project would be undertaken and no new information of substantial importance have occurred that might necessitate additional review. An explanation of the decision not to prepare an additional environmental document is contained in the Addendum pursuant to State CEQA Guidelines Section 15164. (CONTINUED FROM OCTOBER 17, 2006)

8B. Continued

**PUBLIC HEARING NOT HELD.**

**THE BOARD APPROVED THE APPELLANT'S REQUEST TO WITHDRAW THE APPEAL.  
ML-BW-HM-DD-BD**

8C. 10:45 a.m. - Recess to the In-Home Supportive Services Public Authority of Napa County special meeting.  
**(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY OF NAPA COUNTY MINUTES)**

8D. 11:00 a.m. - Recess to the Lake Berryessa Resort Improvement District special meeting.  
**(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**

8E. 11:30 a.m. - Recess to the Napa Berryessa Resort Improvement District special meeting.  
**(SEE NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**

Administrative Items

9A. First reading and intention to adopt an ordinance amending sections 12.08.010 and 12.08.040 of the Napa County Code to add Pope Creek and Putah Creek to the Berryessa Lake and Park Area and to permit boating violations in these areas to be charged either as a misdemeanor or an infraction.

ENVIRONMENTAL DETERMINATION: General Rule. 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.  
DD-BW-HM-ML-BD**

9B. Assessor-Recorder-County Clerk as ex-officio Registrar of Voters and the Director of Conservation, Development and Planning request that the Board of Supervisors take the following actions:

1. Declare results of the election on Measure I, which is under the County's jurisdiction, as set forth in the Certified Statement of Vote (Official Canvass) for the November 7, 2006 general election pursuant to Elections Code sections 15300-15400 and Public Resources Code sections 5520 and 5521; and
2. Direct the Clerk of the Board to file Resolution No. 06-110 after entering the aye and No votes;

9B. Continued.

- 3. Adopt Resolution ordering the formation of the Napa County Regional Park and Open Space District, declaring the election of the Board of Directors, and directing the Clerk of the Board to record this order with the office of the Napa County Recorder and to file a certified copy of the order with the Secretary of State, all pursuant to Public Resources Code section 5524. **R-06-211**

**THE BOARD APPROVED STAFF RECOMMENDATIONS AND ADOPTED THE RESOLUTION. BW-ML-HM-DD-BD**

9C. County Executive Officer requests that the Board:

- 1. Affirm or revise the policy decisions regarding the use of Special Projects Fund Resources made at its December 5th meeting, including the creation of an ad hoc Special Projects Fund Committee of the Board of Supervisors; and

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

- 2. Appoint two of its members to serve as the Ad Hoc Special Projects Fund Committee.

**APPOINTED SUPERVISOR LUCE AND CHAIRMAN DODD DD-BW-HM-ML-BD**

N

10. Legislative Items.  
**NONE**

11. Board of Supervisors' Committee Reports And Announcements.  
**SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT A COUNTY MEDICAL SERVICES PROGRAM (CMSP) MEETING LAST WEEK. CMSP PROVIDES HEALTH COVERAGE FOR LOW-INCOME, INDIGENT ADULTS. RECENTLY, RESPONSIBILITY CHANGED FROM THE STATE ADMINISTERING THE PROGRAM TO BLUE CROSS LIFE & HEALTH.**

**SUPERVISOR WAGENKNECHT ALSO ATTENDED A BAY AREA PRESCHOOL MEETING IN ALAMEDA. DISCUSSION CENTERED ON FUNDING STRATEGIES IN ORDER TO MAKE PRESCHOOL AVAILABLE FOR ALL FOUR YEAR OLDS. AND, SUPERVISOR WAGENKNECHT ALSO ATTENDED A MEETING OF THE NAPA VALLEY HOUSING AUTHORITY HELD ON MONDAY, DECEMBER 18, 2006. HE WILL HAVE MORE TO REPORT ON THIS MEETING NEXT WEEK.**

**SUPERVISOR LUCE REPORTED ON HIS ATTENDANCE AT A MEETING REGARDING THE CRIMINAL JUSTICE FACILITIES MASTER PLAN. A FULL REPORT ON THIS PLAN WILL BE PRESENTED TO THE BOARD DURING THE FIRST QUARTER OF 2007.**

**CHAIRMAN DODD REPORTED THAT THE FOUR NORTH BAY COUNTIES HAVE FORMED A COALITION TO ADDRESS TRANSPORTATION ISSUES, PARTICULARLY THOSE IN JAMIESON CANYON. THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) AND THE CALIFORNIA TRANSPORTATION COMMISSION ARE CURRENTLY REVIEWING THE ISSUES. THE STATE LEGISLATURE WILL MAKE THEIR DECISION IN FEBRUARY.**

11. Continued.

**CHAIRMAN DODD ANNOUNCED THAT MR. JIM LEDDY HAS AGREED TO BECOME THE EXECUTIVE DIRECTOR OF THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA) FOR A YEAR.**

12. Board Of Supervisors' Future Agenda Items.

**SUPERVISOR DILLON REQUESTED A REVIEW OF THE BOARD APPEALS PROCESS WITH THE HOPE IT COULD BECOME MORE USER FRIENDLY.**

**SUPERVISOR DILLON ALSO REQUESTED A REVIEW OF THE HOUSING AUTHORITY.**

13. County Executive Officer Reports And Announcements.

**NANCY WATT, COUNTY EXECUTIVE OFFICER, ANNOUNCED THAT THE COUNTY HEALTH DEPARTMENT WILL BE CONDUCTING A MASS VACCINATION DRILL. FREE FLU SHOTS WILL BE DISTRIBUTED TO ANY ADULT WHO GOES TO THE SENIOR CENTER THIS FRIDAY BETWEEN 2:00 P.M. AND 4:00 P.M. THE DRILL WILL TEST THE PROCEDURES FOR ADMINISTERING MASS VACCINATIONS DURING AN EPIDEMIC.**

14. Closed Session.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Director of Child Support Services

**CLOSED SESSION HELD – NO REPORTABLE ACTION**

Adjournment.

**ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, DECEMBER 19, 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