

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

July 10, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, JULY 10, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS BILL DODD, DIANE DILLON, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:00 A.M.
2. Pledge Of Allegiance.
LAURIE WOOD LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
NONE
5. Department Heads Reports and Announcements.
NAPA COUNTY ASSESSOR-RECORDER-COUNTY CLERK JOHN TUTEUR REPORTED THAT FOR THE THIRD YEAR IN A ROW THE NEW ASSESSMENT ROLL INCREASED BY \$2 BILLION.

Consent Items

- 6A. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to an agreement (formerly No. AUD 5876-07) with Interwest Consulting Group increasing the amount by \$50,000 for the term July 1, 2007 through June 30, 2008 and automatically renewing for each fiscal year to assist the Building Department in its review of building plans for code compliance. **A-6851**
- 6B. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to an agreement (formerly No. AUD 5787-07) with Elisabeth Litzza increasing the amount by \$30,700 for the term July 1, 2007 through June 30, 2008 and automatically renewing for each fiscal year to assist the County in updating Planning and Building Department records to reflect accurate parcel information and other related file management activities. **A-6852**
- 6C. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4923 with Empire Elevator Co. Inc., increasing the amount by \$1,548 for a new annual maximum of \$40,248 for preventative maintenance service on elevators in County buildings. **A-4923
(AMEND. 3)**

- 6D. Director of Public Works requests the following actions regarding the Hall of Justice Booster Replacement Project, PW 07-30:
1. Accept the emergency work as complete and authorize the Chair to sign and Clerk of the Board to record a Notice of Completion with the Clerk/Recorder; and,
 2. Declare that in light of the completion of the project, the emergency as defined by Section 1102 of the Public Contract Code, no longer exists.
- 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 07-24A, "Napa County Airport Re-Carpet Project."
- 6F. Assessor-Recorder-County Clerk requests authorization to travel out of state to attend a national Sequoia Voting Systems User Group Conference in Denver, Colorado, from August 1 - August 3, 2007.
- 6G. Human Resources Director requests adoption of a resolution making certain amendments to County Policy Manual Part I: Section 37C-2 relating to retirement health benefits for Management Non-Classified employees appointed to serve on or after July 10, 2007. **R-07-87**
- 6H. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to declare certain items of personal property as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)
- 6I. Director of Health and Human Services requests that the Board authorize termination of Agreement No. 6336 with McWilliams Mailliard Technology Group, Inc., to be effective as of June 30, 2007 regarding software, support services and related internet portal services for the Adult Protective Services Program and authorize the Director to send a notice of termination. (CONTINUED FROM JUNE 26, 2007; STAFF REQUESTS CONTINUANCE TO A FUTURE DATE)
7. Discussion of Items Removed from the Consent Calendar.
NONE

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

Set Matters or Public Hearings

- 8A. 9:15 a.m. - Agricultural Commissioner/Sealer of Weights and Measures requests adoption of a resolution supporting the creation of a Calistoga American Viticultural Area.
REPORT PRESENTED
- ADOPTED RESOLUTION** **R-07-88**
- 8B. 9:30 a.m. - Representatives from the Napa County Transportation and Planning Agency to present a status report regarding the countywide Strategic Transportation Plan.
PRESENTATION MADE

8C. 10:00 a.m. - Public Hearing

Conduct a Nuisance Abatement Hearing pursuant to County Code Section 1.20.060 to hear and consider all objections or protests, if any, to the notice of nuisance abatement issued for the property located at 420 Glass Mountain Road in Saint Helena, CA. (Assessor's Parcel No. 021-250-006), and at the conclusion of the hearing take one of following two actions:

1. Terminate the abatement proceedings; or

2. Find that a nuisance exists and adopt a Resolution Declaring the Existence of Public Nuisance and Ordering its Abatement, and directing the owner(s) or other interested persons to abate the nuisance in a reasonable time (30 days for items 1-12 and 7 days for items 13-16 identified in Table 1 of the June 19, 2007 abatement notice).

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 1/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. [See Class 1 ("Existing Facilities") and 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 §15301 and 15321; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE BOARD FOUND THAT A NUISANCE EXISTED AND ADOPTED THE RESOLUTION WITH AN AMENDMENT TO ITEM #4 CHANGING THE NUMBER OF DAYS TO "45" RATHER THAN "30."

BD-ML-DD-BW-HM

R-07-89

8D. 10:20 a.m. - Public Hearing

Director of Environmental Management requests the following:

1. Second reading and adoption of an ordinance amending Chapter 13.15 (Groundwater Conservation) of the Napa County Code; 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)].

2. Adoption of a Resolution establishing and increasing fees for services provided by the Department of Environmental Management relating to groundwater permits.

ENVIRONMENTAL DETERMINATION: The proposed action is exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, section 15273 (a) (1) (Rates, Tolls, Fares, and Charges).

ITEM REMOVED FROM THE AGENDA.

Administrative Items

9A. Director of Conservation, Development and Planning requests Board of Supervisors endorsement of the Napa Pipe City-County Study Group Process.

APPROVED REQUEST

BD-ML-DD-BW-HM

- 9B. County Executive Officer requests an appointment of one (1) of the following applicants to serve on the Napa City - County Library Commission with the term of office to commence immediately and expire June 30, 2010.

<u>Applicants (appoint one)</u>	<u>Representing</u>
Kate MacMillan*	County of Napa
Jane W. Rasmussen	County of Napa
Marguerite Small	County of Napa

*Recommended by the Commission for appointment.

THE BOARD APPOINTED KATE MACMILLAN.

DD-BW-BD-ML-HM

10. Legislative Items.
SUPERVISOR DILLON REQUESTED THAT STATE SB303 REGARDING LOCAL GOVERNMENT LAND USE PLANNING BE PLACED ON A LEGISLATIVE SUBCOMMITTEE AGENDA FOR DISCUSSION.
11. Board of Supervisors Committee Reports and Announcements.
NONE
12. Board of Supervisors Future Agenda Items.
SUPERVISOR WAGENKNECHT REQUESTED THAT AN ITEM REGARDING AUTHORIZATION FOR COUNTY COUNSEL TO WORK WITH THE NAPA RIVER RECLAMATION DISTRICT ON RECONFIGURING THE DISTRICT, BE PLACED ON A FUTURE AGENDA.
13. County Executive Officer Reports and Announcements.
COUNTY EXECUTIVE OFFICER NANCY WATT REPORTED THAT THE STATE LEGISLATURE HAD STILL NOT APPROVED A STATE BUDGET FOR THE 2007-2008 FISCAL YEAR.
14. Closed Session.
- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (Four cases)
CLOSED SESSION HELD - THREE CASES DISCUSSED – 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 1021 - NAPE (Employee Unit & Supervisory Unit of the County of Napa); Napa County Deputy Sheriffs' Association (Employee Unit and 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. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)
CLOSED SESSION HELD – NO REPORTABLE ACTION

15. Adjournment.
**ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING TUESDAY,
JULY 17, 2007 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