

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

July 17, 2007

1. Call to Order; Roll Call.  
**THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, JULY 17, 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 9:01 A.M.**
2. Pledge of Allegiance.  
**THE SALUTE TO THE FLAG WAS MADE.**
3. Presentations and Commendations.  
**NONE**
4. Public Comment.  
**KEN NERLOVE SPOKE ON BEHALF OF PROPERTY OWNERS ON LYNCH/POLSON ROAD IN JAMIESON CANYON. HE INFORMED THE BOARD THAT A DANGEROUS TRAFFIC PROBLEM WAS OCCURRING DURING COMMUTE HOURS AND REQUESTED THAT ACTION BE TAKEN TO MITIGATE THE PROBLEM.**
5. Department Heads Reports and Announcements.  
**NAPA COUNTY DISTRICT ATTORNEY GARY LIEBERSTEIN INFORMED THE BOARD OF THE DEATH OF FORMER ASSISTANT DISTRICT ATTORNEY ROBERT GREGGINS WHO SERVED THE NAPA COMMUNITY FOR TWENTY-FIVE YEARS. HE STATED THAT ATTORNEY GREGGINS WAS A GREAT MAN, AN OUTSTANDING PROSECUTOR AND A GREAT PUBLIC SERVANT.**

**NAPA COUNTY CHILD SUPPORT SERVICES DIRECTOR NATASHA MERKULOFF NICHOLS INFORMED THE BOARD THAT THE STATE HAD POSTPONED IMPLEMENTATION OF THE AUTOMATED CHILD SUPPORT SYSTEM DUE TO SYSTEM ERRORS. SHE ALSO INFORMED THE BOARD THAT STAFF HAD BEGUN A NEW OUTREACH PROJECT AS PART OF THE PATERNITY OPPORTUNITY PROGRAM TO HAVE FATHERS OF CHILDREN DECLARE THEIR PATERNITY AT THE TIME OF CHILD BIRTH.**

Consent Items

- 6A. Sheriff requests adoption of a resolution authorizing the Sheriff to sign a revenue agreement (State Agreement No. 07G-LA22) with the California Department of Alcoholic Beverage Control for the term July 1, 2007 through June 30, 2008 for training and law enforcement services relating to issues involving the sale and consumption of alcohol. **R-07-90**
- 6B. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewals of the following agreements with the California Department of Food and Agriculture (CDFA), Department of Pesticide Regulation (DPR) and

6B. Continued.

United States Department of Agriculture (USDA) to perform services for the term July 1, 2007 through June 30, 2008:

1. Agreement No. 2683 with CDFA for reimbursement of county expenditures for performance of inspections and sampling of petroleum products and performance of weighmaster audits with revenue not to exceed \$6,975; **A-2683**

2. Agreement No. 4212 with CDFA for reimbursement of county expenditures for the enforcement of the California Organic Food Act with revenue not to exceed \$2,500; **A-4212**

3. Agreement No. 3307 with DPR for reimbursement of county expenditures for activities related with the submission of Pesticide Use Data with revenue not to exceed \$19,060; and, **A-3307**

4. Agreement No. 2036 with USDA for payment not to exceed \$74,704.50 for wildlife management services provided by USDA. **A-2036**

6C. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6782 with the Napa County Regional Park and Open Space District providing the Fiscal Year 2007-08 contribution of \$264,863 to provide specified park and open space planning, development, management and operational services, and specifying future year contributions based upon approval of the recommended County budget. **A-6782**  
**(AMEND. 1)**

6D. 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 07-32 "Napa County Hall of Justice UPS Replacement".

6E. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6054 with the Napa County Flood Control and Water Conservation District increasing the County's cost by \$4,746 for a new maximum of \$28,476 for development of an updated Napa County Stormwater Management Program. **A-6054**  
**(AMEND. 3)**

6F. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to purchase one previously owned Hybrid Vehicle with High Occupancy Vehicle Sticker through a sole source procurement process based upon best value, in lieu of one new Toyota Prius as approved in Fiscal Year 2007-08 budget.

6G. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file the Audit Reports for the County of Napa - District Attorney's Office - Special Investigation Revolving Fund and the Child Recovery Fund for the Fiscal Year ended June 30, 2006.

6H. County Counsel requests adoption of a resolution repealing the July 10, 1990 Board policy regarding the Napa Valley Housing Authority and Napa Valley Housing Development Corporation. **R-07-91**

- 6I. Human Resources Director requests adoption of a resolution amending the Table and Index of Classes adding the position of Emergency Medical Services Firefighter/Driver effective July 17, 2007 effective July 17, 2007. **R-07-92**
- 6H. Human Resources Director requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4748 with Patti Peters, dba Business Resource and Training Company, amending the compensation rates from \$950 to \$1,200 per session for employee training workshops effective September 2007. **A-4748  
(AMEND. 4)**
- 6K. County Executive Officer requests adoption of a resolution authorizing amendment of a loan from the County of Napa Affordable Housing Trust Fund to Napa Valley Community Housing for costs related to acquisition and development of affordable housing on a property located on Lincoln Avenue in the City of Napa. **R-07-93**
7. Discussion of Items Removed from the Consent Calendar.  
**NONE**

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

Set Matters or Public Hearings

- 8A. 9:00 a.m. - Public Hearing Agricultural Commissioner/Sealer of Weights and Measures requests the following actions relating to the Napa County Winegrape Pest and Disease Control District (WP&DCD):
1. Open Public Hearing to consider any objections or protests with respect to the assessments proposed for WP&DCD for Fiscal Year 2007-2008; and,
  2. Close Public Hearing and adopt a resolution authorizing and levying assessments for Fiscal Year 2007-2008 on qualifying properties in the WP&DCD.

**PUBLIC HEARING HELD-NO TESTIMONY PRESENTED**

**ADOPTED RESOLUTION**

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

**R-07-94**

- 8B. 9:15 a.m. - Recess to the In-Home Supportive Services Public Authority of Napa County meeting. **(SEE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY MINUTES)**
- 8C. 9:30 a.m.-Recess to the Board of Equalization Meeting. **(SEE BOARD OF EQUALIZATION MINUTES)**
- 8D. 10:30 a.m.-County Executive Officer and Auditor/Controller request that the Board:
1. Receive a presentation on the Asset Forfeiture Fund distribution law and methodology; and,

8D. Continued.

- 2. Approve the Napa Special Investigations Bureau (NSIB) Governing Board's requested Distribution totaling \$140,394 from funds held in the Napa Special Investigations Bureau Trust Account.

**PRESENTATION MADE**

**APPROVED REQUEST**

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

- 8E. 10:45 a.m. Recess to the Lake Berryessa Resort Improvement District special meeting. **(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)**

Administrative Items

- 9A. Agricultural Commissioner/Sealer of Weights and Measures requests discussion and possible action regarding the draft Great Wine Capital policy and selection of a Board representative to serve at the pleasure of the Board.

**PRESENTATION MADE**

**THE BOARD ADOPTED THE PROPOSED POLICY.**

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

- 9B. County Executive Officer requests one appointment to be made to the newly created Napa County Arts and Culture Commission from the following individuals with the term of office to be determined at the first meeting of the Commission:

<u>Applicants</u>	<u>Representing</u>
Peggy Jolene Hackney	Napa County
Diane Dame Shepp	Napa County
Emanuel Dimitri Volakis	Napa County

**THE BOARD APPOINTED DIANE DAME SHEPP.**

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

- 9C. County Executive Officer requests adoption of a resolution adopting Special Projects Fund Allocation Policies and Procedures, as recommended by the Board's Ad Hoc Special Projects Fund Allocation Committee, including:

- 1. Special Projects Fund Allocation Principles, Priorities and Process;
- 2. Special Projects Fund Request for Proposal Standards and Process; and,
- 3. Special Projects Fund Proposal Award Criteria.

**THE BOARD DECLARED INTENT TO ADOPT THE RESOLUTION PENDING RECOMMENDED CHANGES. DD-ML-BD-BW-HM**

- 10. Legislative Items.

**SUPERVISOR LUCE INFORMED THE BOARD THAT THE LEGISLATIVE SUB-COMMITTEE MET ON MONDAY AND DISCUSSED STATE SB303 REGARDING LAND USE PLANNING, STATE SB 568 REGARDING FORCED MEDICATION IN COUNTY JAILS, THE PATIENT SAFETY AND ABUSE PREVENTION ACT OF 2007 (U.S. S1577), AND THE CALIFORNIA RANGELAND RESOLUTION.**

11. Board of Supervisors Committee Reports and Announcements.  
**NONE**
  
12. Board of Supervisors Future Agenda Items.  
**NONE**
  
13. County Executive Officer Reports and Announcements.  
**NONE**
  
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 - TWO 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 NOT HELD**
  
  - C. PUBLIC EMPLOYMENT (Government Code Section 54957)  
Title: To consider the appointment/employment of the Director of Child Support Services  
**CLOSED SESSION HELD – NO REPORTABLE ACTION**
  
15. Adjournment.  
**ADJOURNED IN MEMORY OF FORMER ASSISTANT DISTRICT ATTORNEY ROBERT GREGGINS TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JULY 31, 2007 AT 9:00 A.M.**

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HAROLD MOSKOWITE, Chairman

ATTEST:

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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