

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

November 6, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, NOVEMBER 6, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS BRAD WAGENKNECHT AND MARK LUCE. SUPERVISORS DIANE DILLON AND BILL DODD WERE PREVIOUSLY EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:01 A.M.
2. Pledge of Allegiance
NAPA VALLEY TAX PAYERS ALLIANCE PRESIDENT MIKE HALEY OF NAPA LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations
NONE
4. Public Comment
NAPA VALLEY TAXPAYERS ALLIANCE PRESIDENT MIKE HALEY COMMENTED ON THE POSSIBLE REQUIREMENT TO INSTALL FIRE SPRINKLERS IN NEW STRUCTURES IN THE UNINCORPORATED AREAS OF THE COUNTY. HE ALSO COMMENTED ON THE FRANK FAMILY VINEYARD APPEAL PREVIOUSLY HEARD BY THE BOARD.

DAVID MEYERS OF NAPA PRESENTED AN ORDINANCE PROPOSAL FOR THE BOARD'S CONSIDERATION WHICH WOULD REQUIRE THE COUNTY PUBLIC WORKS DEPARTMENT TO REFER ROAD IMPROVEMENT PROJECTS OF A SIGNIFICANT MAGNITUDE TO A BICYCLE REVIEW COMMITTEE FOR THEIR RECOMMENDATIONS PRIOR TO BOARD CONSIDERATION.
5. Department Heads Reports and Announcements.
NAPA COUNTY DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING HILLARY GITELMAN ANNOUNCED THAT THE GENERAL PLAN STEERING COMMITTEE HELD THEIR LAST MEETING AND WOULD BE SENDING THEIR GENERAL PLAN RECOMMENDATIONS TO THE BOARD.

NAPA COUNTY REGISTRAR OF VOTERS JOHN TUTEUR PRESENTED AN ELECTRONIC VOTING UPDATE. HE ANNOUNCED THAT ONE ELECTRONIC VOTING MACHINE WOULD BE PLACED AT EACH POLLING SITE IN THE FEBRUARY ELECTION IN 2008. HE ALSO ANNOUNCED THAT DUE TO THE SHIFT TO "VOTE BY MAIL," THE NUMBER OF POLLING PLACES IN THE COUNTY HAD BEEN REDUCED FROM 99 SITES TO 57.
5. Continued.

NAPA CITY-COUNTY LIBRARY DIRECTOR JANET MCCOY ANNOUNCED THAT THE LIBRARY RECEIVED A 2007 PR EXCELLENCE AWARD FROM THE CALIFORNIA LIBRARY ASSOCIATION. IN A STATEWIDE COMPETITION THE NAPA CITY-COUNTY LIBRARY'S MONTHLY NEWSLETTER "NEWS & REVIEWS" WAS SELECTED AS THE WINNER IN THE CATEGORY OF LIBRARY NEWS AND INFORMATION. DIRECTOR MCCOY COMMENDED THE LIBRARY'S LITERACY AND VOLUNTEER SERVICES SUPERVISOR JULIANE LOCKE FOR HER WORK ON THE NEWSLETTER.

HEALTH AND HUMAN SERVICES DIRECTOR RANDY SNOWDEN PRESENTED ADDITIONAL INFORMATION IN SUPPORT OF ITEM 6B ON THE CONSENT CALENDAR.

Consent Calendar

- 6A. Director of Health and Human Services and Director of Public Works request the following actions pertaining to the location and operation of an emergency winter shelter and related services:
1. Adoption of a resolution declaring a shelter crisis through April 15, 2008 in accordance with Government Code Sections 8698 through 8698.2; **R-07-149**
 2. Approval of and authorization for the Chair to sign lease Agreement No. 6536-2 with the State of California for a maximum of \$11,000 for the term November 1, 2007 through April 30, 2008 to lease space at Napa State Hospital, Building 175 (C Ward), Napa, California, for the operation of the winter shelter; **A-6536-2**
 3. Approval of and authorization for the Chair to sign the renewal of Agreement No. 6155 with Community Action of Napa Valley, Inc., for a maximum of \$75,573 for the term November 6, 2007 through June 30, 2008 for the operation of the winter shelter; and, **A-6155**
 4. Approval of and authorization for the Chair to sign the renewal of Agreement No. 6356 with Napa County Transportation Planning Agency for a maximum of \$3,800 for the term November 6, 2007 through June 30, 2008 for client transportation to and from the winter shelter. **A-6356**
- 6B. Director of Health and Human Services requests adoption of a resolution approving an additional penalty of \$2 per \$10 fine collected for specified traffic violations and certain alcohol-related criminal offenses to provide a specified share for pediatric trauma care and additional funding for recipients of the Emergency Medical Services ("Maddy") Fund. **R-07-150**
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Declaration of Intent and Standard Agreement with the California Department of Public Health for an Emergency Medical Services Appropriation for Fiscal Year 2007-2008. **A-6910**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to

sign a revenue agreement with the Workforce Investment Board for the Solano County Service Area for a maximum of \$5,251 for the term July 1, 2007 through June 30, 2008 to provide the services of a Disability Program Navigator to persons with disabilities in the "One-Stop" job training and employment center. **A-6911**

- 6E. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Solano Network of Mental Health Consumers/Circle of Friends, Inc., for a maximum of \$153,655 for the term November 6, 2007 through June 30, 2008, with a provision for automatic annual renewal, to provide community self-help resources for mental health clients by operating an Adult Resource Center (ARC). **A-6912**
- 6F. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewal of revenue Agreement No. 1992 with the California Department of Food and Agriculture (CDFA) for a maximum of \$500 for the term July 1, 2007 through June 30, 2008 for reimbursement of expenditures for activities related to the nursery inspections. **A-1992**
- 6G. Library Director requests approval to accept a Public Library Fund grant in the amount of \$49,558 for general library operations from the State of California.
- 6H. Library Director requests adoption of the Library's "2008 Holiday Schedule."
- 6I. Director of Public Works requests approval of and authorization for the Auditor-Controller to issue final payment to Wadell Engineering Corporation in the amount of \$54,842 for design services provided from May 9, 2006 through October 18, 2006 for the procurement and construction of T-hangars at the Napa County Airport.
- 6J. Director of Public Works requests approval and authorization for Chair to sign an agreement with Winzler & Kelley for a maximum of \$58,606 for the term of November 6, 2007 to June 30, 2008, for the purpose of hydrologic and hydraulic study of existing channel and culverts located near the intersection of Deer Park Road and Sunnyside Road. **A-6913**
- 6K. Director of Public Works requests approval of the following actions pertaining to the installation of interior improvements to property leased by the County (Assessor's Parcel No. 002-152-012):
1. Authorization for the Chair to execute a Right of Entry Agreement to be signed by certain volunteers to allow them, and persons for whom they are responsible, the right to enter and install interior improvements to such County leased property; and,
 2. Acceptance of initial list of names of designated volunteers.
- ITEM CONTINUED TO NOVEMBER 20, 2007 AT 9:00 A.M.**
- 6L. Director of Public Works requests award of the contract for the "Re-carpet of Various Offices at Carithers Project," PW 07-40 to Continental Flooring Company of Scottsdale, Arizona, for its low base bid of \$173,333 and authorization for the Chair to sign the construction contract.
- 6M. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Ana Chretien. (Assessor's Parcel No. 048-043-024)

- 6N. Auditor-Controller requests the Board to accept, and instruct the Clerk of the Board to file, the Audit Report for the Napa County Department of Corrections Inmate Cash Revolving Fund for the Fiscal Year ended June 30, 2006.
- 6O. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file the Audit Report for the County of Napa - Health and Human Services Agency - Over the Counter Revolving Fund for the Fiscal Year ended June 30, 2006.
- 6P. Director of Community and Intergovernmental Affairs requests approval of and authorization for Chair to sign Amendment No. 1 to Agreement No. 4926 with the City of Napa, Town of Yountville, City of St. Helena and Napa Valley Housing Authority terminating the Agreement and the existence of Community Affordable Housing Advisory Board (CAHAB) as of September 1, 2007. **A-4926
(AMEND.1)**
- 6Q. County Counsel requests adoption of a resolution establishing, for the 2008 calendar year, a \$500 direct contribution to the 401(a) pre-tax sub-account of each 401(a) deferred compensation participant whose department qualifies for the direct contribution. **R-07-151**
- 6R. County Counsel requests adoption of a resolution approving a request for partial exemption from the Fiscal Year 2007-2008 assessments for County Service Area No. 4 for the following parcels:
- | <u>Owner Assessment Parcel No.</u> | <u>Exemption %</u> |
|--|--------------------|
| Terrence G. Wilson/Rancho Chimiles 033-020-009-000 | 22% |
| Terrence G. Wilson/Rancho Chimiles 033-020-037-000 | 22% |
| Terrence G. Wilson/Rancho Chimiles 033-030-022-000 | 22% |
- R-07-152**
- 6S. County Counsel requests a second reading and adoption of an ordinance amending Chapter 6.16 of the Napa County Code relating to potentially dangerous and vicious animals.
ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. **O-1296**
- 6T. County Counsel and Assessor-Recorder-County Clerk request approval of and authorization for the Chair to sign an agreement with McDonough, Holland & Allen for a maximum amount of \$30,000 for the term July 1, 2007 through June 30, 2008 for legal services in connection with collection of documentary transfer tax from nonpaying entities in the County. **A-6627-1**
- 6U. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Treasurer-Tax Collector deleting one (1) Administrative Secretary I and adding one (1) Senior Account Clerk, effective November 6, 2007. **R-07-153**
- 6V. Human Resources Director requests approval of and authorization for the Chair to sign an agreement with Johnson & Associates for a maximum of \$73,500 for services and \$10,700 for expenses for the term November 6, 2007 through June 30, 2008, to conduct a comprehensive classification and compensation study of the County's management classifications.

- 6W. County Executive Officer requests acceptance of a grant and authorization for the Chair to sign the grant agreement with the Napa Valley Vintners, dba Auction Napa Valley in the amount of \$250,000 for a portion of the development costs of the South Napa Shelter Project.

A-6915

- 6X. Clerk of the Board requests approval of minutes of the regular meetings held on October 2 and 9, 2007.

7. Discussion of Items Removed from the Consent Calendar.
SEE ITEM 6K.

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6U AND 6W THROUGH 6X.

ML-BW-DD-BD-HM

X X

Set Matters or Public Hearings

- 8A. 9:00 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 SPECIAL MEETING MINUTES)**

- 8B. 9:00 A.M. - Recess to the Lake Berryessa Resort Improvement District meeting.
(SEE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT MINUTES)

- 8C. 9:00 A.M. - Recess to the Napa County Flood Protection and Watershed Improvement Authority of Napa County special meeting.
(SEE NAPA COUNTY FLOOD PROTECTION AND WATERSHED IMPROVEMENT AUTHORITY MINUTES)

- 8D. 9:15 A.M. - Public Hearing
Director of Health and Human Services requests adoption of resolution establishing a Substance Abuse Services fee schedule for Fiscal Year 2007-2008.
PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTION

ML-BW-DD-BD-HM

R-07-154

X X

- 8E. 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. Public Hearing - Director of the Conservation, Development and Planning Department and County Fire Chief request the following:

1. First reading and intention to adopt an ordinance of the Board of Supervisors of the County of Napa, State of California, incorporating the revised California Building Standards Code with amendments addressing local climatic, geographic and topographic characteristics by amending Title 15 of the Napa County Code as follows: adding Chapters 15.29 (Energy Code) and 15.35 (Existing Building Code); amending Section 13.16.500 (Violations); amending Chapters 15.04 (Administration of Building Regulations), 15.12 (Building Code), 15.20 (Plumbing Code), 15.24 (Mechanical Code), 15.28 (Electrical Code), 15.30 (Historical Code), and 15.32 (Fire Code); and repealing Chapter 15.34 (Building Conservation Code).

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 8: It has been determined that this type of action does not have a significant effect on the environment and is exempt from the California Environment Quality Act because the action is designed to assure the maintenance, restoration, enhancement, or protection of the environment are exempt from review. [See Class 8 which may be found in the guidelines at CCR section 15321.] Additionally, the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BW-ML-DD-BD-HM

X X

THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.

ML-BW-DD-BD-HM

X X

2. Adoption of a Resolution of the Board of Supervisors of the County of Napa, State of California, adopting findings of fact pertaining to local modifications contained in adoption by the County of Napa of the 2007 Editions of the California Building Code; California Plumbing Code; California Mechanical Code; California Electrical Code; and the California Fire Code. (Vote to adopt Resolution)

ADOPTED RESOLUTION

BW-ML-DD-BD-HM

R-07-155

X X

9B. Director of Health and Human Services and Veterans Service Officer to present an annual report of veterans services activities for Fiscal Year 2006-2007.

REPORT PRESENTED

9C. Director of Conservation, Development and Planning and code enforcement staff will present a summary of the Department's code enforcement program, the relative priority and status of enforcement activities, and recent program enhancements.

REPORT PRESENTED

9D. Public Hearing - First reading and intention to adopt an ordinance amending Napa County Code Sections 15.60.010, 15.60.030, 15.60.040, 15.60.050 and 15.60.060 of the Napa County Code eliminating the Housing Trust Fund Board and transferring its functions to the Housing Director. ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14

California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

TITLE READ

THE BOARD WAIVED READING THE BALANCE OF THE ORDINANCE.

BW-ML-DD-BD-HM

X X

THE BOARD DECLARED INTENT TO ADOPT THE ORDINANCE.

BW-ML-DD-BD-HM

X X

9E. County Executive Officer requests the following:

1. Acceptance of resignation from Marcia Hull, the duly elected Treasurer-Tax Collector of Napa County, effective at the close of business on December 21, 2007; (Vote to Accept) and

APPROVED REQUEST

ML-BW-DD-BD-HM

X X

2. Discussion and possible action on the process of appointing the next Napa County Treasurer- Tax Collector for the remainder of the term of Ms. Hull. (Provide Direction to Staff)

DISCUSSION HELD

THE BOARD DIRECTED STAFF TO COME BACK IN MARCH OF 2008 WITH A RESOLUTION FOR THE APPOINTMENT OF THE NEXT NAPA COUNTY TREASURER-TAX COLLECTOR.

10. Legislative Items.
NONE

11. Board of Supervisors Committee Reports and Announcements.
SUPERVISOR WAGENKNECHT REPORTED ON HIS ATTENDANCE AT A COMMUNITY MEETING ORGANIZED BY “SAVE FOSTER ROAD” WHERE THE GHISLETTA/FOSTER ROAD ANNEXATION WAS DISCUSSED.

12. Board of Supervisors Future Agenda Items.
COUNTY EXECUTIVE OFFICER NANCY WATT ADVISED THE BOARD THAT THE NAPA SANITATION DISTRICT HAD REQUESTED A JOINT MEETING WITH THE BOARD TO DISCUSS WATER RECYCLING AND POTENTIAL GRANT FUNDING. THE MEETING HAD BEEN TENTATIVELY SET FOR DECEMBER 4, 2007.

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: (One case)

CLOSED SESSION HELD – NO REPORTABLE ACTION

B. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)

Titles:

1. Library Director

2. Director of Child Support Services

CLOSED SESSION HELD – NO REPORTABLE ACTION.

15. Adjournment.

**ADJOURNED TO BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY,
NOVEMBER 20, 2007 AT 8:00 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