

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

December 4, 2007

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION TUESDAY, DECEMBER 4, 2007 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN HAROLD MOSKOWITE, SUPERVISORS DIANE DILLON, BILL DODD, BRAD WAGENKNECHT AND MARK LUCE. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN MOSKOWITE AT 9:03 A.M.
2. Pledge of Allegiance.
EXECUTIVE DIRECTOR OF BERRYESSA TRAILS AND CONSERVATION CAROL KUNZE, LED THE SALUTE TO THE FLAG.
3. Presentations and Commendations.
NONE
4. Public Comment.
NONE
5. Department Heads Reports And Announcements.
NONE

Consent Calendar

- 6A. County Fire Chief requests the following:
 1. Second reading and adoption of an ordinance amending Title 15 of the Napa County Code requiring automatic fire sprinklers in all newly constructed residences.
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.

ITEM REMOVED FOR SEPARATE DISCUSSION.

ADOPTED ORDINANCE

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

O-1299

2. Adoption of a resolution 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 and the California Fire Code.

ITEM REMOVED FOR SEPARATE DISCUSSION.

ADOPTED RESOLUTION

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

R-07-162

- 6B. Sheriff requests approval of Budget Transfer No. 10 increasing appropriations in the Napa Special Investigations budget by \$178,346 with offsetting revenues from the California Multi-jurisdictional Methamphetamine Enforcement Team (Cal-MMET) grant for various expenditures. (4/5 vote required) **BT-10**
- 6C. Sheriff requests approval of the following items related to the establishment of a fixed asset and purchase of one dump trailer:
1. Approval of Budget Transfer No. 9 transferring \$8,786 from Special Department Expenses to Equipment within the Napa Special Investigations budget and establishing a fixed asset in the amount of \$8,786; (4/5 vote required) and, **BT-9**
 2. A waiver of competitive bidding requirement and sole source award to 101 Trailer RV, Willits, CA, for a total of \$8,786 pursuant to County Ordinance Code 2.36.090.
- 6D. Director of Health and Human Services requests approval of Budget Transfer No. 8 appropriating \$150,000 in the Social Services budget with offsetting revenues from the Department of Social Services Kinship Support Services Program (KSSP) allocation to fund staff costs and contract expenditures. (4/5 vote required) **BT-8**
- 6E. Director of Health and Human Services Agency requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 3662 with the California Department of Public Health (CDPH) for a maximum of \$117,399 for the term July 1, 2007 through June 30, 2010 for the Housing Opportunities for Persons With AIDS (HOPWA) Program. **A-3662**
- 6F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Workforce Investment Act Subrecipient Release for the grant period April 1, 2005 through March 31, 2008.
- 6G. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6851 with Interwest Consulting Group increasing the amount by \$100,000 for a new maximum of \$150,000 with no change in terms, for services related to review of certain development plans for code compliance and code check. **A-6851 (AMEND. 1)**
- 6H. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with Landwatch, Inc. for a not to exceed amount of \$60,000 for the term of December 4, 2007 through June 30, 2008 for consultant services related to Conservation regulations/erosion control compliance services. **A-6922**
- 6I. Library Director requests approval to accept a supplemental California Library Literacy Services grant in the amount of \$20,648 for library literacy services from the State of California.
- 6J. Library Director requests adoption of a revised Library "Checkout Policy."
- 6K. Director of Public Works recommends sole source selection of Gordon Heuther to create the new City/County of Napa Fifth Street Parking Garage, Main Street Elevation, public art component.

6L. Director of Public Works requests adoption of a resolution accepting two one-foot strip parcels shown on the final map of the Circle Oaks Unit No. 1 for public use for street purposes, but not as part of the County-maintained road system. **R-07-163**

6M. Director of Public Works requests adoption of a resolution summarily vacating an irrevocable offer of dedication of a right-of-way, off of Silverado Trail in the vicinity of Yountville Cross Road, as recorded on April 2, 1980 in Book 11 for Assessor's Parcel Nos. 032-070-014, 032-070-017, 032-070-019 and 032-070-025.

ITEM REMOVED FROM THE AGENDA.

6N. 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.

(CONTINUED FROM NOVEMBER 6, AND NOVEMBER 20, 2007; STAFF REQUESTS ITEM BE DROPPED TO BE BROUGHT BACK AT A FUTURE DATE)

6O. Director of Public Works/Aviation requests the following actions pertaining to the Master Plan Feasibility and Alternate Site Selection Study of Angwin Airport (Parrett Field) in Angwin, CA:

1. Approval of and authorization for the Chair to sign an agreement with Coffman Associates, Inc. of Scottsdale, AZ, for a maximum of \$332,843, for specialized professional services related to the preparation of the study; and,

2. Authorization for the Chair to sign a Memorandum of Understanding with Pacific Union College relating to its obligations for this study.

ITEM REMOVED FROM THE AGENDA.

6P. Acting Chief Information Officer requests approval of and authorization for the Chair to sign Amendment No. 1 of Napa County Revenue Agreement No. 4433 with the Local Agency Formation Commission (LAFCO) for a maximum of \$16,387 for the term September 1, 2007 through June 30, 2008 to provide information technology services. (CONTINUED FROM NOVEMBER 20, 2007)

A-4433

(AMEND. 1)

6Q. Napa County Counsel and the Napa County Deferred Compensation Board of Control request adoption of the following two resolutions:

1. A Resolution amending Section 3.14 of the County's 457 Deferred Compensation Plan and allowing the Napa Vallejo Waste Management Authority to be an Employer that may provide the Plan to Employees of the Authority; and, **R-07-164**

2. A Resolution amending Section 3.01 and Schedule A of the County's 401(A) Retirement Savings Plan and allowing the Napa Vallejo Waste Management Authority to be an Employer that may provide the Plan to Eligible Classes of Employees of the Authority. **R-07-165**

- 6R. Human Resources Director requests adoption of a resolution amending the Table and Index in relation to the Public Health Division of the Health and Human Services agency effective December 4, 2007. **R-07-166**
- 6S. Human Resources Director requests adoption of a resolution for paying and reporting to CalPERS the value of Employer Paid Member Contributions (EPMC) for County and Trial Court employees. **R-07-167**
- 6T. County Executive Officer/Director of Emergency Services requests acceptance of the Department of Homeland Security's Fiscal Year 2007 Emergency Management Performance Grant in the amount of \$65,168 for ongoing emergency preparedness for the Napa Operational Area.
- 6U. Clerk of the Board requests approval of minutes of the meetings held on October 16, 23 and November 6, 2007.
7. Discussion of Items Removed from the Consent Calendar.
SEE ITEMS 6A, 6M AND 6O.

**APPROVED CONSENT CALENDAR ITEMS 6B THROUGH 6N AND 6P THROUGH 6U.
ML-BW-DD-BD-HM**

Set Matters or Public Hearings

- 8A. 9:15 A.M. - Director of Public Works requests:
1. Discussion with the Napa Sanitation District regarding its desire to share financial participation in the North Bay Water Reuse Authority (NBWRA) for the possible benefit of the Milliken-Sarco-Tulocay (MST) Recycled Water Project; and,
 2. Direction to continue to proceed with MST project development, including environmental clearance and assessment proceedings, independent of NBWRA, with a goal of project implementation in the fastest possible timeframe.

**THE BOARD HELD A JOINT MEETING WITH THE NAPA SANITATION DISTRICT.
A MOTION WAS MADE TO MOVE FORWARD WITH AN ENVIRONMENTAL
IMPACT REPORT.**

ML-HM-DD-BD-BW

N N N

**THE BOARD COMMITTED TO PARTICIPATION IN THE NORTH BAY WATER
REUSE AUTHORITY PROGRAM AND DIRECTED STAFF TO RETURN WITH MORE
DETAILS.**

BD-BW-DD-ML-HM

- 8B. 10:15 A.M.
Presentation on the Napa County Community Health Needs Assessment by the Napa County Collaborative of Health Organizations and Funders.
PRESENTATION MADE

- 8C. 10:30 A.M.
County Executive Officer and staff will provide a status report of ongoing activities regarding global climate change activities, invite Board comments and direction regarding future activities, and recommend the following actions:
1. Adoption of a resolution approving application for membership in the International Council for Local Environmental Initiatives (ICLEI) Local Governments for Sustainability Program; and, **R-07-168**
 2. Authorization of payment of Fiscal Year 07-08 membership dues in the amount of \$1,200.

STATUS REPORT PRESENTED

**ADOPTED RESOLUTION AND APPROVED REQUEST.
BD-BW-DD-ML-HM**

- 8D. 11:30 A.M.
County Executive Officer requests approval of the recommended agencies/projects to receive FY2007-08 through FY2009-10 Special Projects Fund funding in the areas of Parks and Open Space, Visitor Management and Arts and Culture.
APPROVED REQUEST ML-BW-DD-BD-HM
- 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. Director of Health and Human Services Agency to provide a presentation on the reorganization of the Substance Abuse Services Division of the Health and Human Services Agency.
PRESENTATION MADE
- 9B. County Executive Officer and Director of Conservation, Development and Planning requests discussion of alternatives and direction to staff related to a property tax sharing agreement and application to LAFCO to annex approximately 144 acres located between Golden Gate Drive and Foster Road with the recommendation to utilize the formula included in the County-City master revenue sharing agreement for this annexation.
PRESENTATION MADE

THE BOARD APPROVED OPTION 3 TO CONTINUE NEGOTIATIONS WITH THE CITY RECOGNIZING THE MEDIATION PROCESS WILL BEGIN IF AN AGREEMENT IS NOT REACHED BY DECEMBER 28, 2007.

ML-BD-DD-BW-HM

10. Legislative Items.
NONE
11. Board of Supervisors Committee Reports and Announcements.
NONE

12. Board of Supervisors Future Agenda Items.
NONE
13. County Executive Officer Reports and Announcements.
COUNTY EXECUTIVE OFFICER NANCY WATT COMMENTED ON THE LAFCO 5-YEAR REVIEW CYCLES. SHE STATED THE CITIES OF CALISTOGA AND ST. HELENA WERE NOT BEING REVIEWED.
- MS. WATT ALSO UPDATED THE BOARD ON THE ANNUAL ADMINISTRATORS' CONFERENCE SHE ATTENDED.**
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 NOT HELD
- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)
CLOSED SESSION HELD – NO REPORTABLE ACTION
15. Adjournment.
ADJOURNED TO BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY, DECEMBER 11, 2007 AT 8:00 A.M.

BRAD WAGENKNECHT, 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