

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

January 29, 2008

1. Call to Order; Roll Call.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION ON TUESDAY, JANUARY 29, 2008 AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIR BRAD WAGENKNECHT, HAROLD MOSKOWITE AND MARK LUCE. SUPERVISOR DIANE DILLON WAS NOT PRESENT AT ROLL CALL, BUT ARRIVED DURING THE PLEDGE OF ALLEGIANCE. SUPERVISOR BILL DODD WAS EXCUSED. THE MEETING WAS CALLED TO ORDER BY CHAIR WAGENKNECHT.

2. Pledge of Allegiance.
SHERIFF DEPARTMENT SERGEANT LEROY ANDERSON LED THE SALUTE TO THE FLAG.

3. Presentations and Commendations.
NONE

4. Public Comment.
SANDY CLARKE WITH THE AMERICAN CANCER SOCIETY AND A MEMBER OF THE TOBACCO ADVISORY BOARD (TAB) SPOKE ABOUT THE “QUIT SMOKING” PROGRAM OFFERED THROUGH COMMUNITY ACTION NAPA VALLEY (CANV). SHE ASKED THE BOARD TO MAKE CESSATION SERVICES A PRIORITY WHEN CONSIDERING FUNDING THROUGH THE TOBACCO MASTER SETTLEMENT AGREEMENT (MSA).

VINCENT BLAKE OF EDGERLY ISLAND ASKED THE BOARD HOW HE COULD OBTAIN INFORMATION ABOUT A PROPOSED ORDINANCE CONCERNING LEVY MAINTENANCE/ENFORCEMENT ON EDGERLY ISLAND WHICH WAS DISCUSSED MARCH 5, 2002.

CHAIR WAGENKNECHT OFFERED TO MEET WITH MR. BLAKE TO GO OVER WHAT HE KNEW REGARDING THE ISSUE.

5. Department Heads Reports and Announcements.
CLERK OF THE BOARD GLADYS COIL ANNOUNCED THE LAUNCHING OF A NEW BOARD MEETING RECORDING SYSTEM. THE NEW SYSTEM OFFERED BY GRANICUS WOULD PROVIDE WEB VIDEO STREAMING OF ALL MEETINGS AND WAS EXPECTED TO GO “LIVE” IN MARCH. SHE INTRODUCED GRANICUS REPRESENTATIVES MICHAEL KELLY AND MICHAEL COOKSEY.

COUNTY EXECUTIVE OFFICER NANCY WATT INTRODUCED NEW LIBRARY DIRECTOR DANIS KREIMEIER.

Consent Calendar

- 6A. Chief Probation Officer requests the following actions related to the Juvenile Justice Development Plan (JJDP):
1. Adoption of a resolution approving the Fiscal Year 2007-2008 Juvenile Justice Development Plan previously reviewed by the Juvenile Justice Coordinating Council and authorizing its submission to the Corrections Standards Authority (CSA); **R-08-10**
 2. Approval of Budget Transfer No. 20 increasing appropriations in the Probation Department budget in the amount of \$82,010 with offsetting revenues from the Corrections Standards Authority for the implementation of the Juvenile Justice Development Plan (4/5 vote required); **BT-20**
 3. Adoption of a resolution amending the Departmental Allocation List for the Probation Department adding one (1) Probation Officer III and one (1) Probation Assistant effective February 9, 2008. **R-08-11**
- 6B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6902 with Progress Foundation, Inc., revising the budget of the contractor for the Transitional Age Youth Program, with no change to the maximum amount. **A-6902**
(AMEND 1)
- 6C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements, each with the term January 1, 2008 through August 31, 2008, with a provision for automatic annual renewal, for the Safe and Drug Free Schools and Communities Grant:
1. Agreement with Calistoga Family Center, Inc., for a maximum of \$74,752 to provide for the coordination of a Student Assistance Program including tracking of referrals, program promotions, service coordination, and parent support; **A-6950**
 2. Agreement with St. Helena Unified School District for a maximum of \$73,426 to provide coordination of a Student Assistance Program including tracking of referrals, program promotions, service coordination, and parent support; **A-6951**
 3. Agreement with Loyd Wolfe Juvenile Justice Network, Inc., for a maximum of \$64,125 to provide alcohol and drug screening, individual brief interventions and group prevention services for students engaged in high rates of alcohol or drug use; and, **A-6952**
 4. Agreement with Mark Duerr, doing business as Duerr Evaluation Resources, for a maximum of \$22,042 to provide program evaluation services for the Student Assistance Program. **A-6953**
- 6D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Workforce Investment Area Local Plan Modification for Program Year 2007-2008.
- 6E. Director of Health and Human Services requests adoption of resolution amending Resolution No. 02-182 regarding the use of the revolving fund for Children's program expenditures, adding Mental Health program expenditures to the list of eligible expenditures, and increasing the amount of the fund by \$4,000 for a new maximum of \$6,000. **R-08-12**

- 6F. Director of Health and Human Services requests adoption of resolution approving amendments to the Napa County Mental Health Board's Bylaws as previously approved by the Mental Health Board on December 10, 2007. **R-08-13**
- 6G. Director of Conservation, Development and Planning requests approval of Budget Transfer No. 19 appropriating \$60,000 in the Building Department budget with offsetting revenues from the Conservation, Development and Planning budget for enhanced code enforcement activities. (4/5 vote required) **BT-19**
- 6H. Director of Public Works requests approval of Budget Transfer No. 17 increasing appropriations in the Equipment Pool budget with offsetting revenue and establishment of a fixed asset in the amount of \$19,000 for the purchase of a replacement vehicle assigned to Public Works. (4/5 vote required) **BT-17**
- 6I. Director of Public Works requests approval of plans and specifications for the "Hall of Justice Restrooms ADA Modifications Project," PW 07-46, authorization to advertise for sealed bids and opening of the bids at a time, date and location to be published by the Director of Public Works, pursuant to Section 20150.8 of the Public Contract Code.
- 6J. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Hughes Associates, Inc. for a maximum of \$8,300 for the term January 29, 2008 through June 30, 2008 for professional engineering services relative to a fire protection system for computer cold room. **A-6954**
- 6K. Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4858 with Tallwood Management Co., LLC consenting to the assignment and assumption of the lease to Sunset Aviation, Inc. **A-4858**
(AMEND 1)
- 6L. Acting Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Accela, Inc. for a maximum of \$106,152 for the term July 1, 2007 through June 30, 2009 for software maintenance support as follows:
1. An annual maximum of \$48,716 for the Accela Automation Software System; and,
 2. A maximum of \$8,720 for the Accela Wireless Software System. **A-6955**
- 6M. Auditor-Controller requests the following actions regarding the Napa County Fair:
1. Approval of the proposed budget for the Napa County Fair for the Fiscal Year 2008;
 2. Authorization to draw a warrant in the amount of \$31,000 from the Napa County Fair Fund, payable to the Napa County Fair, for the purpose of replenishing their operating fund; and,
 3. Authorization to approve the transmittal of the 2nd, 3rd and 4th allocations of the Fair's 2008 State Allocation, in the amount of \$31,000 each, upon receipt of said funds by the County Treasurer-Tax Collector.

- 6N. Human Resources Director requests adoption of resolution authorizing County access to State and Federal level summary criminal history information, for employment, licensing or certification purposes, for miscellaneous County employees, volunteers and contract employees.
R-08-14
- 6O. Human Resources Director and the Public Defender request adoption of a resolution regarding the following in connection with the Public Defender's Department, effective February 9, 2008:
1. Amend the Departmental Allocation List to:
 - a. Delete two (2) Senior Public Defender Investigators and one (1) (S) Supervising Public Defender Investigator; and,
 - b. Add three (3) Public Defender Investigator I/II.
 2. Amend the Table and Index of Classes to:
 - a. Delete Public Defender Investigator and Senior Public Defender Investigator; and,
 - b. Add Public Defender Investigator I and Public Defender Investigator II.
- R-08-15**
- 6P. Human Resources Director requests adoption of a resolution amending the Table and Index and applicable personnel policies adding the position of Project Manager H&HS, retroactive to January 12, 2008.
R-08-16
- 6Q. Human Resources Director requests adoption of a Resolution of Intention amending Agreement No. 1464 with the Board of Administration of the California Public Employees' Retirement System to provide for Fourth Level of 1959 Survivor Benefits to the Safety Group.
R-08-17
- 6R. Human Resources Director requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4748 with Patti Peters, dba Business Resource and Training Company, amending the Scope of Work to include discussion meetings upon request at the compensation rate of \$175 per hour.
**A-4748
(AMEND 5)**
- 6S. County Executive Officer/Purchasing Agent and Director of Public Works request the following:
1. 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) and,
 2. Declare certain items of personal property as surplus and no longer required for public use, and authorize the Purchasing Agent to dispose of these items by donating them to Cyber Mill, Inc., a tax-exempt health and human service organization.
- 6T. Clerk of the Board requests consideration and adoption of a Resolution of Intention to Make Acquisitions and Improvements, and a Boundary Map pursuant to Section 10104 of the Streets and Highways Code of California for the Circle Oaks County Water District's proposed Assessment District No. 2008-1.
R-08-18

7. Discussion of Items Removed from the Consent Calendar.
NONE

APPROVED CONSENT CALENDAR ITEMS 6A THROUGH 6T.

DD-ML-BD-HM-BW

X

Set Matters or Public Hearings

- 8A. 9:00 A.M. - Public Hearing.
First reading and intention to adopt an ordinance amending Chapter 6.04 (Animal Control and Rabies Prevention), Chapter 6.08 (Kennels, Zoos and Animal Exhibits), and Chapter 6.12 (Beehives) of the Napa County Code. 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. (Continued from November 20 and December 11, 2007; Staff requests continuance to March 11, 2008 at 10:45 A.M.)

ITEM CONTINUED TO MARCH 11, 2008 AT 10:45 A.M.

DD-ML-BD-HM-BW

X

- 8B. 9:15 A.M.
Director of Health and Human Services requests the following regarding the Fiscal Year 2008-2009 allocation of Tobacco Master Settlement Agreement (MSA) Funds:

1. Adoption of changes to the funding guidelines and the funding process for the Fiscal Year 2008-2009 MSA funding cycle as shown in the "Proposed Fiscal Year 2008-09 Changes to the Tobacco MSA Grant Procedures and Process"; and,
2. Direction to staff to solicit and process applications in accordance with the process detailed the "Proposed Fiscal Year 2008-2009 MSA Grant Application Process" and the "Proposed Fiscal Year 2008-2009 MSA Grant Award Criteria."

APPROVED REQUESTS

ML-DD-BD-HM-BW

X

- 8C. 9:30 A.M. - Public Hearing.
Assessor-Recorder-County Clerk requests adoption of a resolution authorizing the County Recorder to charge an additional fee for social security truncation and requiring the County Auditor-Controller to conduct reviews.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTION

DD-ML-BD-HM-BW

R-08-19

X

- 8D. 9:45 A.M.
Auditor-Controller and Bartig, Basler & Ray, Certified Public Accountants, to present and request acceptance of the County of Napa Comprehensive Annual Financial Report, County of Napa Single Audit Report, and the County of Napa Management Report for Fiscal Year 2006-2007.

ACCEPTED REPORTS

HM-ML-DD-BD-BW

X

8E. 10:15 A.M. - Public Hearing.

Director of Public Works requests the following actions with respect to the Napa Industrial Area Traffic Mitigation Fee Program:

1. Open a Public Hearing for discussion of:
 - a. Annual report on the Traffic Mitigation Fee Program; and,
 - b. Adjustment of the Traffic Mitigation Fee.
2. Close the Public Hearing and adopt:
 - a. Resolution making Government Code Section 66006 findings with respect to the mitigation program for the Fiscal Year 2006-2007; and, **R-08-20**
 - b. Resolution adjusting the traffic mitigation fee for new development within the Airport Industrial Area Specific Plan area for inflation, from \$2,762 to \$3,551 per afternoon peak hour vehicle trip, and updating references to the peak hour methodology document. **R-08-21**

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

ADOPTED RESOLUTIONS HM-ML-DD-BD-BW
X

8F. 4:00 P.M.- Amended Agenda Item

Recess to a joint meeting with the Napa City Council and the American Canyon City Council. (BOS Meeting Room)

1. Director of Public Works requests the following regarding the public art to be created by Gordon Huether for display on the City/County Parking Garage:
 - a. Presentation and approval of design concept art component; and,

PRESENTATION MADE

- b. Authorization for the Purchasing Agent to sign the Product Purchase Agreement for a maximum amount of \$25,000.

VOTE NULLIFIED FOR LACK OF THREE AFFIRMATIVE VOTES
BW-DD-HM-BD-ML
N X X

ITEM CONTINUED TO FEBRUARY 5, 2008
DD-BW-HM-BD-ML
X X

2. Director of Public Works requests approval to proceed with design and installation of a photovoltaic system for the City/County Parking Garage.

APPROVED REQUEST DD-HM-ML-BD-BW
X X

3. Law enforcement officials from the County of Napa, City of American Canyon and City of Napa will report on the status of gang activity throughout the County of Napa.

PRESENTATION MADE

Administrative Items

- 9A. Director of Conservation, Development & Planning and Director of Community & Intergovernmental Affairs request adoption of a resolution initiating a General Plan Amendment updating the County's Housing Element in accordance with State law and concurrence regarding a work plan related to this planning effort.

REPORT PRESENTED

ADOPTED RESOLUTION **DD-ML-BD-HM-BW** **R-08-22**
X

APPROVED WORK PLAN **DD-ML-BD-HM-BW**
X

- 9B. County Executive Officer requests approval of and authorization for the Chair to sign the following Special Projects Fund agreements for the term January 1, 2008 through December 31, 2010:

1. Agreement with Napa County Regional Park and Open Space District for a maximum of \$359,700 for outdoor recreation and educational opportunities; **A-6956**
2. Agreement with Arts Council Napa Valley for a maximum of \$290,000 for cultural needs assessment and strategic planning for art experiences and art education; **A-6957**
3. Agreement with Napa County Historical Society for a maximum of \$22,722 for the preservation of historical resources, objects, and archives of the Napa Valley; and, **A-6958**
4. Agreement with Napa Valley Mustard Festival for a maximum of \$300,000 for marketing and promotion of off-peak and non-weekend tourism events and opportunities. **A-6959**

- 9C. County Executive Officer requests that the Board approve a Selective Hiring Freeze Policy, effective through December 31, 2008.

APPROVED REQUEST **DD-ML-BD-HM-BW**
X

Legislative Items

- 10A. Legislative Subcommittee presentation and adoption of the proposed 2008 Napa County Legislative Platform. The Board may or may not take action on any or all items presented for discussion. (Unanimous vote required)

REPORT PRESENTED

ADOPTED LEGISLATIVE PLATFORM **DD-ML-BD-HM-BW**
X

11. Board of Supervisors Committee Reports and Announcements.
SUPERVISOR DILLON REPORTED ON HER ATTENDANCE AT THE REGIONAL COUNCIL OF RURAL COUNTIES (RCRC) ANNUAL DINNER. MANY MEMBERS OF THE STATE LEGISLATURE WERE ALSO PRESENT AT THE DINNER.

SUPERVISOR DILLON ALSO ATTENDED THE CALISTOGA CHAMBER OF COMMERCE AWARDS DINNER. WELL DESERVED AWARDS WERE GIVEN TO BUSINESSES AND INDIVIDUALS.

SUPERVISOR LUCE REPORTED ON HIS ATTENDANCE AT AN ECONOMIC OUTLOOK MEETING PRESENTED BY THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG).

CHAIR WAGENKNECHT REPORTED THAT HE ALONG WITH SUPERVISORS LUCE AND DILLON ATTENDED THE FIRST ANNIVERSARY OF THE CREATION OF THE NAPA COUNTY REGIONAL PARKS AND OPEN SPACE DISTRICT. DURING THE LAST YEAR THE DISTRICT HAD RECEIVED APPROXIMATELY FIVE MILLION DOLLARS IN GRANT FUNDS.

CHAIR WAGENKNECHT ALSO REPORTED THAT HE ATTENDED THE CITY OF NAPA CHAMBER OF COMMERCE DINNER WHERE THE FAMILY FRIENDLY AWARD WAS PRESENTED.

12. Board of Supervisors Future Agenda Items.
CHAIR WAGENKNECHT REPORTED THAT THE BOARD WOULD INTERVIEW INTERIM TREASURER TAX COLLECTOR TAMIE FRASIER AT 10:00 A.M. ON MARCH 18, 2008 FOR THE TREASURER TAX COLLECTOR POSITION.

SUPERVISOR DILLON REQUESTED THE FOLLOWING ITEMS BE PLACED ON AN AGENDA:

- **CREATION OF A CALISTOGA AMERICAN VITICULTURAL AREA (AVA);**
- **DISCUSSION OF CITY OF NAPA PRESS RELEASE OF JANUARY 23, 2008; AND,**
- **REVIEW OF THE LOT LINE ADJUSTMENT ORDINANCE.**

SUPERVISOR DILLON ASKED STAFF TO CLEAN UP THE LETTERHEAD FOR THE NAPA COUNTY FAIR WHICH INDICATED THAT THE FAIR WAS UNDER THE DIRECTION AND CONTROL OF THE BOARD OF SUPERVISORS.

SUPERVISOR DILLON ALSO STATED THAT SHE WOULD NOT BE PRESENT AT THE FEBRUARY 5, 2008 BOARD MEETING. IF THE PEREZ APPEAL TO THE V. SATTUI WINERY PERMIT MODIFICATION REQUEST WAS PLACED ON THE AGENDA, SHE HOPED THE BOARD WOULD SUPPORT A REQUEST FOR CONTINUANCE OF THE MATTER.

12. Continued

SUPERVISOR LUCE ASKED THAT THE NAPA PIPE DISCUSSION PROCESS BE PLACED ON AN AGENDA. HE STATED THAT PERHAPS A JOINT MEETING WITH THE CITY OF NAPA SHOULD BE HELD TO FURTHER STUDY THE MATTER.

13. County Executive Officer Reports and Announcements.

COUNTY EXECUTIVE OFFICER (CEO) NANCY WATT STATED THAT STAFF WAS CURRENTLY RESEARCHING HOW OTHER COUNTIES HAVE SET UP AND/OR COMBINED THEIR ELECTED/APPOINTED POSITIONS AND WOULD REPORT BACK TO THE BOARD WITH THEIR ANALYSIS.

CEO WATT INFORMED THE BOARD THAT SHE WOULD BE SENDING A LETTER TO THE NAPA CITY MANAGER ADVISING OF THE BOARD'S MARCH SCHEDULE. SHE SUGGESTED THAT PERHAPS MARCH 18, 2008 WOULD BE A POSSIBLE DATE TO MEET WITH THE NAPA CITY COUNCIL TO DISCUSS CURRENT ISSUES SUCH AS THE NAPA PIPE JOINT STUDY PROCESS.

CEO WATT ALSO INFORMED THE BOARD CHAIR WAGENKNECHT WOULD CONTINUE TO SERVE ON THE MASTER SPACE STUDY COMMITTEE.

14. Closed Session.
NONE

15. Adjournment.
ADJOURNED TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, FEBRUARY 05, 2008 AT 9:00 A.M.

BRAD WAGENKNECHT, Chair

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