



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday January 25, 2005 9:00 A.M.

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Bill Dodd
District 4

Harold Moskowitz
District 5

Nancy Watt
County Executive Officer

Pamela Miller
Clerk of the Board

Robert Westmeyer
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets each Tuesday at 9:00 A.M. at 1195 Third Street, Suite 305, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580 (253-6088TDD).

The agenda is divided into three sections:

CONSENT ITEMS - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any item on the CONSENT CALENDAR will be discussed separately at the request of any person. CONSENT CALENDAR items are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the CONSENT CALENDAR, if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

Check with the Clerk of the Board to view any additional documents that may have been filed related to any item on this agenda.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the rostrum and, after receiving recognition from the Chair, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board.

AGENDA AVAILABLE ONLINE AT www.co.napa.ca.us

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation by Human Resources Director of Certificates of Completion to participants of the Napa County Supervisory Academy.

4. PUBLIC COMMENT

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

5. DEPARTMENT DIRECTORS' REPORTS AND ANNOUNCEMENTS**6. CONSENT ITEMS**Public Safety

- A. County Fire Chief requests approval of the following actions relating to the Firewise grant:
1. Acceptance of the grant in the amount of \$255,459 for the Wildland Urban Interface Firewise Program; and
 2. Approval of Budget Transfer No. 56 appropriating \$255,459 in the Fire Protection budget with offsetting revenues from the Wildland Urban Interface grant. (4/5 vote required)
- B. Sheriff and Human Resources Director request the following actions regarding the provision of law enforcement services for the City of American Canyon:
1. Approval of and authorization for the Chair to sign Amendment No. 10 to Agreement No. 3220 with the City of American Canyon increasing the amount by \$101,022 for a new maximum of \$2,333,692 amending the Scope of Work to include an additional Deputy Sheriff I/II; and
 2. Adoption of a resolution amending the Departmental Allocation List for the Sheriff's Department with regards to adding one (1) Deputy Sheriff I/II position, effective January 29, 2005.

Human Services

- C. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 2390 with the California Department of Mental Health for a maximum of \$228,243 for the term July 1, 2004 through June 30, 2005 for the Conditional Release Program (CONREP).

- D.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4354 with Catholic Charities, Inc., revising the Scope of Work to include changes in the claiming process for the Casa Grande Housing Program and incorporating agency-wide changes to the General Terms and Conditions.
- E.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4495 with River Oak Center for Children and Families decreasing the amount by \$14,000 for a new maximum of \$54,000 to provide residential mental health services, revising the Scope of Work to reflect the specific specialty mental health services that may be authorized, revising the rate structure for payment, and incorporating agency-wide changes to the General Terms and Conditions.
- F.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6086 with Sherri Hollman, MFT, increasing the amount by \$6,500 for a new maximum of \$10,000 to provide services in the Mental Health Outpatient Managed Care Program.
- G.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6362 with RedPhantom Enterprises, Inc., increasing the amount by \$72,000 for a new maximum of \$122,000 to provide transportation for clients to psychiatric hospitals and to provide security guard services to staff and clients of the Health and Human Services Agency.
- H.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with J & C Nationwide, Inc. dba JCNationwide:
1. Agreement for a maximum of \$66,080 for the term January 25, 2005 through June 30, 2005 to provide temporary or permanent psychiatrist placement services to the mental health program; and
 2. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.
- I.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign a Memorandum of Understanding with North Bay Regional Center for the term January 25, 2005 through December 31, 2006 clarifying respective roles and responsibilities of North Bay Regional Center and Napa County.
- J.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the Health Resources and Services Administration (HRSA) certification of collaboration and grant application to the California Department of Health Services (CDHS) for \$185,708 for the period September 1, 2004 through August 31, 2005 to fund cooperative agreements with hospitals and supporting health care systems.

Community Resources & Infrastructure

- K.** Library Director and County Executive Officer/Purchasing Agent request:
1. Approval of Budget Transfer No. 57 in the amount of \$5,950 within the Library Fund and establishment of a fixed asset in the amount of \$5,950 for the purchase of a Checkpoint Intelligent Library System Mobile Programming Station; (4/5 vote required) and
 2. Waiver of competitive bidding requirements and sole source award for the purchase of a Checkpoint Intelligent Library System Mobile Programming Station from Checkpoint Systems, Inc., Thorofare, New Jersey, for a Total of \$5,950 pursuant to County Ordinance Code 2.36.090.
- L.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4708 with SimplexGrinnell, L.P., increasing the amount by \$380 for a new maximum of \$6,815 annually, for quarterly fire sprinkler system inspections at an additional location of the Animal Shelter.
- M.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4846 with Bell Products, Inc. increasing the amount by \$2,624 for a new maximum of \$15,690 annually, for quarterly preventive maintenance service on the heating and air conditioning system located at 650 Imperial Way in Napa.
- N.** Napa County Parks and Open Space Advisory Committee (NCPOAC) requests approval of distribution of \$40,000 of Proposition 40 funds to the City of Calistoga for a community pool facility.

General Admin & Finance

- O.** Auditor-Controller requests adoption of a resolution revising the appropriation limitation for the 2004-2005 Fiscal Year.
- P.** Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file:
1. Audit Reports of the Napa County Probation Trust Fund and Mary Arnold Trust Fund for the Fiscal Years ended June 30, 2003 and 2004; and
 2. Fiscal Monitoring Reports of the Private Industry Council of Solano County, Inc. and the County of Sonoma Human Services Department for the grants distributed by the County of Napa Regional Training and Employment Center through June 30, 2004 and March 31, 2004, respectively.
- Q.** Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file the Audit Report of the County of Napa County Executive Office - Human Resources Division for Fiscal Year ended June 30, 2003.

- R. Auditor-Controller requests the following actions regarding the Napa County Fair:
1. Approval of the proposed budget for the Napa County Fair for the 2005 Fiscal Year; and
 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.
- S. Human Resources Director requests adoption of Retirement Resolution No. 05-08 to George Castaneda, Cook II, in recognition of over 17 years of service.
- T. Human Resources Director requests adoption of Retirement Resolution No. 05-09 to Dr. Michael Kerr, Psychiatric Social Worker, in recognition of over 34 years of service.
- U. Human Resources Director requests adoption of a resolution regarding the following in connection with the Health and Human Services Agency and its divisions, effective January 29, 2005:
1. Amend the Departmental Allocation List to delete one (1) Community Aide and add one (1) Community Health Assistant in the Public Health division; and
 2. Amend the Departmental Allocation List to delete one (1) Mental Health Worker II - Licensed and add one (1) Senior Mental Health Worker in the Behavioral Health division.
- V. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Payroll Unit of the Auditor-Controller with regards to adding one (1) (C) Accounting Technician position, effective January 25, 2005.
- W. Human Resources Director requests adoption of a resolution designating certain persons as employees of the County for purposes of workers' compensation, excluding others, and rescinding all other resolutions on the same subject.
- X. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with U. S. Bank National Association, for the term of January 4, 2005 through June 30, 2005 for the provision of Trustee services in connection with the refinancing of the County's 1996 Certificates of Participation.
- Y. County Executive Officer requests adoption of a resolution amending the Department Head Performance Review Process contained in County Policy Manual, Part I, Section 8C, effective January 25, 2005.

- Z.** County Executive Officer/Purchasing Agent requests authorization to declare certain items as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)
- AA.** County Executive Officer requests the reappointment of James P. Barrett, James W. Ford, and Koerner Rombauer to serve as general public representatives on the Airport Advisory Commission with the term of office to commence immediately and expire December 31, 2007.
- BB.** Approve minutes of the meeting held January 4, 2005.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:15 AM

Recess to the Lake Berryessa Resort Improvement District (LBRID) special meeting (See LBRID Agenda).

B. 9:15 AM

Recess to the Napa Berryessa Resort Improvement District (NBRID) special meeting (See NBRID Agenda).

C. 9:30 AM

Recess to the Board of Equalization (See BOE Agenda).

D. 9:35 AM

Recess to the Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA) special meeting (See NCFPWIA Agenda).

E. 9:40 AM

Director of Public Works requests the following actions relating to the implementation of the Water Resources Work Plan approved December 14, 2004:

1. Approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4202 with the Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA), increasing the amount of Measure A funds by \$958,000 for a new maximum of \$1,934,054 and extending the term through June 30, 2006 to develop a project scope and funding plan for a future Milliken-Sarco-Tulocay recycled water project and a master plan for possible future Angwin/Deer Park community water supply reliability improvements; and
2. Approval of Budget Transfer No. 49 appropriating \$52,000 in the Capital Improvement budget with offsetting revenues from the County's share of Measure A funds. (4/5 vote required)

F. 10:15 AM PUBLIC HEARING

Consideration and possible action on an appeal filed by Mr. Tom Futo to a partial denial by the Director of Public Works of a road improvement exception requested by the appellant in connection with the application for Use Permit # 04029-UP for property located at 1575 Oakville Grade (Assessor's Parcel No. 027-360-018).

ENVIRONMENTAL DETERMINATION: The appeal of the Director's determination on the road exemption is not a "project" as defined in CEQA Section 15378. Section 15378(c) sets forth that the term "project" refers to an activity which is being approved, and does not mean each separate governmental approval. In this case, the Board's determination on the road exemption merely establishes how existing regulations are being interpreted, and will not result, either directly or indirectly, in a physical change in the environment. This code interpretation is necessary to establish the scope of the "project" that will then be subject to CEQA evaluation.

(CONTINUED FROM JANUARY 11, 2005)

9. ADMINISTRATIVE ITEMS**General Admin & Finance**

- A.** First reading and intention to adopt an ordinance making technical changes to Chapters 3.06 (Low Value Escape Assessments), 8.04 (Retail Food Facilities), 8.08 (Clean Indoor Air and Health Protection), 8.32 (Fire Zone Regulations), 10.24 (Special Events on Public Roadways), 13.04 (Approved Water Supply Systems), 13.28 (System Location and Soil Characteristics), 15.08 (Building and Excavation Permits), 16.12 (Surface Mining and Reclamation), and 17.36 (Improvement Standards) of the Napa County Code.

ENVIRONMENTAL DETERMINATION: 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)].

- B. County Executive Officer requests the appointment of one of the following applicants to serve on the Napa County Parks and Open Space Advisory Committee as the Supervisorial District No. 1 representative (Wagenknecht) with the term of office to commence immediately and expire December 31, 2006:

Applicants

David M. Briggs

Laurie Elizabeth Davis

Lucio Ezequiel Perez

- C. Consideration and possible appointment of Supervisor Moskowitz's nomination from one of the following applicants to the Conservation, Development and Planning Commission with the term of office to commence immediately and run coterminous with the term of Supervisor Moskowitz:

Applicants

Radomir (Rocky) Antovich

William H. Crain

Ronald Seth Citron, M.D.

Rich Jager

- D. County Executive Officer requests the following in relation to a multi-county agreement concerning tribal matters:
1. Approval of and authorization for the Chair to sign an agreement with Sonoma, Solano, and Yolo Counties creating the Northern California Counties Tribal Matters Consortium (NCCTMC) and adopting the NCCTMC basic principles;
 2. Appoint one member of the Board of Supervisors and one alternate member to serve on the NCCTMC Steering Committee; and
 3. Authorize all members of the Board of Supervisors to advocate on behalf of the NCCTMC at the state and federal level.

10. LEGISLATIVE ITEMS

11. BOARD OF SUPERVISORS' COMMITTEE REPORTS AND ANNOUNCEMENTS

12. BOARD OF SUPERVISORS' FUTURE AGENDA ITEMS

13. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

14. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Name of case: Pocket Protectors v. City of Sacramento, et al., (Court of Appeal, Third Appellate District Case No. C046247)

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: Library Director

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, FEBRUARY 01, 2005
AT 9:00 A.M.**