



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday January 09, 2007 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

Mary Jean McLaughlin
Acting 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. ELECTION OF OFFICERS**

- A. Board of Supervisors Organization for 2007: Election of Officers (Chairperson H. Moskowitz and Vice-Chairperson B. Wagenknecht).

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 HEADS' REPORTS AND ANNOUNCEMENTS**6. CONSENT ITEMS**Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with the California Department of Corrections and Rehabilitation for a maximum of \$22,913 for the term December 11, 2006 to June 30, 2007 for the provision of temporary emergency housing for wards of the Juvenile Court at the Division of Juvenile Justice.

Public Safety

- B. Second reading and adoption of an ordinance amending sections 12.08.010 and 12.08.040 of the Napa County Code to add Pope Creek and Putah Creek to the Berryessa Lake and Park Area and to permit boating violations in these areas to be charged either as a misdemeanor or an infraction.
ENVIRONMENTAL DETERMINATION: General Rule. 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)].

Human Services

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Memorandum of Understanding with the Napa County Special Education Local Planning Area (SELPA) and Napa County Office of Education (NCOE) for the term January 9, 2007 through June 30, 2007, including a provision for automatic renewal, to contract and administer an Intensive School-based Mental Health Treatment program.

- D.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements to provide services in the Mental Health Managed Care Program:
1. Agreements for a maximum of \$5,000 each for the term January 9, 2007 through June 30, 2007 with:
 - a. Mary E. Remington, MFT;
 - b. Kathleen R. Boyd, MFT;
 - c. Jane Michele Adams, LCSW;
 - d. Holly A. Dowling, MFT; and
 - e. Stephen L. Pittavino, Ph.D.
 2. Business Associate Agreements setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule with:
 - a. Mary E. Remington, MFT;
 - b. Kathleen R. Boyd, MFT;
 - c. Jane Michele Adams, LCSW;
 - d. Holly A. Dowling, MFT; and
 - e. Stephen L. Pittavino, Ph.D.
- E.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to revenue Agreement No. 3662 with the California Department of Health Services (CDHS) increasing the amount by \$1,834 for Fiscal Year 2006-2007 for a new maximum of \$97,567 for the Housing Opportunities for Persons with AIDS (HOPWA) program.
- F.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Community Health Clinic Olé:
1. Renewal of Agreement No. 3740 for a maximum of \$95,000 for the term July 1, 2006 through June 30, 2007 to provide indigent medical services; and
 2. Memorandum of Understanding for the term October 1, 2006 through June 30, 2007, with a provision for automatic annual renewal, to provide primary medical services to clients residing at the South Napa Shelter.
- G.** Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Social Services Division of the Health and Human Services Agency adding one (1) Child Protective Services Worker I/II, one (1) Office Assistant II, two (2) Social Worker I/II, and one (1) Social Worker Supervisor II; and deleting one (1) Community Aide, one (1) .5 Office Assistant II - Limited Term through June 30, 2007, one (1) Social Worker III, and one (1) Supervising Mental Health Counselor II - Licensed, for a 1.5 FTE net increase, effective January 9, 2007.
- H.** Director of Health and Human Services Agency and Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency, adding two (2) Assistant Public Health Manager, one (1) Health Education Specialist, and one (1) Project Manager - H&HS; and deleting one (1) Chief Public Health Manager and one (1) Program Manager I; for a 2.0 FTE net increase, effective January 9, 2007.

- I. Director of Health and Human Services requests authorization to redirect a portion of a previously accepted donation of tables and chairs from Travis Air Force Base, from the South Napa Shelter to programs operated by Napa County Health and Human Services Agency.

Community Resources & Infrastructure

- J. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Hughes Associates, Inc. for a maximum of \$10,200 for the term January 9, 2007 through June 30, 2007 for fire code analysis of the second floor of the Carithers facility.
- K. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with General Equipment for a maximum of \$144,613, for the term January 9, 2007 through June 30, 2007, to retrofit the County's on-road, heavy-duty diesel vehicles to comply with the California Air Resources Board mandated Diesel Risk Reduction Plan.
- L. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements pertaining to the construction of the Napa County Airport Pollution Control Facility:
 - 1. Indemnification Agreement with Napa Sanitation District over its sanitary sewer easement; and
 - 2. Indemnification Agreement with City of American Canyon over its water easement.
- M. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4903 with CH20, INC., increasing the amount by \$200 for a new maximum annual amount of \$5,200 for inspection, testing and maintenance of cooling towers, boilers, and related systems in County-owned buildings.
- N. Director of Public Works requests award of the contract for the "Rubber Asphalt Concrete Overlay of Silverado Trail Project," PW 05-15, to R.D. Evans Grading and Paving of Forest Hill, California, for their low base bid of \$710,701 and authorization for the Chair to sign the construction contract.
- O. Director of Public Works requests approval of plans and specifications for the "Modifications at Various Napa County Offices," PW 07-05, 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.
- P. Director of Public Works requests approval of plans and specifications for the "Chiles-Pope Valley Road Slide Debris Removal Project," RDS 06-22, 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.

- Q.** Director of Public Works requests approval of plans and specifications for the "Hall of Justice Re-carpet Project," PW 07-10, 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.
- R.** Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6378 with Silverado Electric, increasing the hourly billing rate from \$85 per hour to \$94 per hour with all other terms and conditions to remain unchanged.
- S.** Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Paul and Jillian Ryan. (Assessor's Parcel No. 057-020-001)

General Admin & Finance

- T.** Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign a sole source agreement with DFM Associates for a maximum of \$262,264 for the term December 4, 2006 through June 30, 2012 for the purchase and maintenance of Election Information Management System software.
- U.** County Counsel requests adoption of a resolution approving a request for a partial exemption from the Fiscal Year 2006-2007 assessments for County Service Area No. 4 for the following parcels owned by Thomas Kenefick:

<u>Owner</u>	<u>Assessor's Parcel No.</u>
Thomas Kenefick	017-230-001
	017-230-002
	017-230-003
	017-230-029
	018-050-020
	020-340-007
	020-340-018

- V.** Human Resources Director requests adoption of a resolution regarding the following in connection with the Community Partnership Program of the County Executive Office, effective January 13, 2007:
1. Amend the Departmental Allocation List to delete one (1) Community Partnership Analyst;
 2. Amend the Department Allocation List to add one flexibly staffed Community Partnership Analyst I/II;
 3. Amended the Table and Index of Classes to delete Community Partnership Analyst and add Community Partnership Analyst I and Community Partnership Analyst II; and
 4. Amend appropriate policies to delete Community Partnership Analyst and add flexibly staffed Community Partnership Analyst I/II.

- W. Human Resources Director requests adoption of a resolution amending the Table and Index to increase the salaries of the Deputy Transportation Agency Director and the Transportation Program Manager-Transit in the Public Works Department, effective January 13, 2007.
- X. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Building Inspection Division of the Conservation, Development and Planning Department with regards to adding one (1) Permit Technician, effective January 9, 2007.
- Y. Human Resources Director requests adoption of the following three resolutions:
1. Resolution approving equity adjustments for certain classifications in the Public Service Employee and Public Service Employee-Supervisory Units;
 2. Resolution approving equity adjustments for certain classifications in the Management and Confidential employee groups; and
 3. Resolution approving a change in the salary for the Non-Classified position of County Executive Officer.
- Z. County Executive Officer requests the Board take the following actions in designating the Department of Environmental Management as the Local Enforcement Agency for solid waste:
1. Adoption of a resolution identifying the Department of Environmental Management as the Local Enforcement Agency to carry out the provisions of the California Integrated Waste Management Act; and
 2. Authorize the Chair to sign the Notice of Designation of Local Agency Form with the California Integrated Waste Management Board.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM

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

B. 9:00 AM

Recess to the Napa County Public Improvement Corporation (NCPIC) special meeting (See NCPIC Agenda).

C. 9:00 AM

Recess to the Napa County Housing Authority (NCHA) special meeting (See NCHA Agenda).

D. 9:00 AM

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

E. 9:00 AM

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

F. 9:00 AM

Recess to the Silverado Community Services District (SCSD) special meeting (See SCSD Agenda).

G. 9:15 AM

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County meeting (See IHSS Agenda).

H. 9:30 AM

Recess to the Monticello Public Cemetery District (MPCD) special meeting (See MPCD Agenda).

I. 10:00 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Tom Carey of Dickenson, Peatman & Fogarty, on behalf of their client, Mr. William Smith, to a partial denial by the Director of Public Works of a road improvement modification requested by the appellant in connection with the application for Use Permit # 02057-UP for a property located at 1181 Las Posadas Road, Angwin. (Assessor's Parcel No. 025-060-001)

ENVIRONMENTAL DETERMINATION: The appeal of the Director's determination on the road modification 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 modification 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 MARCH 14, APRIL 18, JUNE 6, AUGUST 8, OCTOBER 3 AND NOVEMBER 21, 2006)

J. 2:00 PM

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

9. ADMINISTRATIVE ITEMSCommunity Resources & Infrastructure

- A. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with STAUBACH - NORTHERN CALIFORNIA, INC., for a maximum of \$395,000 for the term January 9, 2007 through June 30, 2007 for development of a Strategic Space Management Plan.
(CONTINUED FROM DECEMBER 19, 2006)

General Admin & Finance

- B. County Executive Officer requests approval of and authorization for the Chair to sign the following Private Participation Agreements for the term January 9, 2007 through January 9, 2062 related to purchase of parking space licenses in the City-County Parking Garage:
1. Agreement with Napa Mill, LLC for license of approximately 46 parking spaces;
 2. Agreement with Napa Riverfront, LLC for license of approximately 46 parking spaces; and
 3. Agreement with Andrea Schrader for license of approximately 28 parking spaces.
- C. County Executive Officer and Director of Public Works request the following for the "City/County of Napa Fifth Street Parking Garage Project," PW 07-01:
1. Approval of the design-build Request For Proposals; and
 2. Authorization for the Director of Public Works to request design-build proposals from the pre-qualified top five ranked design-build entities in accordance with Public Contract Code Section 20133.
- D. Adoption of a resolution amending Section 8B of the County Policy Manual to amend the Rules of Conduct for the Napa County Board of Supervisors to modify the guidelines for appointments of Board members to committees and commissions.
- E. Discussion and possible action regarding the appointment of members of the Board of Supervisors to various committees, commissions and advisory boards.

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 REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)**

Property: Airport Road and Highway 29, Napa (Assessor's Parcel No. 057-210-055)

Agency Negotiator: Robert Peterson and Michael Stoltz

Negotiating Party: Roger Gunn and Ron Greenslate as co-trustees for the Jane V. Gunn Marital Trust

Under Negotiation: Terms of Sale, including price and terms of payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 623 Coombs Street and 1224 5th Street, Napa (Assessor's Parcel Nos. 003-271-002, 003-271-003, 003-271-005, 003-271-006, 003-271-009)

Agency Negotiator: Robert Peterson and Michael Stoltz

Negotiating Party: Theodore John Wigger, Henry E. Wigger, and Martha Jean Wolfe

Under Negotiation: Terms of Sale, including price and terms of payment

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 2201 Imola Avenue, Napa (Assessor's Parcel Nos. 045-350-002, 045-360-001, 046-380-001, 046-390-001, 046-450-041, 046-450-042)

Agency Negotiator: Robert Peterson and Michael Stoltz

Negotiating Party: State of California

Under Negotiation: Terms of Sale, including price and terms of payment

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, JANUARY 23, 2007
AT 9:00 A.M.**