



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday October 24, 2006 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. **PRESENTATIONS AND COMMENDATIONS**
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**

Human Services

- A. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Community Health Clinic Ole, Inc., for a maximum of \$70,000 for the term October 24, 2006 through June 30, 2007 to provide HIV education and prevention services.
- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4823 with Joni Yacoe, MFT, increasing the amount by \$6,250 for a new maximum of \$10,000 to provide additional counseling services in the Children's Behavioral Health/Child Welfare Services/SB 163 Wraparound Programs.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6298-2 with Susan Tam increasing the amount by \$10,000 for a maximum of \$24,000 to provide additional program administration and coordination services related to public health preparedness activities.

Community Resources & Infrastructure

- D. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6345 with Moore Iacofano Goltsman, Inc. (MIG) increasing the amount by \$32,520 for a new maximum of \$82,040 for continued professional assistance with ongoing maintenance, development and support of the Watershed Information Center & Conservancy's (WICC) online WebCenter.

- E. Director of Conservation, Development and Planning requests consideration and approval of the following six (6) grant proposals, as recommended by the Napa County Wildlife Conservation Commission:
1. \$1,967 for the California Department of Fish and Game for a deer decoy;
 2. \$500 for the California Department of Fish and Game Volunteer Hunter Education Program for computer equipment;
 3. \$2,700 for the California Native Plant Society for duck pond improvements and vegetation removal for fire protection in Martha Walker Native Habitat Garden in Skyline Park;
 4. \$1,966 for the Land Trust of Napa County for exotic plant removal in Archer Taylor and Foote Botanical Preserves;
 5. \$2,000 for McCormick Sanctuary, Inc.; dba Acorn Soupe, for their wildlife education program; and
 6. \$2,868 for the Napa County Resource Conservation District for watershed videography equipment.
- F. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4708 with SimplexGrinnell, L.P., increasing the amount by \$7,415 for a new maximum of \$14,230 for routine quarterly fire sprinkler system testing and inspections and for non-routine maintenance and repair services at additional locations of the Sheriff's facility and Juvenile Justice Center.

General Admin & Finance

- G. Assessor-Recorder-County Clerk requests approval of Budget Transfer No. 17 appropriating \$25,342 in the Recorder-County Clerk Department budget with offsetting revenues from Contingencies to replace the Recorder's Micrographic Trust Fund monies which reverted to the General Fund for an approved Professional Services Agreement with PFA Inc. (4/5 vote required)
- H. County Counsel and the Napa County Deferred Compensation Board of Control request adoption of a resolution amending the 457 Deferred Compensation Plan to allow Plan Participants to receive loans from their 457 Plan Accounts.
- I. Human Resources Director and Director of Health and Human Services Agency request adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency, deleting one (1) 0.5 FTE Physical Therapist or Occupational Therapist and adding one (1) 0.7 FTE Physical Therapist or Occupational Therapist, effective November 4, 2006.
- J. Human Resources Director and Director of Health and Human Services Agency request adoption of a resolution amending the Table and Index and the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency regarding the following, effective November 4, 2006:

1. Amend the Departmental Allocation List with no net increase in FTE's:
 - a. Adding: Six (6) Emergency Response Counselor-Registered / Emergency Response Counselor-Licensed, two (2) Emergency Response Worker, two (2) 0.5 Emergency Response Worker, three (3) Mental Health Counselor-Registered / Mental Health Counselor-Licensed, and one (1) Senior Emergency Response Worker; and
 - b. Deleting: Three (3) Mental Health Counselor, four (4) Mental Health Counselor - Licensed, one (1) Mental Health Worker I/II, Three (3) Mental Health Worker II, one (1) Psychiatric Nurse, and one (1) Senior Mental Health Worker.
2. Amend the Table and Index to add: Emergency Response Counselor-Registered, Emergency Response Counselor-Licensed, Emergency Response Worker, Mental Health Counselor-Registered, and Senior Emergency Response Worker.

- K.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6373 with Napa Garden Court Associates extending the term through December 10, 2011 for the development of affordable housing.
- L.** County Executive Officer/Purchasing Agent and Director of Public Works request a waiver of competitive bidding requirements and confirmation of a sole source award for the purchase of digital fingerprint equipment from Identix Inc., Hopkins, MN, for a total of \$130,637 pursuant to County Ordinance Code 2.36.090.
- M.** County Executive Officer/Purchasing Agent and Director of Public Works request authorization to 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)
- N.** Second reading and adoption of an ordinance adding Section 1.20.22 to Chapter 1.20 of the County Code declaring substandard property maintenance as a public nuisance and specifying situations that would meet the definition of a public nuisance.
ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 21: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act because it constitutes a clarification or amplification of code enforcement responsibilities, and code enforcement activities are themselves exempt from review. [See Class 21 ("Enforcement Actions by Regulatory Agencies") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15321.]
- O.** Second reading and adoption of an ordinance updating Chapter 8.20 (Abandoned vehicles) 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)].

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM PUBLIC HEARING

Director of Conservation, Development and Planning requests adoption of a resolution decreasing building permit fees for solar energy installations, decreasing fees for plan review of large projects submitted to approved third-party plan reviewers, and increasing certain other fees for services provided by the Conservation, Development and Planning Department - Building Division.

B. 9:15 AM

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

C. 9:45 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Christopher Peacock and Angus Wurtele to a decision by the Director of Public Works to approve a Lot Line Adjustment filed by Mark and Carolyn Butler for the property located on Spring Mountain Road in St. Helena. (Assessor's Parcel Nos. 022-190-004 and 022-250-010)

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.

(APPELLANT REQUESTS CONTINUANCE; IF THE BOARD GRANTS THE CONTINUANCE, THE BOARD WILL SET THE DATE OF THE CONTINUED HEARING IMMEDIATELY AFTER OPENING THE HEARING ON OCTOBER 24, 2006, AND NOTICE OF THE DATE WILL NOT BE REPUBLISHED)

D. 10:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Montgomery G. Frankel, Esq. on behalf of Ronald and Kathye Citron of an August 14, 2006 decision by the Director of Conservation, Development and Planning to deny a Special Fence Permit #P06-0215. The Special Fence Permit would have allowed a 6 foot 8 inch solid fence within the front yard setback of a residence located on the west side of Silverado Trail approximately 600 ft. north of Lommel Road within the Agricultural Preserve (AP) Zoning District at 4189 Silverado Trail (Assessor's Parcel No. 021-020-010).

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 3: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

E. 11:30 AM

Recess to a joint luncheon and presentation by the Airport Advisory Commission at the Napa County Airport, 3480 Airport Road, Napa.

9. ADMINISTRATIVE ITEMSCommunity Resources & Infrastructure

- A. Director of Public Works requests discussion of and potential direction to prepare an agreement with the California Land Stewardship Institute (CLSI), to use Measure A funds in support of, and to match, a State Water Resources Control Board (SWRCB) grant, for preparation of a preliminary design for restoration of the Napa River between Oakville Cross Road and Oak Knoll Avenue.
- B. Director of Public Works requests the following actions regarding Priority One 2005/2006 winter storm and flood road repairs:
1. Present results of bid proposals for PW 06-17 Redwood Road Slide Repair and PW 06-18 Circle Oaks Drive Slide Repair projects;
 2. Provide recommendation for the award of the contracts; and
 3. Authorization for the Chair to sign the construction contracts consistent with the award recommendations.
- C. Director of Public Works to submit report on the recommendations of the Ad Hoc Committee to the Board of Supervisors regarding proposed changes to the Napa County Roads and Street Standards, Section 3 "Exceptions to Standards".

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

Title: Director of Health and Human Services

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (One case)

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, NOVEMBER 07, 2006
AT 9:00 A.M.**