



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday November 30, 2004 9:00 A.M.**

Brad Wagenknecht  
District 1

Mark Luce  
District 2

Diane Dillon  
District 3

Bill Dodd  
District 4

Mike Rippey  
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.

Documents for all agenda items are on file with the Clerk of the Board.

**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](http://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 DIRECTORS' REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS**

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chair to sign Amendment No.1 to Agreement No. 4776 with ALDEA Children and Family Services increasing the amount by \$31,920 for a new maximum of \$124,420 and amending the Scope of Work to include staff training and increased funding for substance abuse services provided by the Wolfe Center to at-risk minors under the supervision of the Napa County Probation Department.

Human Services

- B. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign renewals of the following revenue agreements for AIDS services with the California Department of Health Services for the term July 1, 2004 through June 30, 2007:
  1. Agreement No. 3409 (AIDS Master Grant Agreement) for a maximum of \$362,202;
  2. Agreement No. 3484 prescribing terms and conditions for HIV/AIDS Surveillance;
  3. Agreement No. 3485 prescribing terms and conditions for HIV Counseling and Testing; and
  4. Agreement No. 3820 prescribing terms and conditions for AIDS Education and Prevention activities.
- C. Acting 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 Health Services (CDHS) for a maximum of \$100,449 for the term July 1, 2004 through June 30, 2007 for the Housing Opportunities for Persons With AIDS (HOPWA) Program.

- D. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 4089 with Sonoma County for a maximum of \$114,718 for the term July 1, 2004 through June 30, 2005 for emergency medical services administration.
- E. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6339 with Barrie Glen, Ph.D., revising the compensation table to include assessment services for clients of the Children's Behavioral Health and Child Welfare Services programs without changing the maximum amount of the contract.
- F. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements regarding the Universal Perinatal Home Visitation Program for the term November 30, 2004 through June 30, 2005:
1. The following three agreements for a combined maximum of \$42,000 for home visitation services:
    - a. Child Abuse Prevention Services, dba COPE Family Center;
    - b. Queen of the Valley Hospital of Napa, California; and
    - c. St. Helena Hospital.
  2. Agreements with Caroline Pietrangelo Owens:
    - a. Agreement for a maximum of \$39,000 to provide home visitation coordination services; and
    - b. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.
- G. Acting Director of Health and Human Services requests approval of Budget Transfer No. 43 transferring \$6,413 from Services and Supplies to Equipment and establishment of a fixed asset in the amount of \$6,413 for the purchase of a new medical refrigeration system in the Public Health Department Immunization Clinic. (4/5 vote required)

#### Community Resources & Infrastructure

- H. Library Director requests adoption of a revision to the Library's "2004 Holiday Schedule" to add December 24 as a closed day, and adoption of the Library's "2005 Holiday Schedule."
- I. Library Director requests approval of the following actions pertaining to California Library Literacy Grants:
1. Acceptance of two California Library Literacy Services grants from the State of California totaling \$18,330; and
  2. Approval of Budget Transfer No. 42 increasing appropriations by \$18,330 for Literacy Services. (4/5 vote required)

- J.** Director of Public Works requests adoption of a resolution authorizing the filing of an application for Federal Surface Transportation Program funding for a maximum of \$1,514,000 for overlay of Wooden Valley Road, Yountville Cross Road and Silverado Trail, committing the necessary non-federal match for the projects and stating the County's assurance to complete the project.
- K.** Director of Public Works requests the following relating to a lease agreement with the State Employment Development Department (EDD):
1. Rescind Agreement No. 6201 dated December 9, 2003; and
  2. Approve and authorize the Chair to sign a new agreement with EDD to house equipment for job seekers at 650 Imperial Way, Suite 101, as part of the Training and Employment Center's Job Connection Program for the term October 1, 2003 through June 30, 2006 reimbursing the County at \$214.20 per month for a maximum of \$7,069 for the entire term.
- L.** Director of Public Works requests approval of the Final Map for condominium purposes entitled "Camino Oruga Group Industrial Condominiums".

#### General Admin & Finance

- M.** Assessor-Recorder-County Clerk-Elections Department requests Board declaration of the results of those elections under their jurisdiction as set forth in the Certified Statement of Vote (Official Canvass) for the General Election held on Tuesday, November 2, 2004 pursuant to the Elections Code Sections 15300-15400.
- N.** Clerk of the Board requests the following:
1. Approval of and authorization for the Registrar of Voters to consolidate and conduct a General Municipal Election as requested by the City of St. Helena for the election of certain officers of the City ( City of St. Helena Resolution No. 2004-110) to be held March 8, 2005; and
  2. Approval of and authorization for the Registrar of Voters to establish a central counting precinct and to provide the City with certain services in conjunction with the consolidated General Municipal Election as requested by the (City of St. Helena Resolution No. 2004-111) with the provision that all services rendered by the County for the City in connection with such election be reimbursed in full.
- O.** Clerk of the Board requests the following:
1. Approval of and authorization for the Registrar of Voters to consolidate and conduct a General Municipal Election as requested by the Town of Yountville for the election of certain officers of the Town and Proposition E (Town of Yountville Resolution No. 2294-04) to be held March 8, 2005; and
  2. Approval of and authorization for the Registrar of Voters to establish a central counting precinct and to provide the Town with certain services in conjunction with the consolidated General Municipal Election as requested by the Town (Town of Yountville Resolution No. 2295-04) with

the provision that all services rendered by the County for the Town in connection with such election be reimbursed in full.

**P.** Clerk of the Board requests the following:

1. Approval of and authorization for the Registrar of Voters to conduct an Election as requested by the St. Helena Unified School District for the election of certain officers of the District (School District Resolution No. 04-10) to be held March 8, 2005; and
2. Approval of and authorization for the Registrar of Voters to conduct all election services from publication to ballot counting with the provision that all services rendered by the County for the District in connection with such election will be reimbursed in full.

**Q.** Clerk of the Board requests the following:

1. Approval of and authorization for the Registrar of Voters to conduct a General Municipal Election as requested by the City of Napa for the election of certain officers of the City (City of Napa Resolution No. R2004 175) to be held March 8, 2005; and
2. Approval of and authorization for the Registrar of Voters render specified services to the City relating to the conduct of a General Municipal Election as requested by the City (City of Napa Resolution No. R2004 176) with the provision that all services rendered by the County for the City in connection with such election be reimbursed in full.

**R.** Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Health and Human Services Agency with regards to deleting one (1) Secretary and one (1) Office Assistant II from the Training and Employment Center Division and adding one (1) Secretary and one (1) Office Assistant II to the Social Services Division, effective December 4, 2004.

**S.** Human Resources Director requests adoption of a resolution regarding the following in connection with the District Attorney's Office, effective November 30, 2004:

1. Amend the Departmental Allocation List to add one (1) Supervising District Attorney's Investigator and delete one (1) subsequent vacancy;
2. Amend the Table and Index to add a Supervising District Attorney's Investigator; and
3. Amend appropriate policies to add Supervising District Attorney's Investigator.

**T.** Human Resources Director requests adoption of a Resolution of Intention to approve amending the contract with the Board of Administration of the California Public Employees' Retirement System to provide for employee's sharing the cost of the retirement benefit and receiving tax deferral of that shared cost effective January 15, 2005 for all safety employees.

**U.** Human Resources Director requests approval of a fifty-one (51) day extension of Leave Without Pay for a Licensed Mental Health Counselor in the Behavioral Health Division of the Health and Human Services Agency from November 10, 2004 through December 31, 2004.

- V. County Executive Officer requests adoption of a resolution appointing Hillary E. Gitelman as Director of Conservation, Development, and Planning and Napa County Zoning Administrator to serve at the will of the Board of Supervisors.
- W. Approve minutes of the meeting held November 9, 2004.

## 7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

## 8. SET MATTERS OR PUBLIC HEARINGS

### A. 9:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by the Howell Mountain Mutual Water Company to a decision by the Conservation, Development and Planning Commission on August 18, 2004 to approve Use Permit request No. PO4-0180-UP and variance request No. P04-0329 to modify a small winery use permit exemption for Outpost Wines to allow two winery buildings to encroach 20-40 feet into the required 300 foot private road setback, and to (1) increase production capacity from 20,000 gallons to 30,000 gallons per year; (2) replace two buildings totaling 2,700 sq. ft. with two buildings totaling 6,820 sq. ft.; (3) a 2,335 sq. ft. covered fermentation building and a 3,500 sq. ft. uncovered crush pad; (4) custom crushing activities for up to 3 custom producers utilizing 50% (15,000 gallons) of the total approved winery production; (5) add tours and tasting by appointment only with 4 visitors/day maximum, average of 6 visitors per week; (6) add a marketing plan consisting of: 5 events per year with a maximum of 25 people per event and two events per year with a maximum of 50 people per event; (7) add one part time employee for a total of one full-time and 2 part-time employees; (8) construct a special design wastewater system. The project is located on a 42.3 acre parcel on the south side of Summit Lake Drive approximately 3/4 mile from its intersection with White Cottage Road North, within an Agricultural Watershed (AW) Zoning District. (Assessor's Parcel No. 018-200-026)

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area: Biological Resources, Hydrology/Water Quality.

### B. 10:45 AM

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

### C. 11:15 AM PUBLIC HEARING

First and final reading and adoption of an ordinance amending Agreement No. 1464 with the Board of Administration of CalPERS to provide 2.5% of final compensation at age 55 for County miscellaneous employees pursuant to Government Code Section 21354.4.

**D. 1:30 PM PUBLIC HEARING**

Consideration and tentative decision regarding an appeal filed by The Highlands at Silverado Owners Association to a decision by the Conservation, Development and Planning Commission on September 15, 2004 to approve Tentative Parcel Map #04147-PM to divide a 455 acre site into two parcels consisting of 215 acres (Parcel 1) and 240 acres (Parcel 2). The site is generally located to the east of the Silverado subdivisions, south of Atlas Peak Road, and north of Monticello Road within an Agricultural Watershed (AW) Zoning District. (Assessor's Parcel Nos. 061-040-004 and 061-180-001 (Split for assessment purposes)).

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: aesthetics, air quality, biological resources, geology and soils, hydrology and water quality, and noise.

**(CONTINUED FROM OCTOBER 26, 2004)**

**9. ADMINISTRATIVE ITEMS**Public Safety

- A. Discussion and direction to staff to initiate a process to develop an Adult Correctional System Master Plan that will identify and address the County's jail and other adult corrections needs over the next 20 years.

Community Resources & Infrastructure

- B. Discussion and possible action regarding the preparation and submittal of a grant application to the State Department of Water Resources for pursuit of a ground water study in the Carneros region in partnership with the Association of Bay Area Governments (ABAG). (Supervisors Rippey and Wagenknecht)

General Admin & Finance

- C. County Executive Officer requests adoption of a resolution authorizing a loan from the Affordable Housing Fund to the Napa County Health and Human Services Department, in the amount of \$900,000, to assist in the acquisition of a homeless shelter to be located on the Gasser Foundation property in the City of Napa.
- D. County Executive Officer requests adoption of a resolution authorizing a loan from the Affordable Housing Fund, in the amount of \$1,000,000, to Napa Valley Community Housing, to help fund the development of approximately 200 units of affordable housing on property acquired in the City of Napa.
- E. County Executive Officer requests the appointment of two members of the Board of Supervisors to the Ad Hoc Transportation Sales Tax Committee of the Napa County League of Governments (NCLOG).

**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 - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:  
(Two cases)

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

Title: Director of Child Support Services

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

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, DECEMBER 07, 2004  
AT 9:00 A.M.**