



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday December 07, 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

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

- A. Presentation of Retirement Resolution No. 04-188 to Will Selleck, Supervising Planner, in recognition of over 27 years of service.

- B. Presentation of Retirement Resolution No. 04-189 to Joanne Sorenson, Public Health Nurse, in recognition of over 21 years of service.

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**Human Services

- A. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 3741 with Queen of the Valley Hospital of Napa, California, for a maximum of \$70,000 for the term July 1, 2004 through June 30, 2005 to provide indigent medical services.

- B. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6232 with Sunny Hills Children's Garden incorporating agency-wide changes to the General Terms and Conditions and revising the Scope of Work and the rate structure for payment for Fiscal Year 2004-2005.

- C. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6245 with Mark Duerr, dba Duerr Evaluation Resources, modifying the budget for program evaluation services for the Safe and Drug Free Schools and Communities grant.

Community Resources & Infrastructure

- D. Acting Director of Conservation, Development and Planning requests approval of and authorization for the Chair to terminate Agreement No. 6228 with Raney Planning and Management and sign an agreement with Environmental Science Associates (ESA) for \$159,985 for the term December 7, 2004 through June 30, 2005 to prepare a California Environmental Quality Act (CEQA) document for Artesa Vineyards and Winery (Codorniu Napa Inc.), #01226-ECPA. (Assessor's Parcel No. 032-540-018)

- E. Director of Public Works requests award of the contract for the "Hall of Justice Planning Remodel Project," PW 04-19, to Murray Building of Sonoma, California, for their low base bid of \$33,905, and authorization for the Chair to sign the construction contract.

- F. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Lease Agreement No. 1905 with Progress Foundation for County owned space located at 720-730 Randolph Street reimbursing the County \$50,160 annually and extending the term through June 30, 2005.

- G. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4395 with RedPhantom Enterprises, Inc., successor in interest of BD Morgan Investigations Group extending the term through June 30, 2005 to provide security services for property owned and/or occupied by Napa County.

General Admin & Finance

- H. Human Resources Director requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4527 with Job Care Medical Services Program of St. Helena Hospital and Health Center amending the service and fee schedule to include respiratory protection exams, respiratory questionnaire reviews, and respiratory mask fit tests.

- I. Human Resources Director requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6364 with Managed Health Network amending the definitions to redefine eligible participants and amending the Scope of Work to increase the number of counseling sessions available per eligible participant for the County's Employee Assistance Program (EAP), effective September 1, 2004.

- J. Human Resources Director requests adoption of a resolution regarding a conversion of a service retirement to an industrial disability retirement with Public Employee's Retirement System (PERS) retroactively effective to January 29, 2000.

- K. Human Resources Director requests adoption of a resolution regarding the following in connection with the Coroner's Division of the Sheriff's Department, effective December 7, 2004:
1. Amend the Departmental Allocation List to add one (1) Coroner Forensic Technician; and
 2. Amend the Table and Index to add Coroner Forensic Technician.
- L. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with the County of Sonoma, Human Services Department for a maximum of \$210,774 for the term October 1, 2004 through June 30, 2005 to implement Projects INCLUSION Year 4, CHOICE, COMPASS and TIME for people with disabilities seeking employment.
- M. County Executive Officer requests the reappointment of Frank Cabral to serve as the Napa County representative on the Napa County Mosquito Abatement District Board of Trustees with the new term of office to begin January 1, 2005 and expire December 31, 2008.
- N. County Executive Officer requests the appointment of Helmuth "Karl" Nittka representing the Yountville community to serve on the Community Emergency Response Team Training Advisory Committee (CERT TAC) with the term of office to commence immediately and expire June 30, 2006.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:15 AM PUBLIC HEARING

County Executive Officer requests authorization for the Chair to sign a Letter of Public Convenience or Necessity allowing the issuance of a new Type 20 Retail Off-Sale Alcoholic Beverage License at 6380 Silverado Trail, Napa, California.

B. 9:25 AM PUBLIC HEARING

Acting Director of Conservation, Development and Planning requests adoption of five resolutions relating to Williamson Act Agricultural Preserve contracts:

1. One resolution approving four new contracts for 2004 with the following applicants:
 - i. Douglas Pierce, in the general location of Butts Canyon Road;
 - ii. Clarence and Carol Kent, in the general location of Curry Lane;
 - iii. Leonardini Family Vineyards, in the general location of Silverado Trail and Deer Park Road; and
 - iv. Petrus and Hortense Bekker, in the general location of Spring Mountain Road.

2. Three resolutions rescinding three existing contracts and replacing the same with six new contracts:
 - i. One with Brian and Claudia Fleury and two with Beckstoffer Vineyards, all in the general location of Galleron Lane;
 - ii. Richard and Helene Poe, in the general location of Partrick Road; and
 - iii. One with Marjorie Brown and another with Garrett and Beverly Brown, both in the general location of Atlas Peak Road.
3. One resolution amending six existing contracts with one associated new contract.
 - i. Volker and Liesel Eisele, in the general location of Lower Chiles Valley Road;
 - ii. Clark Holden, Kenneth Clark and Ruth Moale, in the general location of Wooden Valley Road;
 - iii. Two with Stag's Leap Wine Cellars, both in the general location of Silverado Trail;
 - iv. Bouchaine Vineyards, in the general location of Buchli Station Road;
 - v. Carneros Pacific, LLC, also in the general location of Buchli Station Road; and
 - vi. Jay Heminway, new contract, in the general location of Lower Chiles Valley Road.

C. 9:30 AM PUBLIC HEARING

Acting Director of Conservation, Development and Planning recommends:

1. Consideration and possible adoption of a resolution rescinding Resolution No. 86-53 (which adopted the 1986 County California Environmental Quality Act (CEQA) Guidelines) and Adopting Local Procedures for Implementing the California Environmental Quality Act.
ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 8: 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 8 ("Actions by Regulatory Agencies for Protection of the Environment") which may be found in the Guidelines for the implementation of the California Environmental Quality Act at 14 CCR 15308.]
2. Second reading and adoption of an ordinance amending Chapter 2.88 adding a new Section 2.88.050 (I) regarding environmental statements in connection with appeals.
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)].
(CONTINUED FROM SEPTEMBER 14, OCTOBER 5, AND OCTOBER 26, 2004)

D. 10:00 AM

Workforce Investment Board (WIB) to present annual report of accomplishments of the Workforce Investment and Job Connection.

E. 10:15 AM

County Counsel requests the Board consider and adopt a resolution of Decision on Appeal and Findings of Fact denying the appeal filed by The Highlands at Silverado Owners Association regarding the decision by the Conservation, Development and Planning Commission on September 15, 2004 to approve Tentative Parcel Map No. 04147-PM for the Silverado Napa Corporation to divide a 455-acre site into two parcels consisting of 215 acres and 240 acres within an Agricultural Watershed (AW) Zoning District. (Assessor's Parcel Nos. 061-040-004 and 061-180-001, split for assessment purposes) 1600 Atlas Peak Road.

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.

F. 10:30 AM

Acceptance of report from the Napa County Parks and Open Space Advisory Committee (NCPOAC) for consideration and possible action regarding the following:

1. Distribution of \$293,312 in Proposition 40 funds for projects as recommended by the Committee;
2. Approval of feasibility study to be conducted by Trust for Public Land (TPL) for a fiscal analysis of parks and open space;
3. Expansion of the Committee's mandate and extension of term to end of 2006; and
4. Recommendation to create a full-time professional-level position, with appropriate administrative support, dedicated to working on parks and open space issues.

G. 11:00 AM PUBLIC HEARING

Consideration and possible adoption of a resolution revising fees for certain Library services.

H. 1:30 PM

Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (See NCFCWCD Agenda).

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

- A. County Executive Officer to present the Task Force's final report on their review of the operations of the Office of the Registrar of Voters.

- B. County Executive Officer requests approval of and authorization for the Chair to sign a Parking Garage Cooperative Agreement with the City of Napa.

- C. County Executive Officer requests the appointment/reappointment of one of the following applicants to serve as the Board of Supervisors representative on the Golden Gate Bridge, Highway and Transportation District with the term to expire January 1, 2007:

Michael J. Baldini

Hans W. Korve

Barbara Lightner Pahre*

J. Paul Silvestri, Jr.

**Incumbent*

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: County Executive Officer

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, DECEMBER 14, 2004
AT 9:00 A.M.**