



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday February 28, 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

Pamela Miller, CMC
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**

Law & Justice

- A. Director of Child Support Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6252 with Cushman Computer Consulting, Inc. decreasing the related cost from \$4,800 a year to \$3,000 per year and changing the automated payment scanning system used by Napa County Child Support Services effective February 28, 2006.

Public Safety

- B. County Fire Chief requests authorization to accept a donation on behalf of the County Fire Department of a Zodiac boat and motor valued at \$3,500 from Michael Mondavi.

Human Services

- C. Director of Health and Human Services requests approval of the following actions regarding the provision of Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services by Aldea, Inc.:
 1. Authorization for the Chair to sign Amendment No. 1 to Agreement No. 6461 revising the Scope of Work to clarify additional regulatory requirements, add two treatment sites, and increase the amount by \$360,000 for a new maximum of \$800,000; and
 2. Budget Transfer No. 38, increasing appropriations by \$550,000 in the Mental Health budget with offsetting revenues from EPSDT and Medi-Cal billings to fund contract expenditures.
(4/5 vote required)

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Workforce Investment Act Subrecipient Release for the grant period April 1, 2003 through March 31, 2006.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Napa Valley Child Advocacy Network, Inc., dba Parent-Child Advocacy Network, for a maximum of \$30,000 for the term February 28, 2006 through June 30, 2006 to provide health care liaison services to families whose children are receiving services in the California Children's Services and Medical Therapy Programs.

Community Resources & Infrastructure

- F. Acting Director of Environmental Management requests adoption of a resolution authorizing an extension of the Napa County Abandoned Vehicle Abatement Authority, the Abandoned Vehicle Abatement Program, and the related one dollar vehicle registration fee for an additional ten years.

- G. Acting Director of Environmental Management requests the following:
 - 1. Adoption of a resolution creating a Solid Waste Local Task Force pursuant to Public Resources Code Section 40950; and
 - 2. Appointment of the Acting Director of Environmental Management or her designee representing Napa County to serve on the task force with the term of office to commence immediately and expire December 31, 2008.

- H. Acting Director of Environmental Management and Health Officer request adoption of a resolution authorizing the Director of Environmental Management to accept delegation from the Napa County Public Health Officer, within the unincorporated areas of Napa County, those duties allowed for under Chapter 570 of the Statutes of 2005 pertaining to abatement of public nuisances resulting from the contamination of real property by methamphetamine lab, to the extent permitted by Health and Safety Code section 25400.17(b).

- I. Director of Public Works requests award of the contract for the "Energy Efficient Mechanical Improvements for the Administration Building Project," PW 06-08, to American Mechanical Services, Inc., of Walnut Creek, California, for their low base bid of \$100,929 and authorization for the Chair to sign the construction contract.

- J. Director of Public Works requests adoption of a resolution accepting an In Kind Gift from Balloons Above The Valley.

General Admin & Finance

- K.** Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the following Audit Reports:
1. Health and Human Services Agency - Over the Counter Revolving Fund for the Fiscal Year ended June 30, 2005;
 2. Health and Human Services Agency - Family Preservation Revolving Fund for the Fiscal Year ended June 30, 2005;
 3. Health and Human Services Agency - Training and Employment Center Revolving Fund for the Fiscal Year ended June 30, 2005;
 4. Napa Special Investigations Bureau - Special Investigation Revolving Fund for the Fiscal Year ended June 30, 2005; and
 5. Department of Corrections - Inmate Cash Revolving Fund for the Fiscal Year ended June 30, 2005.
- L.** County Counsel requests approval of and authorization for the Chair to sign a revenue agreement with the Circle Oaks Water District for a maximum of \$1,000 for the term February 28, 2006 through June 30, 2006 and a maximum of \$5,000 per fiscal year for the term commencing July 1, 2006 for legal services.
- M.** County Counsel requests adoption of two resolutions authorizing consolidation of two special elections called by the City of American Canyon, with the statewide primary election to be held on June 6, 2006 for the following purposes:
1. Allow the voters of American Canyon to elect a Councilmember to fill a vacancy; and
 2. Allow the voters of American Canyon to determine whether the Office of Mayor should be an elected position, and if so, whether the term should be two years or four years.
- N.** County Executive Officer requests the following actions pertaining to the disability employment grants for people with disabilities seeking full employment:
1. Approval of Budget Transfer No. 54 appropriating \$274,367 in the Regional Training Employment budget with offsetting revenue from the State of California, Employment Development Department and the U.S. Department of Labor as follows (4/5 vote required):
 - a. \$189,920 from carry-in of Nurses Workforce Investment grant funds; and
 - b. \$84,447 from carry-in of INCLUSION Year 4 grant funds; and
 2. Approval of and authorization for the Chair to sign an agreement with the County of Sonoma, Human Services Department for a maximum of \$155,000 for the term July 1, 2005 through September 29, 2006 to implement Project INCLUSION and the Disability Program Navigator (DPN) project known as COMPASS; and
 3. Approval of and authorization for the Chair to sign an agreement with Private Industry Council of Solano County, Inc. dba Workforce Investment Board of Solano County, Inc. for a maximum of \$40,000 for the term July 1, 2005 through June 30, 2006 to implement the DPN project known as COMPASS.

- O. County Executive Officer requests approval of and authorization for the Chair to sign the renewal of Agreement No. 3295-B with the Arts Council of Napa Valley for a maximum of \$55,600 with offsetting revenue from the State of California, for the term July 1, 2005 through June 30, 2006 for the Arts in Mental Health Artist Program.
- P. County Executive Officer requests the appointment/reappointment of the following applicants to serve on the Tobacco Advisory Board with terms of office to commence immediately and expire January 31, 2008.

<u>Name</u>	<u>Representing</u>
Mark S. Hiza*	Community
Marti Palmer*	Health Care Organization
James S. Tennant	At Large
Fred H. Thieme*	At Large
R. Elaine Wilmes*	Educational Institution
James Joseph Young	Community

*Incumbents

- Q. County Executive Officer/Director of Emergency Services requests adoption of a resolution extending the Proclamation of Local Emergency declared by the Assistant County Executive Officer acting as the Director of Emergency Services on December 30, 2005 and confirmed by the Board of Supervisors by Resolution No. 06-02 on January 3, 2006.
- R. 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)

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:15 AM

County Counsel requests adoption of an ordinance calling a special election and consolidating it with the June 6, 2006 statewide primary election for the purpose of enabling the voters of Napa County to approve or reject Napa Valley Transportation Authority Ordinance No. 06-01.

B. 9:30 AM

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

C. 10:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Farella Braun and Martel on behalf of their client, Tom Gamble, of a decision by the Zoning Administrator (ZA) on November 23, 2005 to approve a minor use permit modification (P05-0301-MODMINOR) for the Villa Berryessa subdivision. The modification would permit stick-built units or modular units, adjust the approved lot configuration, adjust the overall layout and street alignment, decrease the amount of grading work, and relocate the water intake system to comply with the applicable conditions and mitigation measures as approved by the Napa County Board of Supervisors in 1997. Additionally, some conditions of approval require minor changes in the timing of implementation. The Zoning Administrator also made advisory recommendations regarding minor and non-substantive changes to the conditions of the related Tentative Map (95071-SUB) for consideration by the Board at the time the final map comes before them for action. The project is located on a ±141.84 acre parcel, on the north side of Pope Canyon Road approximately 1500 feet west of its intersection with Berryessa-Knoxville Road within a PD (Planned Development) zoning district and an area designated UR (Urban Residential) by the Napa County General Plan (Assessor's Parcel Number #019-080-003), Napa, CA.

ENVIRONMENTAL DETERMINATION: Addendum to a Supplemental Mitigated Negative Declaration to Environmental Impact Report - FEIR-038 prepared (State CEQA guidelines 15164 for minor changes to the project as approved by the Villa Berryessa Use Permit (95070-UP) and Tentative Map (95071-SUB)). (The proposed use permit modification does not constitute a substantial change to the project that would require major revisions to the prior environmental document due to the involvement of new significant environmental impacts. Also no substantial changes in circumstances under which the project would be undertaken and no new information of substantial importance necessitates additional review. An explanation of the decision not to prepare an additional environmental document is contained in the Addendum pursuant to State CEQA Guidelines Section 15164.)

D. 11:30 AM

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

E. 1:30 PM

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

F. 2:30 PM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by One True Vine LLC concerning the following:

1. Planning Commissioner David Graves' decision not to recuse himself; and
2. The Planning Commission's decision not to disqualify Commissioner David Graves from hearing and participating in the Planning Commission's use permit revocation hearing regarding One True Vine's use permit.

G. 4:30 PM

Recess to a joint meeting with the Napa City Council. (Napa City Hall)

1. Discussion and possible action to create a joint City and County Dangerous Dog Task Force.
2. Status report and presentation regarding financing strategies for the Soscol Gateway Implementation Plan including a Redevelopment Project Area and Community Facilities District.

(STAFF REPORTS TO BE PROVIDED SEPARATELY)

9. ADMINISTRATIVE ITEMS**Community Resources & Infrastructure**

- A.** Director of Conservation, Development and Planning requests adoption of a resolution waiving all but certain Building Permit Fees for repair of electrical, mechanical, plumbing systems, and if necessary, structural damage caused by the 05/06 New Year's Eve Flood.

General Admin & Finance

- B.** Appointment of Supervisor Brad Wagenknecht to serve on the Preschool For All Advisory Committee.

10. LEGISLATIVE ITEMS

- A.** Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)
- B.** Approval of and authorization for the Chair to sign a letter of support for SB 1226 – Surplus State Property: Napa County (Skyline Park). (Unanimous vote of the Board members present required)

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

1. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (Four cases)
2. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (One case)

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

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

Name of case: (EEOC Case No. 370-2005-02633)

15. ADJOURNMENT

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