



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday March 01, 2005 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  
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](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**

Public Safety

- A. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with the California Department of Forestry and Fire Protection for a maximum of \$5,554,011 for the term July 1, 2004 through June 30, 2005 for fire protection services.
- B. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Balzac Communications, Inc. for a maximum of \$100,000 for the term March 1, 2005 through September 30, 2005 for development and implementation of a "Firewise" public awareness campaign.

Human Services

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following two agreements with the California Department of Veterans Affairs:
  1. Renewal of Agreement No. 946, Subvention Certificate of Compliance, for release of the Fiscal Year 2004-2005 state funding for the County Veterans Service Office; and
  2. A Medi-Cal Certificate of Compliance committing the County to assist veterans in obtaining benefits from non-Medi-Cal funding sources.
- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4935 with Steven Boyd, LCSW, increasing the amount by \$2,000 for a new maximum of \$3,000 to provide additional counseling services in the Children's Behavioral Health and Child Welfare Services Programs.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments regarding the Safe and Drug Free Schools and Communities Grant:
1. Amendment No. 1 to Agreement No. 6255 with COPE Family Center, incorporating agency-wide changes to the General Terms and Conditions, revising the scope of work to include new principal objectives, revising the budget for the current grant year, and increasing the amount by \$22,112 for a new maximum of \$111,753; and
  2. Amendment No. 2 to Agreement No. 6254 with the Boys and Girls Club of Napa Valley, revising the budget for the current grant year.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6274 with Margaret Grimley, M.D., increasing the amount by \$5,000 for a new maximum of \$7,500 to provide services in the Mental Health Outpatient Managed Care Program.

#### Community Resources & Infrastructure

- G. Director of Public Works requests the following actions relating to the "Health and Human Service Agency Building G Re-Carpet Project," PW 04-22:
1. Rejection of the one and only bid received on February 3, 2005; and
  2. Approval of revised plans and specifications for the "Health and Human Service Agency Building G Re-Carpet Project," PW 04-22R, authorization to re-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.

#### General Admin & Finance

- H. Assessor-Recorder-County Clerk, Auditor-Controller and Treasurer-Tax Collector request:
1. Approval of and authorization for the Chair to sign an agreement with the State Department of Finance implementing participation in the State-County Property Tax Administration Grant Program for a grant amount of \$366,020 for 2004-2005; and
  2. Approval of Budget Transfer No. 70 increasing appropriations by \$329,860 in the Assessor, Tax Collector, Recorder, Auditor, County Executive Office, Board of Supervisors, County Counsel and Information Technology budgets for supplies, equipment, training, and staff time with offsetting revenues from the State-County Property Tax Administration Grant, Modernization and Vital Statistics Trusts. (4/5 vote required)
- I. Human Resources Director requests adoption of a resolution making certain technical amendments to the Management Classified, Management Non-Classified, Management Non-Classified (Other) and Confidential Management Compensation Plans relating to CPA Premium Pay, health benefits, insurances, and the designation of positions.

- J.** Human Resources Director requests adoption of a resolution approving equity adjustments for certain unrepresented employees using the same formula established and agreed to during the recently settled negotiations between the County and SEIU, Local 614.
- K.** Human Resources Director requests adoption of a resolution regarding the following actions relating to the Assessor-Recorder-County Clerk Department and its divisions, effective March 1, 2005:
1. Amend the Departmental Allocation List to:
    - a. Add one (1) Staff Services Manager, one (1) Assessment Records Supervisor, and one (1) Auditor Appraiser Limited Term (LT) through June 30, 2005; and
    - b. Delete one Assessment-Records Assistant II and one (1) additional resulting vacancy.
  2. Amend the Table and Index to delete Chief Deputy Recorder/County Clerk/Registrar and amend the salary table for Assessment Records Supervisor; and
  3. Amend appropriate policies to delete Chief Deputy Recorder/County Clerk/Registrar.
- L.** Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Human Resources Division of the County Executive Office with regards to deleting one (1) (Confidential) Office Assistant II and adding one (1) Office Assistant II position, effective March 1, 2005.
- M.** County Executive Officer requests approval of and authorization of the following actions pertaining to the Napa County Community Indicators Project:
1. Agreement with the University of California at Santa Barbara - Economic Forecast Project for a maximum of \$24,500 for the term December 15, 2004 through July 30, 2005 for assistance in the research and development of a community indicators report; and
  2. Budget Transfer No. 71 appropriating \$19,520 in the Regional Training Employment budget, with offsetting revenue from the Napa County Community Indicators Fund, a component fund of the Community Foundation of Napa Valley. (4/5 vote required)
- N.** County Executive Officer requests approval of Budget Transfer No. 61 required to support Affordable Housing Fund expenditures approved by the Board of Supervisors at their November 30, 2004 meeting, as follows (4/5 vote required):
1. Transfer of \$1,000,000 from the Affordable Housing Fund balance to the Lincoln Avenue Project; and
  2. Transfer of \$900,000 from the Affordable Housing Fund balance to the South Napa Homeless Shelter Project.
- O.** County Executive Officer requests adoption of a resolution pertaining to the acceptance or rejection of gifts, bequests or devises, as authorized by Government Code Section 25355.

- P. County Executive Officer requests the following actions relating to the Napa County Family Violence Prevention Council:
1. Dissolve the Napa County Family Violence Prevention Council effective immediately; and
  2. Delete the Napa County Family Violence Prevention Council from Part II, Section 13 of the Napa County Policy Manual.
- Q. County Executive Officer requests the appointment of Wendy A. Wallin to serve on the Area Agency on Aging Serving Napa and Solano Counties with the term of office to commence immediately and expire July 1, 2005.
- R. County Executive Officer recommends the appointment of Michael Scully representing private sector business to the Napa Valley Workforce Investment Board (NVWIB) with the term of office to commence immediately and expire as determined by the NVWIB.
- S. Approve minutes of the meetings held January 25, February 1, 8 and 15, 2005.

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

## 8. SET MATTERS OR PUBLIC HEARINGS

### A. 9:15 AM

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

### B. 9:15 AM

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

### C. 9:45 AM PUBLIC HEARING

Auditor-Controller requests consideration and possible adoption of resolution establishing the property tax administration fee allocation for public entities in Napa County for Fiscal Year 2004-2005, for services rendered in Fiscal Year 2003-2004, as authorized by Chapter 3.44 of the Napa County Code Section 95.3 of the Revenue and Taxation Code.

### D. 9:50 AM PUBLIC HEARING

Auditor-Controller requests consideration of and possible adoption of resolution decreasing the Criminal Justice Administrative Fee (booking fee) from \$116 to \$54 per booking, effective July 1, 2005, pursuant to Section 29550 of the California Government Code.

**E. 10:00 AM**

County Executive Officer recommends that your Board review and accept the Fiscal Year 2004-2005 Mid-Year Fiscal Review and approve the following budget transfers (4/5 vote required):

1. Budget Transfer No. 62, appropriating \$177,504 in the Health Department Budget, with offsetting revenues from the State Bioterrorism Grant, to fund Bioterrorism Grant-related activities; and
2. Budget Transfer No. 66 in the amount of \$97,937 from General Fund Designations, increasing appropriations in the Health Department budget to fund Bioterrorism Grant-related activities and facility improvements at the Family Health Clinic.

**F. 11:00 AM**

Recess to the dedication of the new Sheriff's Facility, 1535 Airport Boulevard, Napa.

**G. 2:30 PM PUBLIC HEARING**

Consideration and possible action on an appeal filed by Mr. Tom Futo to a partial denial by the Director of Public Works of a road improvement exception requested by the appellant in connection with the application for Use Permit # 04029-UP for property located at 1575 Oakville Grade (Assessor's Parcel No. 027-360-018).

**ENVIRONMENTAL DETERMINATION:** The appeal of the Director's determination on the road exemption 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 exemption 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 JANUARY 11 AND JANUARY 25, 2005)**

**H. 3:00 PM PUBLIC HEARING**

Director of Environmental Management requests adoption of two resolutions establishing, increasing and decreasing fees for services provided by the Environmental Management Department.

**9. ADMINISTRATIVE ITEMS****Law & Justice**

- A. Director of Child Support Services requests discussion and possible action regarding taking necessary actions to address a projected budget shortfall for Fiscal Year 2005-2006 including elimination of up to four positions.

General Admin & Finance

- B. First reading and intention to adopt an ordinance making administrative and procedural amendments to portions of Chapters 2.12 (County Auditor), 2.88 (Appeals), 5.20 (Cleaning of Septic Tanks), 5.40 (Peddling and Soliciting), 8.16 (Noise Control Regulations), and 13.15 (Groundwater Conservation) of the Napa County Code.

**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)].

**10. LEGISLATIVE ITEMS**

- A. Approval of and authorization for the Chair to sign a letter of support for HR 233/S 128 - the Northern California Coastal Wild Heritage Wilderness Act.

**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: Public Defender

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

Name of case: Bart Properties, Inc. vs. County of Napa, (Napa County Superior Court Case No. 26-27921)

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, MARCH 08, 2005  
AT 9:00 A.M.**