



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday March 11, 2008 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

Gladys I. Coil  
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.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the office of the Clerk of the Board of Supervisors, 1195 Third Street, Suite 310, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

**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 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. APPROVAL OF MINUTES****4. PRESENTATIONS AND COMMENDATIONS**

- A. Human Resources Director to introduce new County of Napa employees.
  
- B. Disabled American Veterans Chapter 48 to thank the Board of Supervisors for supporting "A Day on the Bay on the Freedom Boat."

**5. 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.

**6. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS****7. CONSENT ITEMS**Public Safety

- A. Sheriff requests approval of and authorization for the Chair to sign an agreement with the Napa Valley College for the term March 11, 2008 through June 30, 2010 to provide firearms training for sworn peace officers employed by Napa Valley College.
  
- B. Sheriff requests approval of Budget Transfer No. 28 transferring \$12,114 from Off Highway Motor Vehicle Expenses to Equipment within the Sheriff's budget and establishing a fixed asset in the amount of \$12,114 for the purchase of two off-highway motorcycles. (4/5 vote required)

Human Services

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 3236 with Queen of the Valley Medical Center, Inc., through its CARE Network Program, incorporating the details of the grant agreement between the County and the California Department of Health Services outlining the requirements of the grant, and extending the term through March 31, 2009 to provide case management services under the Ryan White Comprehensive AIDS Resources Emergency (CARE) Program.

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4402 with Davis Guest Home increasing the amount by \$160,000 for a new maximum of \$460,000 to provide residential mental health services.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6361 with Willow Glen Care Center increasing the amount by \$62,050 for a new maximum of \$124,100, incorporating a second residential mental health facility, Rosewood Care Center, into the Scope of Work and revising the Compensation Section to reimburse the contractor for services provided at Rosewood Care Center for the provision of residential mental health services.
- F. Director of Health and Human Services requests approval of the following actions regarding the Transitional Housing Program-Plus (THP-Plus) for emancipated foster youth in Napa County:
1. Authorization for the Chair to sign Amendment No. 1 to Agreement No. 6843 with Progress Foundation, Inc., increasing the amount by \$301,289 for a new maximum of \$577,841, revising the Scope of Work to increase the number of youth served, and revising the Compensation section to reimburse the contractor for an increase in the number of clients served; and
  2. Budget Transfer No. 29 appropriating \$443,731 in the Social Services budget, with offsetting revenues from the State Department of Social Services to fund contract expenditures (4/5 vote required)
- G. Director of Health and Human Services requests approval of the following:
1. Authorization for the Chair to sign a revenue agreement with the State Department of Alcohol and Drug Programs for a maximum of \$1,101,144 for the term October 1, 2007 through September 30, 2012 for the Safe and Drug Free Schools and Communities grant;
  2. Authorization to delegate authority for the Director of Health and Human Services to sign all claims for reimbursement to the State Department of Alcohol and Drug Programs under the Safe and Drug Free Schools and Communities grant; and
  3. Budget Transfer No. 26 increasing appropriations in the Substance Abuse Services budget with offsetting revenues from the Safe and Drug Free Schools and Communities grant in the amount of \$238,693 to fund program expenditures. (4/5 vote required)

#### Community Resources & Infrastructure

- H. Director of Public Works requests adoption of a resolution temporarily closing a portion of Henry Road from 7:00 A.M. to 10:00 A.M. on Saturday, April 5, 2008, for the Carneros Vineyard Run.
- I. Director of Public Works requests approval of and authorization for the Chair to sign a License Agreement with Napa Valley Vending for annual reimbursement to the County of \$840, for the term March 11, 2008 through March 10, 2011, with an option to automatically renew at the end of each such term for an equivalent period, for the installation, replenishment of items and maintenance of vending machines in County owned buildings.

General Admin & Finance

- J.** Assessor-Recorder-County Clerk requests Board declaration of the results of the Measure K election under its jurisdiction as set forth in the Certified Statement of Vote (Official Canvass) for the Presidential Primary Election held on Tuesday, February 5, 2008 pursuant to the Elections Code Sections 15300-15400.
- K.** Director of Community and Intergovernmental Affairs requests adoption of a resolution and approval of and authorization for the Chair to sign a letter supporting the creation of a Calistoga American Viticultural Area (AVA) and protecting wine industry practices of truth-in-labeling and nesting of AVA appellations. (**UNANIMOUS VOTE REQUIRED**)
- L.** County Counsel requests approval of the recently amended Conflict of Interest Code for the Napa County Winegrape Pest and Disease Control District.
- M.** County Counsel requests approval of the Conflict of Interest Code for the Napa County Housing Commission.
- N.** Human Resources Director requests the adoption of a resolution amending the Departmental Allocation List and Table and Index of Classes for the Assessor-Recorder-County Clerk as follows, effective March 22, 2008.
1. Amend the Departmental Allocation list to:
    - a. Delete:
      - i. Two (2) Senior Assessment-Records Assistants; and
      - ii. One (1) Transfer Mapping Technician.
    - b. Add:
      - i. One (1) Mapping and Title Technician;
      - ii. One (1) (S) Mapping and Title Supervisor; and
      - iii. Two (2) Title Technicians.
    - c. Delete subsequent vacancy resulting from departmental promotion to Mapping and Title Supervisor.
  2. Amend the Table and Index of Classes to add:
    - a. Mapping and Title Supervisor;
    - b. Mapping and Title Technician; and
    - c. Title Technician.
  3. Amend appropriate personnel polices to add reference to the Mapping and Title Supervisor.

- O. County Executive Officer request the following appointments be made to the Building Board of Appeals with terms to commence immediately and expire July 1, 2008.

<u>Applicants</u>	<u>Representing</u>
Thomas Andrews	Voting Member
James Asbury	Voting Member
Jerry Foster	Voting Member
Stephen Silva	Voting Member
Wayne Holland	Voting Member (qualified to pass upon matters pertaining to disability access)

- P. Assistant Treasurer-Tax Collector requests authorization to transfer an irreconcilable balance from the Tax Collector's Refund Trust Fund to the General Fund in the amount of \$7,246.17.

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

## 9. SET MATTERS OR PUBLIC HEARINGS

### A. 9:00 AM PUBLIC HEARING

Auditor-Controller requests consideration and possible adoption of a resolution establishing the property tax administration fee allocation for public entities in Napa County for Fiscal Year 2007-2008, for services rendered in Fiscal Year 2006-2007, as authorized by Chapter 3.44 of the Napa County Code Section 95.3 of the Revenue and Taxation Code.

### B. 9:15 AM

County Executive Officer and Auditor-Controller to discuss status of prefunding the County's Other Post Employment Benefits through the California Employer's Retiree Benefit Trust Program and request approval of and authorization for the Chair to sign the following documents upon conclusion of negotiations with CalPERS:

1. An agreement with California Public Employees' Retirement System (CalPERS) for a maximum contribution of \$5,900,000 for Fiscal Year 2007-08 which includes current year premium payments; and
2. Delegation of Authority to Request Disbursements.

### C. 9:45 AM

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County special meeting (See IHSS Agenda).

**D. 10:00 AM PUBLIC HEARING**

County Fire Chief requests first reading and intention to adopt an ordinance amending Chapter 8.36 of the Napa County Code for fire hazard abatement in the unincorporated areas including the addition of requirements consistent with Public Resources code section 4291, changing the appeal process, modifying the methods required for notice of violations, and clarifying neighboring property owner responsibilities for fuel modification.

**ENVIRONMENTAL DETERMINATION:** The project consists of the adoption of an ordinance changing enforcement mechanisms for gaining compliance with current standards and does not change any current fuel management standards. The proposed ordinance does not have the potential to result in a direct or indirect change to the environment, and therefore does not meet the definition of a "project" under the California Environmental Quality Act (CEQA) pursuant to Section 15378(a). Furthermore, fuel management activities presently authorized under the proposed and current ordinance are categorically exempt from the provisions of CEQA pursuant to Section 15304(i).

**E. 10:45 AM PUBLIC HEARING**

First reading and intention to adopt an ordinance amending Chapter 6.04 (Animal Control and Rabies Prevention), Chapter 6.08 (Kennels, Zoos and Animal Exhibits), and Chapter 6.12 (Beehives) of the Napa County Code.

**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.

**(CONTINUED FROM NOVEMBER 20, DECEMBER 11, 2007 AND JANUARY 29, 2008; STAFF REQUESTS CONTINUANCE TO APRIL 22, 2008 AT 9:30 AM)**

**F. 11:00 AM PUBLIC HEARING**

County Counsel requests the following actions relating to the County's 2006 Conflict of Interest Code:

1. Accept public testimony at the Public Hearing regarding objections or protests with respect to amending the Code; and
2. Close the Public Hearing and adopt the proposed resolution amending the 2006 Conflict of Interest Code.

**G. 11:15 AM**

Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Audit Reports for the following Napa County District Attorney grant audit reports:

1. Violence Against Women Vertical Prosecution Program;
2. Vertical Prosecution Block Program;
3. Gang Violence Suppression Program;
4. Spousal Abuser Prosecution Program;
5. Northern California Computer Crimes Task Force; and
6. Anti-Drug Abuse Enforcement Program.

**H. 11:30 AM**

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

**10. ADMINISTRATIVE ITEMS**General Admin & Finance**A. PUBLIC HEARING**

First reading and intention to adopt an ordinance amending Agreement No. 1464 with the Board of Administration of CalPERS to provide Fourth Level 1959 Survivor Benefits for employees who receive safety retirement benefits.

**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.

- B.** County Executive Officer recommends that the Board choose one of the following in regards to the compensation for an elected officer's Chief Deputy who temporarily discharges duties of the elected officer pursuant to Government Code Section 24105:
1. Keep the Napa County Policy Part I: Section 37C-5 adopted by the Board on December 18, 2007 which allows for the Chief Deputy to be compensated at the level of the Elected official during the temporary assignment;
  2. Amend the Napa County Policy Part I: Section 37C-5 to have the Chief Deputy receive 5% out of class pay during the temporary assignment; or
  3. Amend the Napa County Policy Part I: Section 37C-5 to have the Chief Deputy compensated in the same manner as the chief deputy of an appointed department head when serving as the "Acting Department Head". This entails creating a salary step system for the elected officials solely for the purpose of compensating the Chief Deputy during the temporary assignment.
- C.** County Executive Officer requests that the Board review and accept the Fiscal Year 2007-08 Mid-Year Fiscal Review.

**11. LEGISLATIVE ITEMS****12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS****13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS****14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS**

**15. CLOSED SESSION**

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

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:  
(One case)

**16. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MARCH 18, 2008  
AT 9:00 A.M.**