



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday March 14, 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](http://www.co.napa.ca.us)**

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

- A. Presentation of a proclamation declaring March, 2006 as "Professional Social Work Month" in Napa County.

**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. Chief Probation Officer requests adoption of a resolution approving the Application for the Juvenile Accountability Block Grants (JABG) Program Set-Aside Grant with the Corrections Standards Authority (CSA) for the period March 1, 2006 through November 30, 2006 in the amount of \$171,029 to provide accountability-based programs for juvenile offenders.

Public Safety

- B. Napa Special Investigations Bureau (NSIB) Governing Board requests approval of the following distribution totalling \$108,347 from seized and forfeited funds from narcotic/drug trafficking investigations in Napa County for Fiscal Year 2005-2006 (4/5 vote required):

1. Napa Sheriff's Department	41.5%	\$44,964
2. Napa Police Department	23.5%	25,462
3. Bureau of Narcotic Enforcement	11.0%	11,918
4. St. Helena Police Department	9.0%	9,751
5. Calistoga Police Department	9.0%	9,751
6. Napa Probation Department	6.0%	6,501

Human Services

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6452 with S.P. Resources, Inc., dba MedSource Consultants, increasing the amount by \$115,000 for a new maximum of \$220,000 for the provision of temporary psychiatrist placement services.

Community Resources & Infrastructure

- D. Director of Conservation, Development and Planning requests the following actions relating to the Water for Fish and Farms (WFF) grant application submitted by the Napa County Resource Conservation District to the CALFED Watershed Program:
1. Approval of and authorization for the Chair to sign a letter in support of the WFF grant application; and
  2. Approval of and authorization for the Watershed Information Center & Conservancy (WICC) Board to participate in WFF grant related activities.

General Admin & Finance

- E. County Counsel requests adoption of a resolution approving the following request for exemption from the 2005-2006 assessments for County Service Area No. 4:

<u>Owner</u>	<u>Assessor's Parcel No.</u>
Harold Moskowitz, TR et al.	032-420-011-000

- F. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6395 with John Pearson increasing the amount by \$50,000 for a new maximum of \$120,000 and amending the Scope of Work to include facilitating the Adult Correctional System Master Plan process.
- G. County Executive Officer requests the appointment/reappointments of the following individuals to the Mental Health Board with the terms of office to commence immediately and expire January 1, 2009.

<u>Name</u>	<u>Representing</u>
Angelica Fernandez*	Family Member of Consumer
Beryl Nielsen**	Interested and Concerned Citizen
Gerald S. Levin**	Interested and Concerned Citizen
Dennis Craig Simpson**	Interested and Concerned Citizen

\*Recommended by the Mental Health Board

\*\*Incumbent/Recommended by the Mental Health Board

- H. 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.
- I. County Executive Officer/Purchasing Agent and Director of Public Works request the following concerning disposal of a fixed asset:
1. Declare Asset # 8844, a mobile file system, as surplus and no longer required for public use; and
  2. Authorize the Purchasing Agent to sell Asset # 8844, for cash, by sealed bid public auction in accordance with Government Code Section 25363 and Napa County Code Sections 2.36.040 and 2.36.130. (4/5 vote required)
- J. Second reading and adoption of an ordinance amending Section 2.71.100 of the Napa County Code to require the First 5 Children and Families' Commission to measure the outcomes of its funded programs.
- ENVIRONMENTAL DETERMINATION:** Categorical Exemption Class 6: 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. The project will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity will have significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, cause substantial adverse change in the significance of a historical resource or extract groundwater in excess of the Phase 1 groundwater extraction standards as set by the Department of Public Works. [See Class 6 ("Information Collection") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15306.]

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

## 8. SET MATTERS OR PUBLIC HEARINGS

### A. 9:10 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by attorney James Rose on behalf of Lucia Abreu Vineyard, Howell Mountain, LLC of a decision by the Conservation, Development and Planning Commission on December 7, 2005, to approve Marc and Janice Mondavi's Rocky Ridge Winery Use Permit Application No. 05-0056-UP to: (1) construct a new 35,000 gallon per year winery and associated improvements including a new, two story 17,130 sq. ft. winery production facility (crushing, fermentation, barrel aging and storage, bottling, case good storage, administrative offices and laboratory); a cave; outdoor crush and grape delivery pad; five employees; parking; tours and tasting by appointment; retail wine sales by appointment; a marketing plan; and an on-site wastewater system; and (2) allow an exception to the County's Conservation Regulations (Section 18.108.027 (B)) to allow retention of less than the minimum of 60% tree canopy and 40% brush/grass cover existing on the parcel as it was configured on June 16, 1993, on a 20.65 acre parcel

on the north side of Las Posadas Road, approximately 1/2 miles west of its intersection with Cold Springs Road and located at 383 Las Posadas Road, Angwin, APN 024-300-065. The project is located within an Agricultural Watershed: Airport Compatibility Overlay (AW:AC) zoning district and is designated in the General Plan as Agriculture, Watershed and Open Space (AWOS).

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project may have, if mitigation measures are not included, potentially significant impacts in the following areas: noise and transportation.

**(BOTH PARTIES HAVE AGREED TO CONTINUE THIS ITEM TO APRIL 18, 2006 AT 10:30 A.M.)**

**B. 9:15 AM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by Tom Carey of Dickenson, Peatman & Fogarty, on behalf of their client, Mr. Bill Smith, to a partial denial by the Director of Public Works of a road improvement modification requested by the appellant in connection with the application for Use Permit # 02057-UP for a property located at 1181 Las Posadas Road, Angwin. (Assessor's Parcel No. 025-060-001)

**ENVIRONMENTAL DETERMINATION:** The appeal of the Director's determination on the road modification 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 modification 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.

**C. 10:15 AM**

County Executive Officer requests that the Board review and accept the Fiscal Year 2005-2006 Mid-Year Fiscal Review and approve the following budget transfers and other fiscal actions (4/5 vote required):

1. Budget Transfer No. 56, appropriating \$153,000 in the Conflict Public Defender budget and reducing the General Fund Contingency by an equivalent amount, to cover attorney fees and other costs related to a number of murder cases.
2. Budget Transfer No. 57:
  - a. Appropriating an additional \$2,511,455 in the County Contributions budget, canceling a \$1 million General Fund designation for the Parking Garage and reducing the General Fund Contingency by \$1,511,455, to allow for a transfer of funds to the County Center Improvement Fund to cover the County's Parking Garage construction obligations under the Parking Garage Cooperative Agreement with the City of Napa and to pay certain other relocation costs related to facilities on the site currently designated for the downtown Napa Parking Garage.
  - b. Appropriating an additional \$6,471,087 in the Parking Structure budget in the County Center Improvement Fund, with offsetting revenues from the General Fund-County Contributions budget (\$2,225,087) and the City of Napa (\$4,246,000), to fund design and construction costs related to the downtown Napa Parking Garage project.
  - c. Appropriating \$329,696 in the new Homeless Shelter budget in the County Center Improvement Fund, with offsetting revenue from the General Fund-County Contributions budget (\$66,568) and the Napa Vintner's Association and other sources (\$263,128), to fund costs related to the relocation of the Homeless Shelter from the site currently designated for the downtown Napa Parking Garage project.

- d. Appropriating \$197,000 in the new Bella Drive budget in the County Center Improvement Fund, with offsetting revenues from the General Fund-County Contributions budget (\$177,800) and the City of Napa Housing Authority (\$19,200), to fund costs related to the relocation of the Progress Foundation facilities from the site currently designated for the downtown Napa Parking Garage project.
  - e. Appropriating \$42,000 in the new Other Relocations budget in the County Center Improvement Fund, with offsetting revenues from the General Fund-County Contributions budget to pay costs associated with relocating the County's Property Management and Communications facilities from the site currently designated for the downtown Napa Parking Garage project.
3. Authorization to transfer \$171,590 from the SB 163 Trust Account to the Social Services Division budget, to cover additional costs related to providing services for high risk children and their families.

**D. 10:45 AM**

Presentation and progress update by the Napa Sanitation District of its "Strategic Plan for Recycled Water Use in the Year 2020".

**E. 11:00 AM**

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

**9. ADMINISTRATIVE ITEMS**

General Admin & Finance

- A.** County Executive Officer requests the following appointments to the Napa Child Care Planning Council with the terms of office to commence immediately and expire as indicated.

At Large Representative - Term Expires June 30, 2007

Sara Featherstone\*

Community Representative (One Position) - Term Expires June 30, 2006

Cynthia Dianne Meza

Herbert Salinger\*

Consumer Representative - Term Expires June 30, 2007

P. Angela Murry-Smith\*

\*Recommended by the Child Care Planning Council

- B.** County Executive Officer requests the Board receive a status report on discussions with the City regarding the proposed downtown Napa Parking Garage and provide any direction regarding this issue your Board deems appropriate.

**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)

**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: Library Director

- B. **PUBLIC EMPLOYEE APPOINTMENT/ONGOING RECRUITMENT OF THE FOLLOWING POSITIONS** (Government Code Section 54957):

Director of Environmental Management  
Director of Corrections  
Mental Health Director

- C. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8)

Property: Assessor's Parcel Nos. 003-213-008, 003-213-009, 003-213-010  
Agency Negotiator: Robert Peterson, Director of Public Works  
Negotiating Parties: City of Napa  
Under Negotiation: Price and terms of payment

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

Name of case: Jorge Deharo, Hector Olvera, Latinos Unidos de Napa, an Unincorporated Association v. County of Napa et. al. (Case No. 26-22255)

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, MARCH 21, 2006  
AT 9:00 A.M.**