



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday March 18, 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

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES**

- A. Clerk of the Board requests approval of minutes of the meetings held on February 5, 2008 (Supervisor Dillon was excused)*.

*Excused Supervisor(s) will be recorded as abstained unless Supervisor indicates otherwise.

4. PRESENTATIONS AND COMMENDATIONS**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**Human Services

- A. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 3534 with Mental Health Consumer Concerns, Inc., decreasing the amount by \$4,319 for a new maximum of \$101,271, revising the Scope of Work to discontinue the Self Help Program, and revising the contractor's budget to reflect only the provision of mental health patient rights advocacy services.
- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4573 with Suzanne Seymour, dba Falcon Truck School, increasing the amount by \$11,400 for a new maximum of \$22,800 to provide training services to clients participating in the Training and Employment Center Program.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Queen of the Valley Medical Center, Inc., for a maximum of \$10,000 for the term March 18, 2008 through June 30, 2008, with a provision for automatic annual renewal, to provide drug testing services for clients of the Child Welfare Services Division.

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Lilliput Children's Services, Inc., for a maximum of \$157,560 for the term March 18, 2008 through June 30, 2008, with a provision for automatic annual renewal, to coordinate the Kinship Support Services Program (KSSP).
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with SYA Group, Inc., for a maximum of \$32,242 for the term March 18, 2008, through September 30, 2008, to develop an Agency-wide continuity of operations and continuity of government plan for the continuation of essential Health and Human Services Agency operations in the event of a disaster.

Community Resources & Infrastructure

- F. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign new revenue agreement with the California Department of Food and Agriculture (CDFA) for a maximum of \$51,786 for the term March 1, 2007 through June 30, 2007 for reimbursement of expenditures for activities related to Light Brown Apple Moth trapping program.
- G. Director of Public Works requests the following for the "650 Imperial Way ADA Compliant Automated Sliding Glass Doors Project":
1. Award of the contract for PW 07-45 to Pinguelo Construction Inc. of Fairfield, CA. for its low base bid of \$10,000 and authorization for the Chair to sign the Construction Contract; and
 2. Approval of new plans and specifications for PW 07-45-A Phase II; authorization to 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.
- H. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Rauch Communication Consultants Inc., for a maximum of \$39,570 for the term March 18, 2008 through June 30, 2009 to provide public outreach assistance for the Milliken-Sarco-Tulocay Recycled Water Project.

General Admin & Finance

- I. Auditor-Controller requests authorization for out of state travel for Pamela Kindig, Auditor-Controller, to attend the annual Government Finance Officers Association (GFOA) Conference in Fort Lauderdale, Florida from June 14, 2008 - June 18, 2008.

- J. County Executive Officer requests the following reappointments to the "Measure A" Financial Oversight Committee (FOC):

<u>Applicant</u>	<u>Representing</u>	<u>Term Expiration</u>
Robert Biale*	Agricultural Industry Representative	June 30, 2010
Michael Moffett*	Business Community Representative	June 30, 2010

*Incumbents

- K. Second reading and adoption of an ordinance amending Agreement No. 1464 with the Board of Administration of CalPERS to provide Fourth Level of 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.

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

9. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM

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

B. 9:30 AM

Recess to the Napa County Housing Authority (NCHA) meeting. (See NCHA Agenda)

C. 9:45 AM PUBLIC HEARING

Director of Conservation, Planning and Development requests adoption of a resolution regarding the proposed assessment for abatement costs for 1595/1597 Las Amigas Road (Assessor's Parcel Nos. 043-310-005/047-310-008) by allowing for one of the following actions:

1. Confirm the \$43,019.78 proposed assessment;
2. Deny the \$43,019.78 proposed assessment; or
3. Order such modifications and revisions of the proposed assessment as the Board deems appropriate.

D. 10:00 AM PUBLIC HEARING

County Executive Officer requests approval of a Certificate of Public Convenience or Necessity for Type 20 Retail Off-Sale Alcoholic Beverage License for Roney Concessionaire, LLC, as required by the State Department of Alcoholic Beverage Control for property located at 7856 St. Helena Highway, Oakville, California.

E. 1:30 PM PUBLIC HEARING

Director of Conservation, Development & Planning and Director of Community & Intergovernmental Affairs request that the Board of Supervisors receive the Planning Commission's March 5, 2008 recommendation, hold a public hearing regarding the 2008 General Plan Update, and either continue the public hearing to the Board's regular meeting of April 1, 2008 or consider adoption of a motion of intent to adopt two resolutions as follows:

1. A resolution certifying that the Final Environmental Impact Report (EIR) regarding the 2008 General Plan Update has been completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and local implementing guidelines, that the Board has reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the County's independent judgment and analysis; and
2. A resolution rescinding all elements of the existing Napa County General Plan except for the Housing Element, and replacing them with the 2008 General Plan Update, consisting of the December 3, 2007 Public Review Draft together with the list of errata and text changes contained in exhibits to the resolution, adopting a mitigation monitoring program, and adopting CEQA findings, including findings of overriding considerations related to unavoidable significant impacts.

10. ADMINISTRATIVE ITEMSPublic Safety

- A. County Fire Chief requests the following actions to provide regulations for fire protection and fire hazard abatement in the unincorporated areas of Napa County:
1. Second reading and adoption of an ordinance amending Chapter 8.36 of the County Code; and
 2. Adoption of a resolution amending the Napa County Defensible Space Guidelines.

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).

Community Resources & Infrastructure

- B. Director of Public Works requests:
1. Adoption of a resolution approving specific projects to be constructed utilizing the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) revenue; and
 2. Discussion regarding update of the financial condition of the Road Fund and the programs it supports.

- C. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements for the term beginning March 18, 2008 and ending at varying dates no later than December 31, 2017 (based upon requirements for entering into temporary construction easements with the County for project construction) at no cost, for participating landowners to provide approval for conducting environmental review and Right of Entry for final design of the Napa River Rutherford Reach Restoration Project (aka Rutherford Dust Society Restoration Project):
1. Agreement with Angaston LLC
 2. Agreement with Cakebread Properties
 3. Agreement with Carpy-Conolly LLC
 4. Agreement with CJW Estate Vineyards LLC
 5. Agreement with Clarevale LLC
 6. Agreement with David J. Guggenhime
 7. Agreement with El Encino LLC
 8. Agreement with Emmolo Vineyards
 9. Agreement with Frogs Leap Winery
 10. Agreement with Robert L. Glos
 11. Agreement with Honig Vineyard and Winery Company
 12. Agreement with Erika M. Mee
 13. Agreement with Allan F. and Nancy L. Mueller
 14. Agreement with Nickel and Nickel LLC
 15. Agreement with Opus One Winery
 16. Agreement with Round Pond
 17. Agreement with Rutherford Wine Studios LLC
 18. Agreement with J. Charles Sawyer
 19. Agreement with Skalli Corporation
 20. Agreement with Star Vineyards
 21. Agreement with Clarke W. Swanson, Jr.
- D. County Executive Officer and Director of Conservation Development and Planning to discuss and seek possible direction regarding a response to the City of Napa's request regarding the following:
1. Participate in a public planning process for three specific sites located in the unincorporated area but adjacent to the City; and
 2. Discontinue processing the general plan amendment related to the Napa Pipe project.

11. LEGISLATIVE ITEMS

- A. Approval of and authorization for the Chair to sign a letter of support for SB 375 Sustainable Communities Strategies.

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, APRIL 01, 2008
AT 9:00 A.M.**