



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday March 21, 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**
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 approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6268 with Wilbur H. Dixon, doing business as Madeira Group International, increasing the Fiscal Year 2005-2006 maximum compensation by \$9,800 for a new maximum of \$32,500 for pre-employment background investigations of certain prospective employees of County's Probation and Juvenile Hall Departments.

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments to provide additional services in the Mental Health Outpatient Managed Care Program due to an increased number of clients:
  1. Amendment No. 1 to Agreement No. 4552 with Gregory Matsumoto, Pys.D., increasing the amount by \$9,000 for a new maximum of \$20,000;
  2. Amendment No. 1 to Agreement No. 4539 with Judith Speed, Ph.D., increasing the amount by \$5,000 for a new maximum of \$10,000;
  3. Amendment No. 1 to Agreement No. 6323 with Joan Marie Seidel, MFT, increasing the amount by \$7,500 for a new maximum of \$12,500;
  4. Amendment No. 1 to Agreement No. 6327 with Nancy Waldeck, MFT, increasing the amount by \$15,000 for a new maximum of \$35,000; and
  5. Amendment No. 1 to Agreement No. 6457 with Matthew Smith, MFT, increasing the amount by \$10,000 for a new maximum of \$15,000.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to revenue Agreement No. 6435 with the Napa County Transportation Planning Agency (NCTPA) increasing the amount by \$14,365 for a new maximum of \$67,538 to fully fund the cost of the Transportation Coordinator through June 30, 2006.

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6441 with Napa Valley Child Advocacy Network, dba Parent-Child Advocacy Network (PCAN), increasing the amount by \$37,399 for a maximum of \$337,093 to provide family advocacy services.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the County of Marin for a maximum of \$3,475 for the first year of the term July 1, 2005 through June 30, 2007, for the County of Marin to coordinate the administration of Medi-Cal Administrative Activities and Targeted Case Management.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the City of Napa for a maximum of \$15,300 for the term January 1, 2006 through April 30, 2006 to share the cost of three Extra Help employees hired by the City to manage the Flood Assistance Center.

#### Community Resources & Infrastructure

- G. Director of Conservation, Development and Planning and Director of Public Works request approval of and authorization for the Chair to sign a letter commenting on the California Department of Fish and Game's Draft Environmental Impact Report covering their proposal to restore tidal wetlands and open water habitat on 1,400 acres of salt ponds and associated lands south of the Napa County Airport.
- H. Director of Conservation, Development and Planning and Acting Director of Environmental Management request approval of and authorization for the Chair to sign a comment letter to the San Francisco Bay Regional Water Quality Control Board (RWQCB) regarding proposed Total Maximum Daily Load (TMDL) allocation and a Basin Plan Amendment addressing pathogens in the Napa River Basin.
- I. Director of Public Works requests approval of plans and specifications for the "Sullivan Block Demolition Project," PW 06-10, 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.

#### General Admin & Finance

- J. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the following Audit Reports:
1. District Attorney's Office Special Investigation Revolving Fund for the Fiscal Year Ended June 30, 2005;
  2. District Attorney's Office Child Recovery Fund for the Fiscal Year Ended June 30, 2005; and
  3. County of Napa Sheriff's Department for the Fiscal Year Ended June 30, 2004.

- K.** Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the following Audit Reports:
1. Uniform Transient Occupancy Tax Audit of Elsie's Conn Valley Inn for the Period of January 1, 2004 to March 31, 2005;
  2. Uniform Transient Occupancy Tax Audit of Forest Manor Bed & Breakfast for the Period of October 1, 2004 to September 30, 2005; and
  3. Uniform Transient Occupancy Tax Audit of Meadowlark Country House for the Period of January 1, 2004 to March 31, 2005.
- L.** Auditor-Controller requests the following actions regarding the Napa County Fair:
1. Authorization to draw a warrant in the amount of \$31,000 payable to the Napa County Fair, from the Napa County Fair Fund, State's Millennium Flex Program, for the purpose of replenishing the Fair's Operating Fund; and
  2. Authorization to approve the transmittal of the 2nd, 3rd and 4th allocations of the State's Millennium Flex Program for the Napa County Fair for this Fiscal Year, in the amount of \$31,000 each, upon receipt of said funds by the County Treasurer-Tax Collector.
- M.** Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for Public Works-Engineering with regard to adding one (1) Senior Office Assistant position, effective March 21, 2006.
- N.** County Executive Officer requests the appointment of Council member Bill Dutton to serve as the regular member and Council member Steven Rosa to serve as the alternate member on the Napa County Farmworker Housing Oversight Committee representing the Town of Yountville with the term of office to commence immediately and expire September 30, 2007.

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

## **8. SET MATTERS OR PUBLIC HEARINGS**

### **A. 9:30 AM**

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

### **B. 10:30 AM PUBLIC HEARING**

First and final reading and adoption of an ordinance adding a new Section 18.104.400 (Hot Air Balloon Launching Site - Findings) and amending Sections 18.120.010, 18.126.030, 18.126.060 and 18.126.070 of the Napa County Code to allow: (1) Balloon launching sites in any zone upon grant of a use permit; and, (2) A maximum of thirty-six balloon launchings per year at the same location in any zone upon issuance of an administrative permit.

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption Class 5: 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 may 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 5 ("Minor Alterations in Land Use Limitations") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

**C. 11:15 AM PUBLIC HEARING**

First and final reading and adoption of an ordinance amending Sections 18.16.030 and 18.20.030 (To Allow Certain Small Agricultural Processing Facilities In The Agricultural Preserve (AP) and Agricultural Watershed (AW) Zoning Districts Upon Grant Of A Use Permit) and Section 18.104.090 (To Allow Storage, Warehousing and Manufacturing of Less Than 200 Gallons of Wine Under A Home Occupation Permit) of the Napa County Code.

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption Class 5: 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 may 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 5 ("Minor Alterations in Land Use Limitations") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

**9. ADMINISTRATIVE ITEMS**

Community Resources & Infrastructure

- A. Agricultural Commissioner requests approval of and authorization for the Chair to sign the Napa County Weed Management Area Memorandum of Understanding.

**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. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)**

Agency Designated Representatives: Mark Gregersen, Human Resources Director

Employee Organization: SEIU Local 614 - NAPE (Public Services Employee Unit & Supervisory Unit of the County of Napa) and Deputy Sheriffs' Association (Law Enforcement Unit & Supervisory Unit of the County of Napa)

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

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

**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)

**E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

Title: Library Director

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, MARCH 28, 2006  
AT 9:00 A.M.**