



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday April 18, 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

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**

Public Safety

- A. Sheriff requests approval of Budget Transfer No. 60 increasing appropriations by \$16,573 in the Sheriff's budget for the Civil Division's vehicle equipment with offsetting revenue from the Debtor Assessment Trust. (4/5 vote required)

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No.1 to revenue Agreement No. 3897-A with the California Department of Health Services increasing the amount by \$2,700,000 for a new maximum of \$5,100,000 and extending the term through June 30, 2008 to fund Medi-Cal Administrative Activities.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments incorporating agency-wide changes to the General Terms and Conditions:
 1. Amendment No. 1 to Agreement No. 4570 with Roger Bruce Scarborough, M.D.; and
 2. Amendment No. 2 to Agreement No. 6230 with Dave Mellow.
- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments to provide additional counseling services in the Children's Behavioral Health/Child Welfare Services programs:
 1. Amendment No. 1 to Agreement No. 4372 with JoAnn Hall, MFT, increasing the amount by \$4,000 for a new maximum of \$5,000;
 2. Amendment No. 1 to Agreement No. 4710 with Robert Zemanek, MFT, increasing the amount by \$2,900 for a new maximum of \$45,000;

3. Amendment No. 1 to Agreement No. 4849 with Mary Lou Carson, LCSW, increasing the amount by \$1,550 for a new maximum of \$5,000;
 4. Amendment No. 1 to Agreement No. 4879 with Loretta Silvagni, LCSW, increasing the amount by \$2,500 for a new maximum of \$5,000; and
 5. Amendment No. 1 to Agreement No. 4935 with Steven Boyd, LCSW, increasing the amount by \$3,000 for a new maximum of \$6,000.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments in relation to the Safe and Drug Free Schools and Communities Grant:
1. Amendment No. 3 to Agreement No. 6255 with COPE Family Center, revising the Scope of Work to make technical corrections, decreasing the amount by \$1,163 for a new maximum of \$114,816, and revising the budget for Program Year 2005-2006 and subsequent years; and
 2. Amendment No. 4 to Agreement No. 6254 with the Boys and Girls Club of Napa Valley, revising the Scope of Work to make technical corrections, increasing the amount by \$1,275 for a new maximum of \$66,547, and revising the budget for Program Year 2005-2006 and subsequent years.
- F. Human Resources Director and Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency to add one (1) (M) Project Manager-HHSA, effective April 18, 2006.

Community Resources & Infrastructure

- G. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Carpet One Design Center for a maximum of \$12,239 for the term April 18, 2006 through June 30, 2006 for re-carpeting of leased space at 1546 First Street in Napa.
- H. Director of Public Works and Auditor-Controller request approval of and authorization for the Chair to sign an agreement with Bartig, Basler & Ray for a maximum of \$6,000 for the term April 18, 2006 through August 27, 2006 for audit services for the Statement of Grant Revenue and Expenditures for the Juvenile Justice Center grant program funded by the State of California Corrections Standards Authority.

General Admin & Finance

- I. Assessor-Recorder-County Clerk requests the following:
1. Approval of Budget Transfer No. 64 (4/5 vote required):
 - a. Appropriating \$38,013 in the Recorder-County Clerk budget with offsetting revenues from the Recorder Micrographics Trust Fund for conversion from film to image and indexing of recorded documents;

- b. Appropriating \$10,000 in the Recorder-County Clerk budget with offsetting revenues from the Recorder Modernization Trust Fund for an interface between Recorder and Assessor systems; and
 - c. Appropriating \$3,000 in the Assessor budget with offsetting revenues from the Property Tax Administration Trust Fund for upgrading assessor map images.
 2. Approval of and authorization for the Chair to sign an agreement with PFA Inc. for a maximum of \$38,013 for the term April 18, 2006 through June 30, 2007 for conversion from film to image and indexing of recorded documents.

- J. Communications Manager requests approval of Budget Transfer No. 62 in the amount of \$6,005 increasing appropriations in the Communications budget with offsetting revenues from the Emergency Services budget and establishment of a fixed asset in the amount of \$6,005 for the purchase of a Cisco Analog Phone Gateway. (4/5 vote required)

- K. County Counsel and County Privacy Officer request approval of and authorization for the Chair to sign Amendment No. 1 to the following Business Associate Agreements adding the Security Rule to the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule:
 1. Agreement No. 4982 with Daniel Garcia, LCSW;
 2. Agreement No. 4994 with Thomas Jackson, MD;
 3. Agreement No. 5001 with Locumtenens.com;
 4. Agreement No. 5015 with Napa Valley Aids Project;
 5. Agreement No. 5016 with Napa Valley Support Services;
 6. Agreement No. 5023 with P.R. Resources, Inc. dba Medsource Consultants;
 7. Agreement No. 5038 with Teletask, Inc.;
 8. Agreement No. 5042 Victor Treatment Centers, Inc.;
 9. Agreement No. 5043 with Vinita Wadhvani, MD;
 10. Agreement No. 5082 with Andre Zunino dba Solution Computing;
 11. Agreement No. 6111 with Denise L. Layten, MFT;
 12. Agreement No. 6128 with Interpreting and Consulting Services;
 13. Agreement No. 6321-1 with Frieda Weinstein, MFT; and
 14. Agreement No. 6337-1 with Cathy F. Hughes, MFT.

- L. County Counsel requests adoption of a resolution amending the bylaws of the General Plan Update Steering Committee to change the meeting location.

- M. County Counsel and the Napa Valley Housing Authority request approval of and authorization for the Chair to sign an agreement with Kristin Lowell, Inc. for the following:
 1. A maximum of \$5,800 for the term April 18, 2006 through August 31, 2006 to prepare the Engineer's Report required for the levy of farmworker housing assessments within Napa County Service Area No. 4 for Fiscal Year 2006-2007; and
 2. A maximum of \$10,200 for the term April 18, 2006 through August 31, 2008 to prepare the documents and services necessary for voter reapproval of the assessment program and, if the program is approved, to prepare the Engineer's Report required for the levy of the farmworker housing assessments within Napa County Service Area No. 4 for Fiscal Year 2007-2008.

- N.** Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Assessor-Recorder-County Clerk-Elections Department with regards to deleting one (1) .75 FTE Assessment Records Assistant I/II and adding one (1) 1.0 FTE Assessment Records Assistant II, effective April 18, 2006.
- O.** Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for Public Works-Engineering with regards to adding one (1) Senior Engineering Aide and deleting one (1) Engineering Aide, effective April 22, 2006.
- P.** Human Resources Director and the Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Social Services Division of the Health and Human Services Agency to delete four (4) (S) Supervising Mental Health Counselor II and add four (4) (S) Social Worker Supervisor II positions, effective April 22, 2006.
- Q.** Local Enforcement Agency Manager requests adoption of a resolution authorizing the following:
1. Submittal of an application to the California Integrated Waste Management Board for a solid waste Local Enforcement Agency Grant in the amount of \$18,000 for Fiscal Year 2006-2007; and
 2. Execution of the necessary grant documents by the Assistant County Executive Officer.
- R.** County Executive Officer requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 3295 with the State of California for a maximum of \$60,000 for the term July 1, 2006 through June 30, 2007 for the Arts in Mental Health Program.
- S.** County Executive Officer/Purchasing Agent and Director of Public Works requests authorization to declare certain items of personal property as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)
- T.** County Executive Officer/Purchasing Agent and Director of Public Works request authorization to donate a mobile file system to the Napa Valley Unified School District on the condition that the District remove the file system from its present location by May 1, 2006 at District cost, and hold the County harmless from any liability related to the file system and its removal.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

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

(CONTINUED FROM MARCH 14, 2006)

B. 9:30 AM

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

C. 10:30 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, Assessor's Parcel No. 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.

(CONTINUED FROM MARCH 14, 2006; APPLICANT REQUESTS CONTINUANCE TO MAY 16, 2006 AT 10:30 A.M.)

9. ADMINISTRATIVE ITEMSHuman Services

- A.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 2556 with Community Action of Napa Valley, Inc. (CANV), revising the Scope of Work to include the addition of 12 shelter beds, increasing the amount by \$28,088 for a new maximum of \$182,449 for Fiscal Year 2005-2006, and establishing a maximum dollar amount of \$249,662 for Fiscal Year 2006-2007, and each renewal thereof, for operation of the Samaritan and the South Napa Shelters.

General Admin & Finance

- B.** Human Resources Director and Director of Health and Human Services Agency request the following in relation to the Mental Health Division of the Health and Human Services Agency:
1. Consideration of the reorganization of the Division as presented by the Director of Health and Human Services Agency; and
 2. Adoption of a resolution regarding the following, effective April 18, 2006:
 - a. Amend the Departmental Allocation List to add:
 - i. One (1) (M) Assistant Behavioral Healthcare Manager;
 - ii. One (1) Mental Health Quality Coordinator;
 - iii. One (1) Mental Health Utilization Review Coordinator;
 - iv. One (1) Mental Health Provider Services Coordinator; and
 - v. One (1) Senior Office Assistant;
 - b. Amend the Table and Index to add:
 - i. Mental Health Quality Coordinator;
 - ii. Mental Health Utilization Review Coordinator; and
 - iii. Mental Health Provider Services Coordinator;
 - c. Amend the appropriate policies to add:
 - i. Mental Health Quality Coordinator;
 - ii. Mental Health Utilization Review Coordinator; and
 - iii. Mental Health Provider Services Coordinator.
- C.** Human Resources Director and Director of Health and Human Services Agency request the following in relation to the Social Services Division (Child Welfare Services) of the Health and Human Services Agency:
1. Consideration of the reorganization of the Division as presented by the Director of the Health and Human Services Agency; and
 2. Adoption of a resolution amending the Departmental Allocation List, effective April 18, 2006, to add:
 - a. One (1) (M) Assistant Behavioral Healthcare Manager;
 - b. Two (2) Staff Services Analyst I/II; and
 - c. One (1) Senior Office Assistant.

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 LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:
(Two cases)

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, APRIL 25, 2006
AT 9:00 A.M.**