



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday May 10, 2011 9:00 A.M.

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Bill Dodd
District 4

Keith Caldwell
District 5

Nancy Watt
County Executive Officer

Gladys I. Coil, CCB
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, 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.countyofnapa.org

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES****4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of Retirement Proclamation to Nancy McCoy, Communications Technician, in recognition of 25 years of service.
- B. Presentation of a proclamation to Agricultural Commissioner Dave Whitmer identifying May 2011 as "Glassy-winged Sharpshooter Awareness Month".
- C. Presentation of a proclamation to April Salvadori, Food Drive Chairman of the National Association of Letter Carriers, and Hank Richards, Postmaster of the Napa Post Office, declaring May 14, 2011 as "National Association of Letter Carriers Stamp Out Hunger National Food Drive Day" in Napa County.
- D. Presentation of a proclamation to Chris Saucer, Vice Chair of the Watershed Information Center & Conservancy (WICC) Board, declaring May, 2011 as "Watershed Awareness Month" in Napa County. (Chairman Dodd)
- E. Presentation of a proclamation to Kathleen Dreessen, Executive Director of the Napa Valley Community Housing, proclaiming May 9-13, 2011 as Affordable Housing Week in Napa County. (Chairman Dodd)

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. Director of Corrections requests approval of Budget Transfer No. COR005 increasing appropriations in the amount of \$9,100 with offsetting revenues from the Corrections budget and establishment of a fixed asset in the amount of \$9,100 for the purchase of PortaCount Pro/Respirator Fit Tester used to annually test all Correctional Officers. (4/5 vote required)

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 6 to Agreement No. 4402 with Davis Guest Home, Inc., increasing the amount by \$14,000 for a new annual maximum of \$474,000 and incorporating an Addendum to the Compensation exhibit to provide reimbursement for residential mental health client services.
- C. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 6 to Agreement No. 4422 with Milhous Children's Services, Inc., increasing the amount by \$50,000 for a new annual maximum of \$450,000, for residential mental health treatment services for minors.
- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 4458 with Barbara McCarroll, Ph.D., decreasing the amount by \$40,000 for a new maximum of \$50,000, and incorporating Addenda to the Scope of Work and Compensation exhibits to reflect a decrease in the number of service hours the contractor will provide at the Therapeutic Child Care Center (TCCC) for Fiscal Year 2011-2012.
- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 4 to Agreement No. 4596 with Your Home Nursing Services, Inc., increasing the amount by \$6,000 for a new maximum of \$12,000 for in-home protective services for elderly and dependent adults in Fiscal Year 2011-2012.
- F. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to revenue Memorandum of Understanding No. 6642 with the Napa County Office of Education relating to Assembly Bill 3632 mental health services funding and service requirements.
- G. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 7509 with On The Move, Inc., revising the Compensation exhibit to enable reimbursement of payroll taxes for On the Move staff providing assistance with the implementation of the County's primary Alcohol and Drug prevention activities.
- H. Director of Health and Human Services requests approval of the following actions relating to funding from the U.S. Department of Housing and Urban Development (HUD) for services for homeless persons:
 - 1. Authorization for the Chairman to sign the renewal of Revenue Agreement No. 6443 for the term January 1, 2011 through December 31, 2011, accepting Calendar Year 2011 Transitional Residential Alliance and Integrated Network (TRAIN) Project funding in the amount of \$125,794; and

2. Adoption of a resolution supporting the activities and goals of the Napa County Continuum of Care Strategy for serving the homeless and authorizing the submission of Napa County's 2012 funding cycle project applications to HUD for the County's Supportive Housing Programs.
- I. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with Cope Family Center, Inc., for a maximum of \$100,000 for the term February 4, 2011 through June 30, 2012 to provide Prevention and Early Intervention (PEI) services under the County's State approved Mental Health Services Act PEI Plan.
 - J. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with Charis Youth Center, Inc., for a maximum of \$80,000 for the term January 13, 2011 through June 30, 2011, with a provision for annual renewal, to provide residential specialty mental health services.
 - K. Director of Health and Human Services requests approval of the following actions regarding the California Mental Health Services Authority (CalMHSA):
 1. Adoption of a resolution authorizing the County's participation in CalMHSA to jointly develop and fund prevention and early intervention mental health services and education programs as determined on a regional, statewide or other basis;
 2. Approval of the Joint Exercise of Powers Agreement, as amended in 2010, governing operations of CalMHSA;
 3. Authorization for the County's Mental Health Director to sign the Joint Exercise of Powers Agreement on behalf of the County;
 4. Authorization for the County's Mental Health Director to act as the County's representative on the CalMHSA Board of Directors; and
 5. Authorization for the County's Mental Health Director to pay the application fee to participate in CalMHSA.

Community Resources & Infrastructure

- L. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chairman to sign an agreement with Kristin Lowell, Inc. for a maximum amount of \$5,800 for the term May 10, 2011 through December 31, 2011, for civil engineering services for the Napa County Winegrape Pest and Disease Control District to develop the per acre assessment for Fiscal Year 2011-2012.
- M. Director of Environmental Management requests approval of and authorization for the Chairman to sign Amendment No.1 to Agreement No. 7119 with California Pet Hospital, Inc. increasing the amount by \$15,000 for a new annual maximum of \$40,000.

- N. Director of Environmental Management requests authorization to accept and approval for the Chairman to sign letters of appreciation for the following:
1. A donation in the amount of \$1,154.62 from Pet Food Express; and
 2. A donation in the amount of \$1,500 from We Care Animal Rescue.

General Admin & Finance

- O. Chief Information Officer and Director of Environmental Management request approval of and authorization for the Chairman to sign an agreement with Garrison Enterprises, Inc. (GEI) for a maximum of \$137,887 for the term April 1, 2011 through June 30, 2016 for data storage, maintenance and support of the County's current customized GEI Digital Health Department System.
- P. Chief Information Officer requests the following actions for the purchase of eight public safety two-way radio repeaters and four public safety two-way base station radios:
1. Approval of Budget Transfer No. ITS007 transferring \$119,144 within the Communication's budget and increasing appropriation by \$13,298 in the Communications budget with offsetting revenues from the Fire Fund and establishing fixed assets in the amount of \$132,442 (4/5 vote required); and
 2. A waiver of competitive bidding requirements and sole source award for APEX Industry Service, Inc./MCE East Bay, Martinez, CA for a total of \$128,942 pursuant to County Ordinance Code 2.36.090.
- Q. County Executive Officer requests authorization for out of state travel for Supervisor Brad Wagenknecht to represent the Bay Area Air Quality Management District in Orlando, Florida, from June 21 - 24, 2011.
- R. County Executive Officer requests the reappointment of Will Nord and new appointment of Richard Salvestrin to serve on the Napa County Winegrape Pest and Disease Control District with term of office to commence immediately and expire March 26, 2014.

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

9. SET MATTERS OR PUBLIC HEARINGS

A. 9:15 AM

Recess to the Napa Berryessa Resort Improvement District (NBRID) special meeting (See NBRID Agenda).

B. 9:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by William Ballentine, Jr. to a decision by the Conservation, Development, and Planning Commission on March 2, 2011, to approve the Morlet Family Estate Winery Use Permit Major Modification No. P10-00375 and Mitigated Negative Declaration to modify the previously approved winery by: (1) removing the requirement to establish a new driveway access to State Route 29 (SR 29; or St. Helena Highway) and allowing all winery and construction traffic to utilize the existing driveway on the subject property's northern boundary; (2) retire the private residential use of the second story and loft space within the existing winery building and convert the space to winery offices and file storage; (3) recognize an 80 square foot area in front of the existing fireplace on the ground floor as a wine tasting and marketing area; (4) allow a new 1,413 square foot crush pad on the north side of the existing winery building during Phase I to be removed following Phase II; (5) recognize an existing 2,400 square foot pool deck area for some of the marketing events already approved and a 120 square foot existing restroom in the pool area as a winery visitor restroom; (6) allow for a Type II wine cave; (7) installation of a 120 square foot concrete pad and installation of water storage tanks for fire protection purposes on the hill to the south of the winery building; (8) acknowledge the proposed phasing for construction: Phase I to include winery building improvements, 1,413 square foot crush pad, water storage tank pad, winery storage in existing shed, and wastewater treatment system; Phase II to include Type II cave excavation and construction, 1,750 square foot crush pad, and removal of the 1,413 crush pad on the north side of the winery building; (9) allow hold-and-haul capability for the first two years of harvest. The winery project is located on a 10.14 acre parcel on the west side of St. Helena Highway North, north of its intersection with Deer Park Road, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel No. 022-200-031) 2825 St. Helena Highway North, St. Helena.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, if a mitigation measure is not included, the proposed project would have potentially significant environmental impacts to Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

C. 10:15 AM PUBLIC HEARING

County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal granting the first, second and third grounds of appeal, denying the fourth ground of appeal and modifying the Zoning Administrator's decision regarding an appeal filed by the Helene De Pins Estate Company LLC to a decision by the Zoning Administrator on January 13, 2011 to approve a Certificate of Legal Nonconformity P10-00065-CLN recognizing a commercial events venue located on a 130.16 acre parcel on the west side of St. Helena Highway northwest of Rutherford within the Agricultural Preserve (AP) Zoning District. (Assessor's Parcel No. 027-210-025) (1901 St. Helena Highway, St. Helena).

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

(CONTINUED FROM MARCH 22, 2011)

10. ADMINISTRATIVE ITEMSGeneral Admin & Finance

- A. County Executive Officer requests the following actions regarding requests for County General Fund loans for the purpose of funding operation and maintenance to the Napa Berryessa Resort Improvement District (NBRID) and the Lake Berryessa Resort Improvement District (LBRID) totalling \$550,000:
1. Adoption of a resolution approving issuance of a Note to NBRID and authorizing the Chair and Clerk of the Board to sign the Note;
 2. Approval of Budget Transfer No. CEO019 appropriating \$205,000 in the General Expenditure budget (18600) and reducing the General Fund Contingency by an equivalent amount to fund the District's loan (4/5 vote required);
 3. Adoption of a resolution approving issuance of a Note to LBRID and authorizing the Chair and Clerk of the Board to sign the Note; and
 4. Approval of Budget Transfer No. CEO020 appropriating \$345,000 in the General Expenditure budget (18600) and reducing the General Fund Contingency by an equivalent amount to fund the District's loan. (4/5 vote required)

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 LABOR NEGOTIATOR (Government Code Section 54957.6)**

Agency Designated Representative: Rick Bolanos, Liebert Cassidy and Whitmore and Suzanne Mason, Human Resources Director

Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa); Napa County Deputy Sheriffs' Association (Employee Unit and Supervisory Unit of the County of Napa)

Unrepresented Employees: Non-Classified Management, Classified Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

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

Name of case: Latinos Unidos de Napa vs. County of Napa, et. al. (Napa County Superior Court Case No. 26-50568)

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MAY 17, 2011 AT 9:00 A.M.

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON MAY 6, 2011 BY 5:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Gladys I. Coil (By e-signature)
GLADYS I. COIL, Clerk of the Board