



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday May 11, 2010 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](http://www.countyofnapa.org)**

**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 March 2, April 6 (All Supervisors were present) and April 13, 2010 (Supervisor Bill Dodd was excused)\*.

\*Excused Supervisor will be recorded as abstained unless Supervisor indicates otherwise.

**4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a proclamation to Marc Pandone, Chair of the Watershed Information Center & Conservancy (WICC) Board declaring May, 2010 as "Watershed Awareness Month" in Napa County. (Chair Dillon)
- B. Presentation of a proclamation to Agricultural Commissioner Dave Whitmer identifying May 2010 as "Glassy-winged Sharpshooter Awareness Month".

**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 Agency requests approval of and authorization for the Chair to sign the following amendments to agreements with Family Service of the North Bay, Inc., incorporating Addenda to the Scope of Work and Compensation sections in each of the agreements for Fiscal Year 2010-2011 services:
1. Amendment No. 4 to Agreement No. 3851 decreasing the amount by \$10,000 for a new annual maximum of \$139,680 to provide mental health services for the Satellite Housing Program; and
  2. Amendment No. 2 to Agreement No. 6869 increasing the amount by \$20,000 for a new annual maximum of \$41,816 to provide specialty mental health services for the Permanent Housing Program.

- B.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4597 with Napa Valley Unified School District, through its Napa Valley Adult School, increasing the amount by \$15,000 for a new maximum of \$43,040 and incorporating federal funding requirements to provide training services to participants in Workforce Investment Act (WIA) programs.
- C.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments, modifying the Independent Contractor and Insurance provisions in each Agreement:
1. Amendment No. 6 to Agreement No. 4724 with LocumTenens.com, LLC, and
  2. Amendment No. 1 to Agreement No. 6391-2 with Jackson & Coker Locum Tenens, LLC, dba Jackson & Coker.
- D.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Trilogy Integrated Resources, LLC, for a maximum of \$13,500 for the term July 1, 2010 through June 30, 2011, with a provision for annual renewal, to provide ongoing maintenance of the Network of Care website.
- E.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Unitek Education, LLC, for a maximum of \$46,925 for the term April 13, 2010 through June 30, 2010, with a provision for annual renewal, to provide educational classroom training to clients participating in Workforce Napa programs.
- F.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Community Resources for Children, Inc., for a maximum of \$31,183 for the term May 11, 2010 through April 30, 2011 to provide subsidized employment opportunities to a customer of the Workforce Napa program.

#### Community Resources & Infrastructure

- G.** Director of Library Services requests the Board accept, and instruct the Clerk of the Board to file, the quarterly report of donations under \$2,000 gifted to the Library from January 1, 2010, to March 31, 2010.
- H.** Director of Public Works requests adoption of a resolution to temporarily close portions of Berryessa-Knoxville Road, Pope Canyon Road, Pope Valley Cross Road, Chiles-Pope Valley Road, Howell Mountain Road, Deer Park Road, Silverado Trail, Oakville Cross Road and Oakville Grade and Dry Creek Road from 11:30 A.M. to 3:00 P.M. on Monday, May 17th, 2010 for the Amgen Tour of California bike race.

- I. Director of Public Works requests approval of and authorization for the Chair to sign a Federal Apportionment Exchange Program and State Match Program Agreement with the State of California Department of Transportation (State Agreement No. X10-5921(051)) for the term July 1, 2009 to June 30, 2010 providing revenue in the amount of \$337,648 to the County Road Fund for general transportation purposes.
- J. Director of Public Works requests approval of and authorization for the Chair to sign a Facilities Lease Agreement with Elizabeth H. Sutro, Elizabeth Sutro Mackey, John A. Sutro, Jr. and the Whittier Trust Company as trustees of the Survivor's Trust under the John and Elizabeth Sutro 1992 Trust, for the term May 11, 2010 through May 11, 2045, at \$2,000 per month, for real property located at the end of Atlas Peak Road including the construction and operation of a communication tower and ancillary facility.
- K. Director of Public Works requests approval of plans and specifications for the "Napa River Restoration-Rutherford Reach 3 Project", PW 10-01, 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.
- L. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements to establish the reimbursement methodology for Measure A funding for each entities' water related construction projects:
1. Memorandum of Understanding with Howell Mountain Mutual Water Company for a maximum of \$195,000, for the term of July 1, 2009 through payment of Measure A eligible costs by the County, for the purpose of funding the completed emergency construction of the White Cottage Road Water Supply Pipeline Project; and
  2. Memorandum of Understanding with the Linda Falls Terrace Mutual Water Company for a maximum of \$45,000, for the term of April 1, 2010 through 60 days following notification of the County that the project has been completed, for the purpose of funding water quality and water system reliability improvements.

#### General Admin & Finance

- M. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Audit Report for the Treasurer-Tax Collector Department - Central Collections Revolving Fund for the fiscal year ended June 30, 2009 and the six (6) months ended December 31, 2009.
- N. Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file the quarterly report of gifts, bequests and devices (donations) accepted on behalf of Napa County by the Napa County Auditor-Controller for the quarter ended March 31, 2010.

- O. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file the following Audit Reports:
1. Napa County District Attorney's Office - Special Investigation Revolving Fund for the fiscal year ended June 30, 2009; and
  2. Napa County District Attorney's Office - Child Abduction Revolving Fund for the fiscal year ended June 30, 2009.
- P. Chief Information Officer requests Board ratification of a Memorandum of Understanding with the Community Resources for Children, for the term May 4th, 2010 through June 30th, 2010 with a provision for automatic annual renewal, for the access and sharing of confidential data pertaining to authorized child care centers within Napa County, at no cost to the County.
- Q. Chief Information Officer requests the rescindment of Agreement No. A-7380 with Oracle USA, Inc. and the approval of and authorization for the Chair to sign a new License and Services Agreement with Oracle America, Inc. for the purchase of a PeopleSoft module for the management of employee travel and expense reimbursements.
- R. Community and Intergovernmental Affairs Manager requests approval of and authorization for the Chair to sign an agreement with Kristin Lowell, Inc., for a maximum of \$5,800 for the term May 11, 2010 through December 31, 2010 for preparation of the Engineer's Report required for the levy of Fiscal Year 2010/2011 farm worker housing assessments by County Service Area No. 4.
- S. County Executive Officer and Community and Intergovernmental Affairs Manager request authorization to endorse the Downtown Napa Property Business Improvement District (DNPBA) application to the City of Napa for continuation of the DNPBA for another five years commencing January 1, 2011.
- T. County Executive Officer requests appointment of Lisa Marie Batto representing Private Sector Business to the Napa County Workforce Investment Board (NCWIB) with term of office to commence immediately and expire on June 30, 2011.
- U. County Executive Officer requests the reappointments of James E. Frisinger Jr. and Larry Hyde to serve on the Napa County Winegrape Pest and Disease Control District with terms of office to commence immediately and expire March 26, 2013.

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

**9. SET MATTERS OR PUBLIC HEARINGS****A. 9:10 AM PUBLIC HEARING**

Director of Conservation, Development and Planning requests the following actions, as recommended by the Conservation, Development & Planning Commission regarding the possible approval of a tentative map to create parcels for 25 existing residences, rezoning of approximately 22 acres from Residential Single to Planned Development, and grant of use permit for a 92 acre site located between Sanitarium Road and Deer Park Road approximately 2.5 to 3.0 miles northeast of the City of St. Helena within the RS:B-5 (Residential Single: Building Site Combination) and PD (Planned Development) zoning districts:

1. Adopt the Negative Declaration and Mitigation Monitoring and Reporting Plan, based on findings 1 through 6 of Exhibit "A";
2. Find the proposed Rezoning Ordinance consistent with the Napa County General Plan and Zoning regulations based on finding 7 of Exhibit "A";
3. Conduct a first and final reading and adopt an Ordinance rezoning certain parcels within the unincorporated are of the County from RS:B-5 (Residential Single: Building Site Combination -5 acre minimum lot size) to PD (Planned Development) zoning district (see Ordinance for a list of Assessor's Parcels);
4. Approve the St. Helena Hospital Tentative Map (P07-00855-TM), including granting an Exception to the Road and Street Standards and an Exception to the Subdivision Ordinance Improvement Standards based on findings 8 through 20 of Exhibit "A" and subject to the conditions of approval; and,
5. Approve the St. Helena Hospital Use Permit (P07-00856-UP) based on findings 21 through 26 of Exhibit A and subject to the conditions of approval.

**ENVIRONMENTAL DETERMINATION:** Negative Declaration has been prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5

**B. 9:45 AM**

Community and Intergovernmental Affairs Manager requests adoption of a resolution endorsing the Napa Valley Vine Trail Case Statement, encouraging support for its inclusion in the Campaign for Active Transportation, other federal and state programs and legislation.

**C. 10:30 AM**

Presentation by California State Association of Counties (CSAC) Legislative Representative Kelly Brooks.

**D. 11:00 AM PUBLIC HEARING**

Director of Conservation, Development, and Planning requests the following actions in order to update and clarify existing regulations concerning winery marketing and other allowed winery-accessory uses:

1. Adoption of the project Negative Declaration based on findings 1 - 5 in Exhibit "A";
2. First and final reading and adoption of an ordinance amending Sections 18.08.370, 18.08.620, 18.16.030, and 18.20.030 of the Napa County Code as they relate to the marketing of wine, food and wine pairings conducted as part of tours and tastings, and retail sale of wine related products permitted at wineries in the Agricultural Preserve (AP) and Agricultural Watershed (AW) zoning districts; and
3. Adoption of a resolution establishing interpretive guidance related to winery activities within the AP and AW zoning districts

**ENVIRONMENTAL DETERMINATION:** Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. The project is applicable to all parcels sized to allow wine production in the AP and AW zoning districts, a number of which are included on the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**E. 1:30 PM****CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)(3)(A) of Government Code Section 54956.9: (One case)

**10. ADMINISTRATIVE ITEMS****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**

- A. County Executive Officer to present a status report on the Strategic Objectives.

**15. CLOSED SESSION**

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

Names of Cases:

1. Lake Luciana LLC v. County of Napa, et al. (Napa County Superior Court # 26-49388 & US District Court # CV 09-4131 JSW)

2. St. Helena Unified School District v. Napa County Office of Education; County of Napa; et al. (Solano County Superior Court # FCS033906)
3. Latinos Unidos de Napa vs. County of Napa, et. al. (Napa County Superior Court Case No. 26-50568)

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

Agency Designated Representative: 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)

**16. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MAY 18, 2010 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 7, 2010 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