



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday May 22, 2012 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****4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a proclamation to Patrick Garvey, who has been selected by the Napa Valley Grapegrowers as Grower of the Year 2012. (Chairman Caldwell)

**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**Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chairman to sign an agreement with The California Institute for Mental Health (CiMH) for a maximum of \$156,500 for the term May 15, 2012 through June 30, 2015 to provide training and consultation on Functional Family Therapy (FFT).

Public Safety

- B. Sheriff requests approval of and authorization for the Chairman to sign a revenue agreement with the Napa County Office of Education for a maximum of \$105,000 for the term August 15, 2012 through June 5, 2013 to fund a Deputy Sheriff assigned to expand campus safety at the Juvenile Court and Community Schools.
- C. Sheriff requests the following regarding the purchase of a Covert Surveillance System:
1. Approval of Budget Transfer No. SHE006 transferring \$38,091 from California Multi-jurisdictional Methamphetamine Enforcement Team Expenses to Equipment within the Sheriff's budget and establishing a fixed asset in the amount of \$38,091 (4/5 vote required); and
  2. A waiver of competitive bidding requirements and sole source award to Special Services Group, LLC for a total of \$38,091 pursuant to County Ordinance Code 2.36.090.

Human Services

- D.** Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 6 to Agreement No. 3260 with Crestwood Behavioral Health, Inc., incorporating Addenda to the Scope of Work and Compensation sections to update the language regarding the availability of treatment beds and to incorporate the revised rates of the contractor for Fiscal Year 2011-2012 and Fiscal Year 2012-2013, with no change to the maximum amount.
- E.** Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 8 to Agreement No. 3724 with Cope Family Center, Inc., increasing the amount by \$20,312 for a new annual maximum of \$219,105 and revising the contractor's budget to reimburse the contractor for additional court-ordered supervised visitation for Child Welfare Services clients.
- F.** Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 6590 with Napa Valley Child Advocacy Network, Inc., dba Parent-Child Advocacy Network, incorporating Addendum 1 to the Compensation section to increase the hourly rate of the contractor to provide health care liaison services to families whose children are receiving services in the California Children's Services and Medical Therapy Programs.
- G.** Director of Health and Human Services requests approval of and authorization for the Chairman to sign the following amendments with Loyd Wolfe Juvenile Justice Network, Inc., each incorporating Addenda to the Scope of Work and Compensation sections to include additional reporting and confidentiality requirements for the provision of substance abuse treatment services for youth who are clients of the County's alcohol and drug program:
1. Amendment No. 7 to Agreement No. 6605; and
  2. Amendment No. 1 to Agreement No. 7511.
- H.** Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 7681 with McAlister Institute for Treatment and Education, Inc., incorporating an addendum to the Scope of Work to standardize the language regarding program and reporting requirements for the operation of a residential substance abuse program.
- I.** Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to an agreement (formerly AUD 5984) with Sweet Sisters Driving School, Inc., rescinding the provision limiting automatic renewals for the contractor to provide driver's license instruction to clients of the Child Welfare Services programs.

Community Resources & Infrastructure

- J.** Agricultural Commissioner requests adoption of a resolution which will provide for the following actions:
1. Acceptance of the Engineer's Report for the Napa County Winegrape Pest and Disease Control District for the Fiscal Year 2012-2013 and the proposed levy of assessment for the district;
  2. Set a Public Hearing for June 19, 2012 at 9:00 A.M. to hear protests to the establishment of the proposed assessment;
  3. Direct the Clerk of the Board to comply with the requirements of Article XIII D of the California Constitution with respect to notice requirements for the proposed assessment; and
  4. Designate County Counsel to answer questions regarding the assessments and protest proceedings.
- K.** Director of Conservation, Development and Planning and County Executive Officer request the following related to the Jail Replacement Project:
1. Approval of and authorization for the Chairman to sign an agreement with Ascent Environmental for a maximum of \$274,888 for the term May 30, 2012 through June 30, 2013 with a provision for automatic renewal for one additional year for the preparation of an Environmental Impact Report; and
  2. Approval of Budget Transfer No. CEO015 increasing appropriations by \$274,888 in the Capital Improvement Program budget with an offsetting transfer from the Accumulated Capital Outlay Fund. (4/5 vote required)
- L.** 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, 2012 through March 31, 2012.
- M.** Interim Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 4 to Lease Agreement No. 4313 with Joseph Lenzi Potter to extend the term of the Lease to June 30, 2015, and establish responsibility for improvements to the warehouse space located at 994 Kaiser Road, known as the Records Center.
- N.** Interim Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 6 to Lease Agreement No. 4852 with Napa Valley Vintners Community Health Center, with a monthly rental amount of \$180 for a maximum annual rental amount of \$2,160, extending the term through June 30, 2014 for lease space located at 1141 Pear Tree Lane, Napa.
- O.** Interim Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 7169 with Mead and Hunt Inc. of Santa Rosa increasing the amount by \$43,704 for a new maximum of \$548,104 and amending the scope of work to include additional construction inspection and testing services for the "Napa County Airport General Aviation Apron Rehabilitation, A.I.P. Project No. 3-06-0162-28 Project," PW 11-12.

- P.** Interim Director of Public Works requests the following actions concerning County Service Area No. 3:
1. Adoption of a resolution approving a service plan in accordance with Chapter 3.10 of the Napa County Code;
  2. Adoption of a resolution providing for the following:
    - a. Accepting Engineer's Report relating to the assessments to provide services;
    - b. Declaring the Board's intent to levy assessments for streetside landscaping, street and highway lighting, street sweeping, and structural fire protection services pursuant to the Engineer's Report;
    - c. Setting a public hearing for June 19, 2012 at 9:00 a.m. to hear protests to the proposed assessments;
    - d. Directing the Clerk of the Board to comply with applicable notice requirements for the proposed assessments; and
    - e. Designating Martin Pehl, Airport Manager, to answer questions regarding the assessments and protest proceedings.
- Q.** Interim Director of Public Works requests the following actions related to the Napa River Rutherford Restoration Project, Reach 8, PW 11-21:
1. Approval of plans and specifications for the "Napa River Rutherford Restoration Project, Reach 8," PW 11-21, 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; and
  2. Approval of and authorization for the Chairman to sign Temporary Construction Easement (TCE) agreements at no cost to the County for the term of June 1, 2012 through December 31, 2017 with Sawyer Cellars and June 1, 2012 through December 31, 2015 with Diane B. Wilsey.
- R.** Interim Director of Public Works requests acceptance of the work as complete and authorization for the Chairman to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. RDS 07-21, "Whitehall Lane Road Repair Project."
- S.** Interim Director of Public Works requests approval of and authorization for the Chairman to sign an Easement Deed to Pacific Gas and Electric (PG&E) for electrical service at the Napa County Airport. Said easement is located on APN # 057-050-009.

#### General Admin & Finance

- T.** Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, a report on Wine Country Inn & Gardens' (B&B) compliance with the Uniform Transient Occupancy Tax Ordinance for the period of January 1, 2010 to December 31, 2010.

- U.** Auditor-Controller requests the following actions transferring unclaimed property tax refunds to the General Fund:
1. Adoption of a resolution delegating authorization to the Auditor-Controller to transfer unclaimed property tax refunds to the General Fund, as provided by Sections 4804 and 5102 of the Revenue and Taxation Code; and
  2. Approval to transfer prior years outstanding reconciling items totaling \$40.32 from the Unclaimed Property Tax Refund Account to the General Fund.
- V.** Chief Information Officer requests a revision of the Schedule of Approved Fixed Assets in the Final Budget for Fiscal Year 2011-12 from data storage servers and combination router/switch/firewall equipment to high capacity network routers and an enterprise backup system.
- W.** County Counsel requests adoption of a resolution approving Napa Berryessa Resort Improvement District's Draft Resolution of Notice of Intent to Levy Assessments and Issue Bonds to fund necessary facility repairs.
- X.** County Counsel and Director of Housing and Intergovernmental Affairs request adoption of a resolution approving a property tax revenue sharing agreement with the City of American Canyon and the American Canyon Fire Protection District and authorizes the Chairman to sign the agreement, in connection with the proposed annexation of that certain real property consisting of approximately 1.09 acres of railroad property owned by Pacific Union Railway and bisected by Devlin Road to the City of American Canyon.  
**ENVIRONMENTAL DETERMINATION:** Annexation of the railroad property is categorically exempt from the California Environmental Quality Act (CEQA) under a Categorical Exemption for Annexation of Existing Facilities, per Section 15319 of the CEQA Guidelines.
- Y.** Director of Human Resources and Director of Health & Human Services request the adoption of a resolution amending the Departmental Allocation List for the Child Welfare Services Division of the Health & Human Services Agency by adding one (1.0 FTE) Assistant Deputy Director of HHSA - Child Welfare Services and deleting the subsequent vacancy, effective May 26, 2012, with no net increase in the number of full time equivalents.
- Z.** County Executive Officer requests authorization for out-of-state travel for Supervisor Brad Wagenknecht to represent the Bay Area Air Quality Management District in San Antonio, Texas, from June 19-22, 2012.

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

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

Director of Health and Human Services request direction and possible action regarding Tobacco Master Settlement funds:

1. Approval of the recommended recipients of Fiscal Year 2012-2013 Tobacco Master Settlement Agreement grant funds; and
2. Consider allocating \$25,000 from the Tobacco Master Settlement Agreement grant funds corpus to contract with a consultant to provide another series of courses providing assistance in developing evidence bases and writing successful grants for any non-profit agency providing services to Napa County residents.

**B. 9:30 AM**

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

**C. 9:30 AM**

Presentation by representatives from the Bureau of Reclamation regarding the status of recreational activities at Lake Berryessa and status of the contract between the Bureau and its concessionaire.

**D. 10:00 AM**

Joint meeting of the Board of Supervisors and Planning Commission with discussion and possible direction to staff regarding the following topics:

1. Code enforcement program status report: accomplishments and ongoing efforts.
2. Pending special projects requested by the Commission and the Board.
3. Other issues of mutual interest.

**E. 11:00 AM**

Director of Health and Human Services requests the following regarding Emergency Medical Services (EMS):

1. Presentation of a proclamation to Karen Smith, Public Health Officer, declaring May 20-26, 2012 as "Emergency Medical Services Week" in Napa County;
2. Public Health Officer to provide update on Local Emergency Medical Services Agency, including announcement of Napa County EMS logo contest winner and status of emergency ambulance franchise which became effective January 2, 2012; and
3. City of Napa's Acting Fire Chief, Mike Randolph to present 2011 Emergency Medical Care Committee annual report.

**10. ADMINISTRATIVE ITEMS**

Public Safety

- A. Director of Corrections to present for discussion and possible action regarding the creation of the Community Corrections Work Program (CCWP).

**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 LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)(3)(C) of Government Code Section 54956.9: (1 Case)

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

Name of case: David & Janice Wesner v. County of Napa (US District Court #C 08-3377 JSW)

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JUNE 05, 2012 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 18, 2012 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