



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday June 15, 2004 9:00 A.M.**

Brad Wagenknecht  
District 1

Mark Luce  
District 2

Diane Dillon  
District 3

Bill Dodd  
District 4

Mike Rippey  
District 5

Nancy Watt  
County Executive Officer

Pamela Miller  
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.

Documents for all agenda items are on file with the Clerk of the Board.

**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 DIRECTORS' REPORTS AND ANNOUNCEMENTS**

6. **CONSENT ITEMS**

Human Services

- A. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 4028 with the California Department of Mental Health for a maximum of \$692,536 for the term July 1, 2004 through June 30, 2005 for the Napa County Mental Health Managed Care Program.
- B. Director of Health and Human Services requests approval of the following actions regarding California Department of Alcohol and Drug Programs revenue agreements:
  1. Authorization for the Chair to sign Amendment No. 1 to Agreement No. 3579 decreasing the amount by \$9,655 for a new maximum of \$1,246,559 for Fiscal Year 2003-2004; and
  2. Authorization for the Chair to sign the renewal of Agreement No. 3579 for a maximum of \$3,933,267 for the term July 1, 2004 through June 30, 2008.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4724 with Locumtenens.com, Inc., increasing the amount by \$40,000 for a new maximum of \$332,320 to provide psychiatric services to the mental health program.
- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments regarding counseling services in the Children's Behavioral Health and Child Welfare Services Programs:
  1. Amendment No. 1 to Agreement No. 6094 with Maureen O'Shea, Ph.D., increasing the amount by \$1,000 for a new maximum of \$3,500; and
  2. Amendment No. 2 to Agreement No. 4149 with Alternatives for Better Living, Inc., increasing the amount by \$2,000 for a new maximum of \$4,750.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the State of California Employment Development Department for a maximum of \$152,662 for the term April 1, 2004 through June 30, 2006 to provide youth workforce development programs.
- F. Director of Health and Human Services requests adoption of a resolution approving the Substance Abuse and Crime Prevention Act of 2000 County Plan and Budget for Fiscal Year 2004-2005.

#### Community Resources & Infrastructure

- G. Library Director requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4456 with the City of American Canyon for provision of public library services.
- H. Director of Public Works requests adoption of a resolution approving a service plan for County Service Area No. 3 in accordance with Chapter 3.10 of the Napa County Code.
- I. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Lease Agreement No. 4491 with AmCan Plaza, LLC, for leased space located at 3421 Broadway, Suite E-3, American Canyon, California for the American Canyon Library, for the term July 1, 2004 through June 30, 2009, for a new cost of \$69,672 annually.
- J. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6054 with the Napa County Flood Control District for a maximum of \$26,400 for Fiscal Year 2004-2005 and extending the term through June 30, 2005 to fund and administer the Napa County Stormwater Management Program.
- K. Director of Public Works requests adoption of a resolution and authorization for Chair to sign a Certificate of Acceptance and other documents necessary for the County to accept the dedication of First Avenue, a road dedicated to the County by Map of Subdivision of Thompson's Soscol Ranch, dated June 20, 1889.

#### General Admin & Finance

- L. Auditor-Controller requests acceptance of the Fiscal Year 2004-2005 proposed budget for County Service Area No. 3 with a total appropriation of \$238,506.
- M. Auditor-Controller requests acceptance of the Fiscal Year 2004-2005 proposed budget for County Service Area No. 4 with a total appropriation of \$381,913.

- N.** Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file Monitoring Reports for programs monitored by Regional Training Employment on expenditures incurred from October 1, 2002 to June 30, 2003 for the following agreements and corresponding grants:
1. County of Sonoma - INCLUSION and Youth with Disabilities Program - Agreement No. 4940;
  2. County of Sonoma - Nurse Workforce Initiative Program - Agreement No. 4939; and
  3. Shirley Ware Education Center - Nurses Workforce Initiative Program - Agreement No. 5088 through March 31, 2003.
- O.** County Counsel requests approval of and authorization for the Chair to sign Amendment No. 11 to Agreement No. 3881 with Miller, Starr & Regalia establishing rates applicable to various time periods for services performed.
- P.** County Counsel requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4761 with Trucker Huss establishing new rates effective January 1, 2004 to provide specialized tax related legal services.
- Q.** County Executive Officer requests adoption of a resolution authorizing submittal of two applications to the California State Association of Counties' annual Challenge Awards Program.
- R.** Approve minutes of the meeting held May 11, 2004.
- S.** Approve minutes of the meeting held May 18, 2004.
- T.** Approve minutes of the meeting held May 25, 2004.

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

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

### **A. 9:00 AM**

Recess to the Lake Berryessa Resort Improvement District (LBRID) meeting (See LBRID Agenda).

### **B. 9:00 AM**

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

**C. 9:00 AM**

Recess to the Silverado Community Services District (SCSD) meeting (See SCSD Agenda).

**D. 9:00 AM**

Recess to the Monticello Public Cemetery District (MPCD) meeting (See MPCD Agenda).

**E. 9:30 AM**

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

**F. 10:00 AM PUBLIC HEARING**

Director of Public Works and County Counsel request consideration and possible action pertaining to Napa County Transportation Planning Agency's (NCTPA) requested action to approve the formation of the Napa Valley Transportation Authority ("Authority"), and to approve the Napa Valley Transportation Improvement Expenditure Plan as follows:

1. Adopt the Negative Declaration prepared for the formation of the Authority making the following findings:
  - a. Find that the Board has read and considered the Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
  - b. Find that the Negative Declaration is based on independent judgment by the Board.
  - c. Find that the Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act.
  - d. Find that there is no substantial evidence in the record as a whole that the project will have a significant effect on the environment.
  - e. Find that the Conservation, Development and Planning Department is the custodian of the records of the proceedings on which this decision is based. The records are on file with the Department at 1195 Third Street, Suite 210, Napa, California.
  - f. Find that considering the record as a whole there is no evidence that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
2. Adopt the resolution creating the Authority.
3. Appoint two Board members and alternates to the Authority consistent with the Board's appointments to NCTPA.
4. Adopt the resolution approving the proposed Napa Valley Transportation Improvement Expenditure Plan for adoption by the Authority.

**G. 10:30 AM**

Director of Public Works requests the following actions:

1. Presentation and request for Measure A funding from the Rutherford Dust Society regarding its Conceptual Plan for Stabilization and Restoration of the Napa River, Rutherford Reach; and
2. Refer request for funding to staff with direction to set up a Board Workshop at a future date to discuss criteria for allocating Measure A funds.

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

First reading and intention to adopt an ordinance of the Board of Supervisors of the County of Napa, State of California, amending Chapter 1.20 of the Napa County Code pertaining to recovery of costs for nuisance abatement and criminal violations for code violations.

**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)].

**I. 11:15 AM**

Director of Public Works to provide presentation on Energy Management Plan projects and implementation and request adoption of a resolution authorizing the Chair to execute related loan agreement documents with the California Energy Commission (CEC).

**J. 1:30 PM**

Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (See NCFCWCD Agenda).

**K. 2:30 PM**

Directors of Conservation, Development and Planning, Public Works, Environmental Management, County Fire Chief and Information Technology Services (ITS) request the following:

1. Approval of and authorization for the Chair to sign an agreement with Accela, Inc. to purchase Accela Automation (Land Management) software and related implementation services to replace the current Permits Plus application, at a cost not to exceed \$249,800 in product and services, and \$11,200 in reimbursed travel expenses; and
2. Approval of Budget Transfer No. 80 canceling Building Inspection designations and increasing appropriations in the ITS budget by \$261,000 (4/5 vote required).

**L. 3:30 PM PUBLIC HEARING**

Consideration and possible adoption of a resolution establishing, increasing and decreasing fees for services provided by the Conservation, Development and Planning Department, Building and Planning Divisions and Department of Public Works.

**(STAFF REQUESTS REMOVAL FROM AGENDA. PUBLIC HEARING TO BE RE-NOTICED FOR JUNE 29, 2004 AT 11:15 AM)**

**9. ADMINISTRATIVE ITEMS****10. LEGISLATIVE ITEMS****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:  
(One case)

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

Names of cases:

1. County of Napa v. Edward William Schlies, et. al. (Case No. 26-25408)
2. County of Napa v. O'Neill/Mullin LLC; HNAPAD Associates, et. al. (Case No. 26-25407)

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

Agency Designated Representatives: Dennis Morris, Human Resources Director

Employee Organization: SEIU Local 614 - NAPE (Employee Unit & Supervisory Unit of the County of Napa)

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

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' SPECIAL MEETING, MONDAY, JUNE 21, 2004  
AT 9:00 A.M.**