



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday June 21, 2005 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](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 HEADS' REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS**

Law & Justice

- A. Director of Child Support Services requests approval of the following actions relating to Plans of Cooperation (POC) between the Department and other agencies:
  1. Authorization for the Chair to sign the POC with Napa Superior Court (NSC), at no cost, for the term of July 1, 2005 through June 30, 2006, to provide coordination and delineation of responsibilities to the Child Support Enforcement Program and;
  2. Authorization for the Director to sign the first amendment to a POC with the State Department of Child Support Services (DCSS) originally dated October 28, 2003, extending the term from October 1, 2004 through September 30, 2005, with no other changes to the terms of the POC.

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Joint Powers Agreement with the County of Solano for an annual maximum of \$15,000 for the term July 1, 2005 through June 30, 2007 to continue joint operation of the Napa-Solano County Public Health Laboratory.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following renewal agreements to provide services in the Mental Health Outpatient Managed Care Program for the term July 1, 2005 through June 30, 2006:
  1. Agreement No. 4029 with Linda Bancke, Ph.D., for a maximum of \$3,500;
  2. Agreement No. 4037 with Ron Haimowitz, Ph.D., for a maximum of \$25,000;
  3. Agreement No. 4054 with Daniel Lott, Ph.D., for a maximum of \$35,000;
  4. Agreement No. 4060 with Kevin Kappler, Ph.D., for a maximum of \$25,000;
  5. Agreement No. 4268 with Del Domezio, LCSW, for a maximum of \$25,000;

6. Agreement No. 4282 with Loretta Silvagni, LCSW, for a maximum of \$31,000;
7. Agreement No. 4537 with Patti Elizabeth Williams, LCSW, for a maximum of \$8,500;
8. Agreement No. 4539 with Judith Speed, Ph.D, for a maximum of \$5,000;
9. Agreement No. 4540 with Gerane Park, LCSW, for a maximum of \$7,500;
10. Agreement No. 4541 with Margaret Lee, LCSW, for a maximum of \$8,000;
11. Agreement No. 4542 with Sharon Harp, MFT, for a maximum of \$17,000;
12. Agreement No. 4543 with Persis Hamilton, MS, RN, for a maximum of \$15,000;
13. Agreement No. 4544 with Margaret Beardsley, MFT, for a maximum of \$6,000;
14. Agreement No. 4546 with Susan Schmall, Ph.D., for a maximum of \$7,000;
15. Agreement No. 4548 with Mimi Wolfe, MFT, for a maximum of \$9,500;
16. Agreement No. 4549 with Dana Talbot, MFT, for a maximum of \$12,000;
17. Agreement No. 4550 with Carol Nagle, LCSW, for a maximum of \$12,000;
18. Agreement No. 4551 with Maureen O'Shea, Ph.D., for a maximum of \$22,000;
19. Agreement No. 4552 with Gregory Matsumoto, Psy.D., for a maximum of \$11,000;
20. Agreement No. 4553 with Fred Hollander, MFT, for a maximum of \$22,000;
21. Agreement No. 4554 with Robert Heying, Ph.D., for a maximum of \$2,500;
22. Agreement No. 4563 with Steven Boyd, LCSW, for a maximum of \$6,000;
23. Agreement No. 4565 with Joseph Sholders, M.D., for a maximum of \$3,000;
24. Agreement No. 4587 with Vinita Wadhwani, M.D, for a maximum of \$1,500;
25. Agreement No. 4597 with Joni Yacoe, MFT, for a maximum of \$10,500;
26. Agreement No. 4660 with Don Scully, MFT, for a maximum of \$3,500;
27. Agreement No. 4661 with Bill Ruhs, MFT, for a maximum of \$18,000;
28. Agreement No. 4786 with Robert Zemanek, MFT, for a maximum of \$22,500;
29. Agreement No. 6038 with Barrie Glen, Ph.D., for a maximum of \$5,500;
30. Agreement No. 6040 with Joel Levitt, MFT, for a maximum of \$5,000;
31. Agreement No. 6041 with Cathy Smith, MFT, for a maximum of \$15,500;
32. Agreement No. 6085 with Cathy Parker, LCSW, for a maximum of \$10,000;
33. Agreement No. 6086 with Sherri Hollman, MFT, for a maximum of \$20,000; and
34. Agreement No. 6087 with Sharilyn Marshall, MFT, for a maximum of \$12,500.

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following renewal agreements to provide services in the Mental Health Outpatient Managed Care Program for the term July 1, 2005 through June 30, 2006:

1. Agreement No. 6093 with James Richard Geisler, Ph.D., for a maximum of \$5,000;
2. Agreement No. 6110 with Denise L. Layten, MFT, for a maximum of \$16,500;
3. Agreement No. 6317 with Cheryl Anderson, MFT, for a maximum of \$10,000;
4. Agreement No. 6318 with Bethany Craigie, MFT, for a maximum of \$10,000;
5. Agreement No. 6320 with Angie Ito, LCSW, for a maximum of \$5,000;
6. Agreement No. 6321 with Frieda Weinstein, MFT, for a maximum of \$17,000;
7. Agreement No. 6323 with Joan Marie Seidel, MFT, for a maximum of \$5,000;
8. Agreement No. 6324 with Jeanne Fisher-Cervone, MFT, for a maximum of \$5,000;
9. Agreement No. 6325 with Laurel Antonucci, LCSW, for a maximum of \$15,000; and
10. Agreement No. 6327 with Nancy Waldeck, MFT, for a maximum of \$10,000.

- E. Director of Health and Human services requests approval of and authorization for the Chair to sign the following agreements to provide services in the Mental Health Outpatient Managed Care Program:

1. Agreement with Rocio Beatriz Cuddy, LCSW, for a maximum of \$10,000 for the term July 1, 2005 through June 30, 2006;

2. Agreements for a maximum of \$5,000 each for the term July 1, 2005 through June 30, 2006:
    - a. Agreement with Ana Gonzalez-Hammaker, LCSW;
    - b. Agreement with Matthew S. Smith, MFT; and
    - c. Agreement with Esther Trevino, MFT.
  3. Business Associate Agreements setting forth the terms and conditions of the Health Insurance Accountability and Portability Act of 1996 (HIPAA) Privacy Rule:
    - a. Rocio Beatriz Cuddy, LCSW;
    - b. Ana Gonzalez-Hammaker, LCSW;
    - c. Matthew S. Smith, MFT; and
    - d. Esther Trevino, MFT.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4648 with Beverage Consulting Network, Inc. increasing the amount by \$1,000 for a new maximum of \$6,200 for Fiscal Year 2004-2005, establishing a maximum of \$5,000 for Fiscal Year 2005-2006, incorporating agency-wide changes to the General Terms and Conditions, and revising the Scope of Work to exclude a specific training previously required of the contractor.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4880 with Smithson/Dillon Associates for a maximum of \$50,000 for the term July 1, 2005 through June 30, 2006 to provide a part-time Executive Director for the Workforce Investment Board.
- H. Director of Health and Human Services requests approval of the following agreements with Aldea, Inc., each for the term July 1, 2005 through June 30, 2006:
1. Agreement for a maximum of \$30,000 to provide mental health services for the Individualized Education Program (IEP);
  2. Agreement for a maximum of \$46,000 to provide mental health services for bilingual youth, adolescents, and families of Mexican, Spanish, Hispanic or Latino descent;
  3. Agreement for a maximum of \$69,384 to provide services for the Independent Living Program (ILP); and
  4. Agreement for a maximum of \$440,000 to provide Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services.
- I. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Holmes, Van and Storage, Inc.:
1. Agreement for a maximum of \$3,785 for the term June 21, 2005 through June 30, 2005 to provide moving services for office equipment and supplies of the Emergency Medical Services and Drinking Driver Programs to the campus of Health and Human Services; and
  2. A Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.

- J. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4402 with Davis Guest Home incorporating agency-wide changes to the General Terms and Conditions, adding a specific term and condition for compliance with Mental Health Service Activities, and revising the payment structure for Fiscal Year 2005-2006 to provide residential mental health services.
- K. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6239 with Child Start, Inc., increasing the amount by \$20,000 for a new maximum of \$70,000 for Fiscal Year 2004-2005, and incorporating agency-wide changes to the General Terms and Conditions to provide child care services for clients enrolled in the Women's Recovery Program.

#### Community Resources & Infrastructure

- L. Director of Public Works requests approval of and authorization for the Chair to sign a Lease Agreement with GE Capital Modular Space for a modular unit located at 2261 Elm Street for a maximum of \$14,640 for the term beginning June 21, 2005 through June 30, 2006 for office space for Health and Human Services staffing and the Mental Health Self-Help Group.
- M. Director of Public Works requests approval of and authorization for the Chair to sign a Letter of Mutual Understandings with the Napa Valley Regional Water Management Group for the purpose of a multi-agency effort towards developing a Napa Valley Implementation Grant Application under the Integrated Regional Water Management Grant Program.
- N. Director of Public Works requests adoption of a resolution temporarily closing a portion of Silverado Trail from Brannan Avenue in Calistoga to Glass Mountain Road from 7:00 A.M. to 10:00 A.M. on Sunday, August 7, 2005 for the Napa Valley Inline Marathon and Half Marathon.

#### General Admin & Finance

- O. County Counsel requests adoption of a resolution providing that at-large members of the Napa County Deferred Compensation Board of Control be selected from the permanent employee ranks of the County of Napa and all employer entities which have consented to be included in the 457 and 401(a) plans.
- P. Human Resources Director requests adoption of a resolution approving the implementation of layoffs resulting from the deletion of two positions in the Training and Employment Center as listed on Schedule F of the 2005/2006 Recommended Budget and authorizing the Director of Health and Human Services to implement the resultant layoffs, including the immediate notification of layoff to the affected employees to be effective July 6, 2005.

- Q.** Information Technology Services Director requests approval of and authorization for the Chair to sign Amendment No. 7 to Agreement No. 4334 with Megabyte Systems, Inc., increasing the annual amount by \$10,562 for a new annual maximum of \$178,651.
- R.** Information Technology Services Director requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6137 with Neko Industries increasing the amount by \$8,778 for a new annual maximum of \$52,560 for the term August 1, 2005 through July 31, 2006 for maintenance and support of the County's document and image management system.
- S.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 6246 with Sonoma State University increasing the amount by \$45,000 for a new maximum of \$232,795 and extending the term through September 29, 2005 to continue providing project management services on grant projects designed to serve individuals with disabilities.
- T.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6371 with the County of Sonoma extending the term through September 29, 2005, at no additional cost, to complete Project INCLUSION activities designed for people with disabilities seeking employment.
- U.** Approve minutes of the regular meeting held April 26, 2005.

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

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

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

Auditor-Controller requests approval of the final appropriation and revenue levels, cancellations and provisions for reserves and designations and adoption of a resolution establishing the total financing requirements for the Fiscal Year 2005-2006 Final Budget for the County of Napa. (4/5 vote required)

### **B. 9:10 AM**

Report on Community Action of Napa Valley. (Supervisor Wagenkencht)

### **C. 9:15 AM**

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County special meeting (See IHSS Agenda).

**D. 9:30 AM**

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

**E. 9:35 AM**

Staff to provide an update on restaurant grading reports concerning internet posting of inspection reports and the development of a local ordinance to require site posting of grades.

**F. 10:00 AM**

County Counsel requests the Board consider and adopt a resolution of Findings of Fact and Decision on Appeal denying the appeal filed by Richard Barthelemy, Trustee and Cynthia Barthelemy, Trustee to a decision by the Conservation, Development and Planning Commission on March 2, 2005 to deny the applicants' Parcel Map Request No. 02630-PM application to subdivide a parcel of approximately 40.0 acres into three small parcels at the terminus of Steele Canyon Road approximately 1100 feet north of its intersection with Headlands Drive. The site lies entirely within an RC (Residential Country) zoning district and within an area designated Agriculture, Watershed & Open Space (AWOS) by the Napa County General Plan (Assessor's Parcel No. 019-180-015).

**ENVIRONMENTAL DETERMINATION:** State CEQA Guidelines Section 15270 provides: (a) CEQA does not apply to projects which a public agency rejects or disapproves; and (B) this section is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initialization of the CEQA process where the agency can determine that the project cannot be approved.

A recommendation of denial is not subject to CEQA review.

**G. 10:15 AM PUBLIC HEARING**

Director of Environmental Management requests the following:

1. Conduct public hearing regarding proposed fees for services provided by the Department of Environmental Management-Animal Shelter Division;
2. Consideration and possible adoption of a resolution establishing, increasing, and deleting fees for services provided by the Department of Environmental Management-Animal Shelter Division; and
3. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6311 with the Napa County Humane Society establishing, increasing and deleting fees for certain veterinary services.

**H. 10:25 AM**

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

Name of cases:

1. Vickii Garcia v. County of Napa, et. al. (Napa Superior Court Case No. 26-23875); and
2. Polk, et. al. v. County of Napa, et. al. (US District Court Case No. C 04 2903)

**I. 11:00 AM**

Discussion and direction to staff regarding the proposed Conservation, Development and Planning Department work program for Fiscal Year 2005/2006 and the allocation of staff resources to Board of Supervisors' initiated matters, including Supervisor Luce's proposal to permit weddings at wineries.

**J. 1:30 PM**

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

**K. 2:00 PM**

Recess to the Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA) meeting (See NCFPWIA Agenda).

**L. 2:30 PM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by the Law Offices of Thomas N. Lippe representing Earth Defense for the Environment Now (EDEN) of decisions by the Director of Conservation, Development and Planning to certify an Environmental Impact Report (EIR) and to approve an Erosion Control Plan (ECP) for the Robert Mondavi Properties Vineyard Project (Assessor's Parcel No. 046-400-034).

**ENVIRONMENTAL DETERMINATION:** The Board has been provided with an Environmental Impact Report (EIR), which has been prepared and certified pursuant to CEQA, the State CEQA Guidelines, and the County's local procedures. The adequacy of the EIR is the subject of the appeal. If the Board upholds the appeal, the EIR will be remanded back to the Department of Conservation, Development, and Planning for revision. If the Board denies the appeal it will re-certify the EIR pursuant to State CEQA Guidelines Section 15090.

**(APPLICANT AND APPELLANT REQUEST CONTINUANCE TO JULY 26, 2005 AT 9:00 A.M.)**

**M. 2:30 PM**

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

**N. 2:30 PM**

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

**9. ADMINISTRATIVE ITEMS**



**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 REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8)

Property: Assessor's Parcel No. 046-691-004

Agency Negotiator: Don Ridenhour, Public Works Department

Negotiating Parties: The Gasser Foundation

Under Negotiation: Price and terms of payment

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, JUNE 28, 2005  
AT 9:00 A.M.**