



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday June 29, 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

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**

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4371 with MATRIX Parent Network and Resource Center increasing the amount by \$104,579 for a new maximum of \$237,579, extending the term through June 30, 2005 and amending the scope of work to include children and families served under the AB 1913 Juvenile Justice Program.
- B. District Attorney requests approval of Budget Transfer No. 82 transferring \$944 from the Environmental Trust Fund, and Budget Transfer No. 83 transferring \$1,001 from the Asset Forfeiture Trust Fund to the District Attorney's budget for operating expenses. (4/5 vote required)

Public Safety

- C. County Fire Chief requests authorization to close the \$50 imprest cash fund at Yountville Fire Station.

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4532 with the Workforce Investment Board for the term July 1, 2001 through June 30, 2005 to provide One Stop employment services to employers, employees and job seekers.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 2939 with Richard Geisler, Ph.D., increasing the amount by \$2,000 for a new maximum of \$13,690 to provide psychological evaluation services.

- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4657 with Nadhan, Inc., increasing the amount by \$200 for a new maximum of \$73,200 to provide inpatient mental health treatment services.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4705 with Preferred HealthCare Registry, Inc., increasing the amount by \$5,000 for a new maximum of \$105,000 to provide occupational and physical therapy services.
- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6082 with Thomas L. Charron, M.D., extending the term through July 31, 2004 to serve as the Interim Napa County Health Officer.
- I. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6167 with ALDEA, Inc., increasing the amount by \$20,000 for a new maximum of \$71,251 to provide services for the Juvenile Drug Court.
- J. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the Napa Valley Coalition of Non-Profit Agencies for a maximum of \$5,788 for the term May 1, 2004 through June 30, 2004 to provide funding for the development of a Homeless Management Information System.
- K. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Aldea, Inc., for a maximum of \$40,700 for the term April 1, 2004 through June 30, 2005 to provide substance abuse services for youth.
- L. Director of Health and Human Services requests approval of the following actions regarding the U.S. Department of Housing and Urban Development (HUD) Transitional Residential Alliance and Integrated Network (TRAIN) Project and Homeless Management Information System (HMIS):
1. Authorization to accept TRAIN funding for Calendar Year 2004 in the amount of \$123,439;
 2. Adoption of a resolution authorizing the submission of an application for Calendar Year 2005 TRAIN funding to HUD; and
 3. Authorization to apply for Fiscal Year 2004-2005 HMIS funding in the amount of \$19,950.
- M. Director of Health and Human Services requests authorization to accept a donation in the amount of \$200 from Wal-Mart to the Training and Employment Center for clients participating in Workforce Investment Act programs.

- N.** Director of Health and Human Services requests adoption of a resolution eliminating certain positions in the Health and Human Services Agency due to lack of funds and implementing resultant layoffs effective July 1, 2004.
- O.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6020 with Napa Valley College extending the term through September 30, 2004 for the Nurse Workforce Initiative project.
- P.** Director of Health and Human Services requests approval of Budget Transfer No. 86 increasing appropriations in the Behavioral Health budget by \$420,051 with offsetting revenues from Individuals with Disabilities Education Act (IDEA) funds (AB 3632) to fund current year expenditures. (4/5 vote required)

Community Resources & Infrastructure

- Q.** Agricultural Commissioner requests the following actions:
1. Adopt a resolution accepting the Engineers' Report for the Napa County Winegrape Pest and Disease Control District and setting a public hearing on the proposed levy of assessment for the district;
 2. Set Public Hearing for August 3, 2004 at 9:30 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 Rob Paul, Deputy County Counsel, as the person to answer questions regarding the assessments and protest proceedings.
- R.** Library Director requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4469, Library funding agreement between the City of Napa and the County of Napa for the additional term of July 1, 2004 through June 30, 2007 for extended hours of the Napa Main Library.
- S.** Director of Public Works requests the following actions:
1. Adopt a resolution accepting the Engineers' Report for County Service Area No. 3 for streetside landscaping, street and highway lighting, street sweeping, and structural fire protection services, and setting a public hearing on the proposed levy of assessment;
 2. Set Public Hearing for August 3, 2004 at 9:30 A.M. to hear protests to 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 Wanda Kennedy, Airport Manager, as the person to answer questions regarding the assessments and protest proceedings.

- T. Director of Public Works requests approval of plans and specifications for the "Napa County Airport Administration Building Remodel Project," PW 04-08, authorization to advertise for bids and setting 3:30 P.M. on July 22, 2004 for opening of sealed bids.
- U. Director of Public Works requests approval of plans and specifications for the "Devlin Road Extension Project," RDS 04-06, authorization to advertise for bids and setting 3:30 P.M. on July 22, 2004 for opening of sealed bids.
- V. Director of Public Works requests approval of plans and specifications for the "Yountville Cross Road Class 2 Bike Path Project," RDS 02-15, authorization to advertise for bids and setting 3:30 P.M. on July 29, 2004 for opening of sealed bids.
- W. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with the City of St. Helena for a maximum reimbursement amount of \$3,000 per fiscal year to the County for the term July 1, 2004 until terminated by either jurisdiction for the County to provide Surveyor Services pursuant to Government Code pertaining to certification of Recorded Maps.
- X. Director of Conservation, Development & Planning requests approval of and authorization for Chair to sign Amendment No. 1 to Agreement No. 6184 with EDAW increasing the amount by \$96,629 for a maximum of \$196,591 for preparation of the CEQA document for Upper Range Ranch Vineyards in connection with Erosion Control Application #02454-ECPA.

General Admin & Finance

- Y. County Counsel requests the following actions:
 - 1. Adoption of a resolution accepting the Engineers' Report for County Service Area No. 4 and setting a public hearing on the proposed levy of assessment;
 - 2. Set a public hearing for August 3, 2004 at 9:30 A.M. to hear protests to 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 Margaret Woodbury, Chief Deputy County Counsel, as the person to answer questions regarding the assessments and protest proceedings.
- Z. County Counsel requests approval of Budget Transfer No. 85 transferring \$10,000 from Appropriations for Contingencies to the Conflict Public Defender budget for unanticipated expenses associated with indigent defense for Fiscal Year 2003-2004. (4/5 vote required)

- AA.** Human Resources Director requests adoption of a resolution regarding the following in connection with the Public Health and Administration Divisions of the Health and Human Services Agency, effective June 29, 2004:
1. Amend the Departmental Allocation List to delete one (1) .5 Public Health Nurse and add one (1) .5 Public Health Nurse Limited Term (LT) through June 30, 2005 in the Public Health Division; and
 2. Amend the Departmental Allocation List to delete one (1) Office Assistant II from the Administration Division and add one (1) Office Assistant II (LT) through June 30, 2005 to the Public Health Division.
- BB.** Human Resources Director requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4527 with Job Care Medical Services Program of St. Helena Hospital and Health Center extending the term through June 30, 2005 and increasing certain rates for services provided.
- CC.** Human Resources Director requests adoption of a resolution amending the Table and Index for the Director of Conservation, Development & Planning effective July 3, 2004.
- DD.** Human Resources Director requests approval of and authorization for the Chair to sign the following agreements for fitness club participation in the County Wellness Program for the term July 1, 2004 through June 30, 2005:
1. Amendment No. 3 to Agreement No. 4528 with Exertec Health Systems Inc., dba as Exertec Fitness Center;
 2. Amendment No. 3 to Agreement No. 4529 with Backstreet Fitness Inc., dba as Healthquest Fitness and Aerobic Center; and
 3. Agreement with Curves for Women.
- EE.** Information Technology Services Director requests approval of and authorization for the Chair to sign Amendment No. 6 to Agreement No. 4334 with Megabyte Systems, Inc., increasing the annual amount by \$11,818 for a new annual maximum of \$168,088.
- FF.** County Executive Officer requests adoption of a resolution appointing County representatives to the Board of Directors of the California State Association of Counties' Excess Insurance Authority.
- GG.** County Executive Officer requests approval of and authorization for the Chair to sign an agreement with Maximus, Inc. for a maximum of \$16,100 for each annual filing for the term March 1, 2004 through June 30, 2005 for State-mandated claims (SB90) processing including preparation, submission and negotiation of such claims.

HH. County Executive Officer requests approval of and authorization for the Chair to sign a grant contract with the U.S. Department of Labor, Office of Disability Employment Policy for a maximum of \$600,000 for the term September 30, 2004 through September 29, 2005 for Year 4 of the Project INCLUSION grant.

II. Approve minutes of the meeting held June 8, 2004.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM PUBLIC HEARING

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 2004-2005 Final Budget for the County of Napa. (4/5 vote required)

B. 9:15 AM

Presentation and adoption of Retirement Resolution No. 04-92 to Charles Wilson, Director, Conservation, Development and Planning Department, in recognition of 27 years of service.

C. 10:00 AM

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

D. 10:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Brian Carr to a decision by the Director of Public Works to deny a Lot Line Adjustment filed by Brian Carr for the property located at 316 Wall Road. (Assessor's Parcel Nos. 027-510-006, 027-510-016, and 027-510-020)

ENVIRONMENTAL DETERMINATION: Denial; not subject to CEQA.

(CONTINUED FROM MAY 18 AND JUNE 8, 2004)

E. 10:45 AM

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.

Continued from June 15, 2004.

F. 11:45 AM

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

G. 2:00 PM

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

H. 2:15 PM

Discussion and possible direction to staff relating to the office of the Registrar of Voters.

9. ADMINISTRATIVE ITEMSGeneral Admin & Finance

- A. County Executive Officer requests appointment/reappointment of one (1) applicant from each of the following categories to the Napa County Child Care Planning Council with the term of office to commence July 1, 2004 and expire on June 30, 2007:

Consumer of Child Care

Jody Dunning
Luz M. Covarrubias Melgoza
Bonni Parsons Mitchell*
Penny Smith

Public Agency Representative

Jody Dunning
Luz M. Covarrubias Melgoza
Marla Wiggin
Teresa Zimny**

Community Representative

Luz M. Covarrubias Melgoza
Marla Wiggin*

At Large Representative

Jody Dunning
Penny Smith*

Child Care Provider

Jody Dunning
Luz M. Covarrubias Melgoza*
Colleen Weitz
Carol Woodiwiss

*Recommended by the Child Care Planning Council

**Incumbent and recommended by the Child Care Planning Council

- B. County Executive Officer to present report on recent Indian gaming developments (Requested by Supervisor Rippey).

10. LEGISLATIVE ITEMS

- A. Discussion and possible action related to taking a position on the Governor's May budget revision for local government.

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 - 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)

B. 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' REGULAR MEETING, TUESDAY, JULY 13, 2004
AT 9:00 A.M.**