



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday June 05, 2007 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

Gladys I. Coil  
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**

- A. Presentation of Retirement Proclamation to Sharon Davis, Assessment Records Assistant II, in recognition of over 15 years of service.

**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 requests approval of the following (4/5 vote required):
1. Budget Transfer No. 70 in the amount of \$17,772 transferring funds within the Child Support Services budget to establish a fixed asset for the purchase of WiFi equipment for the Napa County Superior Court; and
  2. Budget Transfer No. 71 in the amount of \$12,228 transferring funds within the Child Support Services budget to establish a fixed asset for the purchase of WiFi equipment for the Napa County Superior Court.
- B. District Attorney requests authorization for out of state travel to attend the National District Attorneys Association's Annual Meeting in Portland, Oregon, from July 29, 2007 - August 01, 2007.

Public Safety

- C. Napa Special Investigations Bureau (NSIB) Governing Board requests approval of the following distribution totalling \$140,394 from seized and forfeited funds from narcotic/drug trafficking investigations in Napa County during Fiscal Year 2006-2007 (4/5 vote required):
- |                                   |       |          |
|-----------------------------------|-------|----------|
| 1. Napa Sheriff's Department      | 41.5% | \$58,264 |
| 2. Napa Police Department         | 23.5% | \$32,993 |
| 3. Bureau of Narcotic Enforcement | 11.0% | \$15,443 |

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4.	St. Helena Police Department	9.0%	\$12,635
5.	Calistoga Police Department	9.0%	\$12,635
6.	Napa Probation Department	6.0%	\$8,424

- D. Director of Corrections requests approval of and authorization for the Chair to sign an agreement with Psychological Resources, Inc. dba Wolf Consulting Group, for a maximum of \$50,000 per fiscal year for the term June 5, 2007 through June 30, 2007 with the provision for automatic annual renewal, to provide pre-employment psychological screening examinations, pre-employment interviews, and to assist with the implementation of an organizational development process.

#### Human Services

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 3851 with Family Services of the North Bay, Inc., increasing the amount by \$2,936 for a new maximum of \$149,680 and revising the budget accordingly for the provision of services related to the Satellite Housing Program.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4181 with Planned Parenthood-Shasta Diablo, Inc., increasing the amount by \$720 for a new maximum of \$12,060 and revising the contractor's budget for the provision of case management services to pregnant and/or parenting teenagers participating in the Cal-Learn Program during Fiscal Year 2007-2008.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4322 with ECHO Management Group increasing the amount by \$297 for a new maximum of \$33,917 per fiscal year for software maintenance support.
- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4832 with Napa Valley College decreasing the amount by \$3,600 for a new maximum of \$27,000 and revising the compensation section to reflect a decrease in the number of client referrals and an increase in the cost per participant in relation to diagnostic learning disabilities assessments for CalWORKs clients for Fiscal Year 2007-2008.
- I. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4860 with Napa County Ambulance Services, Inc., dba Angwin Community Ambulance, revising the payment structure for Fiscal Year 2007-2008 services, with no change to the contract maximum.
- J. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 6338 with Behavioral Solutions for Children, Inc., increasing the amount by \$80,000 for a new maximum of \$190,000 and increasing the hourly rate for Therapeutic Behavioral Services for Fiscal Year 2006-2007 services.

- K.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6401 with the Boys & Girls Club of Napa Valley, Inc., revising the Scope of Work to clarify deliverables and add activities, revising the Compensation section to reorganize the budget for better contract administration, and revising the Contractor Monitoring Tool for coordination of Friday Night Live, a substance abuse prevention program for middle and high school students, with no change to the contract maximum.
- L.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6410 with Allen, Shea & Associates increasing the amount by \$40,000 for a new maximum of \$70,000 to assist in planning for the implementation of additional components of the Mental Health Services Act (Proposition 63) in Napa County.
- M.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Project Ninety, Inc:
1. Renewal of Agreement No. 6523 for a maximum of \$634,605 for the term July 1, 2007 through June 30, 2008 for the operation of the residential substance abuse program; and
  2. A new agreement for a maximum of \$5,000 for the term July 1, 2007 through June 30, 2008, with a provision for an automatic annual renewal, to provide residential and case management services for clean and sober transitional housing for clients of the Substance Abuse Treatment Options Program (Proposition 36).
- N.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments in relation to the Universal Perinatal Home Visiting Program:
1. Amendments increasing the combined maximum by \$118,000 for a new combined maximum of \$148,000 and extending each of the terms through November 30, 2007 to provide Universal Perinatal Home Visiting services:
    - a. Amendment No.1 to Agreement No. 6365 with Cope Family Center, Inc.;
    - b. Amendment No.1 to Agreement No. 6366 with Queen of the Valley Medical Center, Inc.;
    - and
    - c. Amendment No.1 to Agreement No. 6367 with St. Helena Hospital, Inc.
  2. Amendment No. 1 to Agreement No. 6680 with Jennifer Wilson-Heun, PHN, increasing the amount by \$100,000 for a new maximum of \$135,000 and extending the term through November 30, 2007 to coordinate prenatal and home visitation services to pregnant women and newborns.
- O.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments with the Loyd Wolfe Juvenile Justice Network, Inc., with no change to the contract maximums:
1. Amendment No. 2 to Agreement No. 6603 revising the Scope of Work to add deliverables related to program promotions and clarify reporting requirements, revising the contractor's budget to reflect program needs, and revising the contract monitoring tool to define the specific

areas that will be monitored by the County for the Contractor to provide school-based prevention services to middle and high school students; and

2. Amendment No. 4 to Agreement No. 6605 revising the Scope of Work to allow the contractor to provide additional counseling services and incorporating a monitoring tool to define specific areas that will be monitored by the County for the Contractor to provide additional youth substance abuse treatment services.
- P.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Joint Powers Agreement No. 4092 with the County of Solano for an annual maximum of \$112,000 for the term July 1, 2007 through June 30, 2010 to continue the joint operation of the Napa-Solano County Public Health Laboratory.
- Q.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4458 with Barbara McCarroll, Ph.D., for a maximum of \$90,000 for the term July 1, 2007 through June 30, 2008, with a provision for automatic annual renewal, to provide Infant/Child Mental Health Specialist services for the Therapeutic Child Care Center.
- R.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of revenue Memorandum of Understanding No. 6642 with Napa County Office of Education for the term July 1, 2007 through June 30, 2008 relating to Assembly Bill 3632 mental health services funding and service requirements.
- S.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the California Department of Health Services for the term July 1, 2007 through June 30, 2012 for the provision of Targeted Case Management Services to eligible Medi-Cal beneficiaries.
- T.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to an agreement (formerly AUD 5868) with Amistad and Associates increasing the amount by \$65,000 for a new maximum of \$85,000, revising the Scope of Work to include additional consulting services, revising the Compensation section to reimburse the contractor for the additional services, and extending the term through June 30, 2008 for the contractor to provide consultation on the development of an Agency-wide cultural diversity initiative and the implementation of a collaborative management model.

#### Community Resources & Infrastructure

- U.** Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 3 to Napa County Agreement No. 767 with Silverado Avionics, Inc. increasing the monthly rent to the County by \$1,294 for a new maximum of \$5,910 extending the term through August 31, 2007 for the business of aviation electronics.
- V.** Director of Public Works/Aviation requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6675 with Vortex Industries, Inc. increasing the amount by

\$20,000 for a new maximum of \$60,000 and adding an automatic annual renewal clause for existing services of preventative maintenance and repairs for the hangers and sliding gates located at the Napa County Airport.

- W.** Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Winzler & Kelly Consulting Engineers for a maximum of \$5,000 for the term June 5, 2007 through July 30, 2007 for review of a structural capacity report regarding a culvert bridge across Soda Creek prepared by Chaudhary Associates for adequacy and conformance to professional engineering practice.
- X.** Director of Public Works requests approval of and authorization for the Chair to sign an agreement with MKD Soscol Partner, LP for an annual rental fee of \$266,811 for the term July 1, 2007 to June 30, 2010 with annual cost of living increase of three percent for space located at 1710 Soscol Avenue that provides office space for the Napa County Agricultural Commissioner and the University of California Cooperative Extension.
- Y.** 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, July 15, 2007 for the Napa Valley Inline Marathon and Half Marathon.
- Z.** Director of Public Works requests the rejection of all bids received on May 3, 2007 relating to the "Napa County Airport Lobby Re-tile Project", PW 07-24, pursuant to Section 20150.9 of the Public Contract Code.
- AA.** Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file a Notice of Completion with the Clerk/Recorder for Contract No. PW 07-14, "Napa County Jail Windows Replacement Project."

#### General Admin & Finance

- BB.** Chief Information Officer requests approval of and authorization for the Chair to sign the following with Accela, Inc. related to the purchase of Accela Wireless Software for the term June 5, 2007 through June 30, 2008:
  - 1. a License Agreement for a maximum of \$22,624.27; and
  - 2. an Agreement for implementation services for a maximum of \$11,840 in services and \$2,000 in expenses.
- CC.** County Counsel requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 4793 with John Dawdy increasing the amount by \$4,000 for a new maximum of \$14,000 to provide services as a Hearing Officer for Certification Review Hearings.

- DD.** Human Resources Director requests approval of a Side Letter Agreement recognizing that the Napa Association of Public Employees (NAPE), is now affiliated with the Service Employees International Union (SEIU) Local 1021.
- EE.** Treasurer-Tax Collector requests authorization to release excess proceeds on certain parcels sold in the tax-delinquent property auction of January 28, 2006.
- FF.** County Executive Officer requests approval of and authorization for Chair to sign Consent to Assignment with Andrea Schrader and Charter Oak Bank assigning parking rights from the Parking Garage Private Participation Agreement No. 6760 to Charter Oak Bank as partial security for financing.
- GG.** County Executive Officer requests adoption of a resolution authorizing amendment of a loan from the County of Napa Affordable Housing Trust Fund to Napa Valley Community Housing for costs related to acquisition and development of affordable housing on a property located on Lincoln Avenue in the City of Napa.
- HH.** County Executive Officer requests the reappointment of Barbara Pahre to serve as the Board of Supervisors representative on the Golden Gate Bridge, Highway and Transportation District with the appointment to commence immediately and to expire January 1, 2009.
- II.** County Executive Officer request the appointment of Marguerite Small as the Interested and Concerned Citizen representative on the Mental Health Board, with the term to commence immediately and expire on January 1, 2010.
- JJ.** Clerk of the Board requests the following actions:
1. Approve minutes of the regular meetings held on the following dates:
    - a. April 4, 2006;
    - b. August 22, 2006;
    - c. January 9, 23, and 30, 2007;
    - d. February 6, 2007; and
    - e. March 13, 2007.

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

**8. SET MATTERS OR PUBLIC HEARINGS**

**A. 9:00 AM**

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

**B. 9:00 AM**

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

**C. 9:05 AM****CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

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

First reading and intention to adopt an ordinance amending Chapter 5.52 of the Napa County Code, establishing a registration and inspection program and fees for retail point-of-sale (bar code scanner and price lookup) systems, and establishing fees for such services.

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**E. 10:15 AM**

Director of Conservation, Development and Planning requests the following actions regarding the Napa Pipe property:

1. Review the General Plan amendment application submitted by Napa Redevelopment Partners LLC on March 28, 2007;
2. Make a determination that the proposal complies with criteria established by Board Resolution 05-173;
3. Direct staff to process the application; and
4. Confirm the determination that an Environmental Impact Report (EIR) is required, and acknowledge the applicant's obligation to reimburse the County for the costs of EIR preparation and processing consistent with the County Policy Manual (Part 80) and local guidelines for implementing CEQA.

**F. 1:30 PM**

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

**9. ADMINISTRATIVE ITEMS**

Community Resources & Infrastructure



- A. Director of Public Works requests the following actions regarding the Hall of Justice Booster Replacement Project, PW 07-30:
1. Acknowledge that the following findings made on May 1, 2007 are still in effect:
    - a. That the unexpected failure of a water system booster pump at the Hall of Justice constitutes an emergency as defined by Section 1102 of the Public Contract Code;
    - b. That there are only two booster pumps for the facility, and it is suspected that the remaining pump could also fail at any time, including during the time required to solicit competitive bids to replace the pump assembly;
    - c. That if the remaining pump fails before the first pump has been replaced, the County Jail portion of the Hall of Justice would no longer be habitable for the inmates;
    - d. That there currently is no alternate location to house the inmates in the event the County Jail portion of the Hall of Justice suddenly becomes uninhabitable and remains so during repair;
    - e. That the circumstances in (a), (b) and (c) create a need for immediate action to replace the entire pump assembly to prevent impairment of the health and safety of the inmates housed in the County Jail portion of the Hall of Justice and impairment of the essential public service of providing secure detention of inmates; and
    - f. That upon the circumstances set forth in 1(a) through (e) and pursuant to Public Contract Code Sections 20134(a) and 22050(a)(2), that the foregoing emergency will not permit the delay that would result from adopting plans, specifications, strain sheets or working details or giving notice for competitive bids to replace the pump assembly.
  2. Per Public Contract Code Section 22050(C), review the emergency actions taken by the Board at the May 1 Board of Supervisors meeting, determine that there is a need to continue the emergency actions, and continue acquisition of all necessary materials, supplies, equipment and labor by direct purchase, force account, or emergency contract awarded without adoption of plans and specifications and solicitation of competitive bids, as appropriate to complete the work (4/5ths vote required); and
  3. Direct the Director of Public Works to prepare an agenda item for a regular meeting of the Board no later than 14 days from the date of this meeting to review the need to continue these emergency actions.

#### General Admin & Finance

- B. Assessor-Recorder-County Clerk and County Counsel request that the Board take the following actions:
1. Receive the Certification of the Registrar of Voters that the "Initiative Measure To Allow Deli and Wine Tasting At the Stanly Lane Marketplace" petition has been signed by voters not less in number than 20 percent of the entire vote cast in Napa County for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intent to circulate the initiative.
  2. As required by Elections Code 9116, take one of the following actions:
    - a. Direct staff to prepare an ordinance tracking the "Initiative Measure To Allow Deli and Wine Tasting At the Stanly Lane Marketplace" without alteration for adoption by the Board on June 12, 2007; or
    - b. Adopt the proposed resolution ordering a special election and placing the "Initiative Measure To Allow Deli and Wine Tasting At the Stanly Lane Marketplace" on the ballot of the next statewide general election to be held on February 5, 2008 for the purpose of enabling the people of Napa County to approve or reject the initiative; or

- c. Direct staff to prepare and present to the Board a report within 30 calendar days, pursuant to Section 9111 of the Elections Code, and identify what information should be included in the report.

- C. County Executive Officer requests appointments to the following positions from the following applicants to the Napa County Housing Commission with the terms of office to be determined by lottery at the first meeting held on June 25, 2007:

<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
Cristobal Flores Caratachea	Member of the public who is a Farmworker
Placido Garcia	Member of the public who is a Farmworker
Rafael Limon	Member of the public who is a Farmworker
Severiano Ponce Meza	Member of the public who is a Farmworker
Gabriel Robledo	Member of the public who is a Farmworker
Moises Sanchez	Member of the public who is a Farmworker
<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
John J. Brenkle	Member of the public who is a Farmworker Advocate
Robert A. Fiddaman	Member of the public who is a Farmworker Advocate
Louis Fernando Flores	Member of the public who is a Farmworker Advocate
<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
Sam Turner*	Napa Valley Grapegrowers
<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
Patrick Garvey	Member of the public/Vineyard Landowner
Steven Porter Moulds	Member of the public/Vineyard Landowner
<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
Dennis Dale Groth	Member of the public/Financial Background in Wine Industry
<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
Michael John Hanna**	Napa County Farm Bureau
<u>Applicant</u>	<u>Position Applying To</u> (Choose one from this category)
Richard L. Maher	Napa Valley Vintners or Authorized Agent

\*Endorsed by Napa Valley Grapegrowers \*\*Endorsed by Napa County Farm Bureau

## 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 LABOR NEGOTIATOR (Government Code Section 54957.6)**

Agency Designated Representatives: Mark Gregersen, Human Resources Director

Employee Organization: SEIU Local 614 - NAPE (Employee Unit & 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 and Confidential Employees of the County of Napa (Excluding Elected Officials)

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

- i. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (One case)
- ii. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: (Two cases)

**C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)****15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, JUNE 12, 2007  
AT 9:00 A.M.**