



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday August 23, 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

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a Proclamation to The Honorable W. Scott Snowden, Judge of the Superior Court of Napa County, in recognition of over 25 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. Chief Probation Officer requests approval of and authorization for the Chair to sign the following agreements with the Napa County Office of Education:
1. Renewal of Agreement No. 4434 for a maximum reimbursement of \$70,894 for the term July 1, 2005 through June 30, 2006 to fund a Deputy Probation Officer assigned to Liberty High School to provide supervision of wards; and
 2. Agreement for a maximum reimbursement of \$20,500 for the term July 1, 2005 through September 30, 2005 to fund a Deputy Probation Officer assigned to the Safe Schools/Healthy Students Program which will expand campus safety.
- B. Chief Probation Officer requests approval of and authorization for the Chair to sign the following agreements for services provided on behalf of the Napa Community Youth Diversion Program:
1. Agreement with City of Napa Police Department for a maximum of \$11,157 for the term September 6, 2005 through June 30, 2006 to provide diversion services to at risk youth;
 2. Agreement with State Corrections Standards Authority (CSA) for a maximum of \$11,157 for the term July 1, 2005 through June 30, 2006 for the Juvenile Accountability Block Grants Program; and
 3. Approval of Budget Transfer No. 5 increasing appropriations in the Probation Department in the amount of \$11,157 with offsetting revenues. (4/5 vote required)

Human Services

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4092, a Joint Powers Agreement with the County of Solano, increasing the amount by \$80,416 for a new maximum of \$95,416 to fund the purchase of laboratory computer systems pursuant to the Napa County and Solano County Bioterrorism Preparedness Plans.
- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4317 with Staff Care, Inc., incorporating agency-wide changes to the General Terms and Conditions, revising the Scope of Work to include additional compliance language, and increasing the amount by \$65,000 for a new maximum of \$100,000 to provide temporary or permanent psychiatrist placement services for the Mental Health Program.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6339 with Barrie Glen, Ph.D., increasing the amount by \$5,000 for a new maximum of \$10,000 to provide expert witness testimony for specifically referred clients in the Children's Behavioral Health and Child Welfare Services Programs.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6375 with Victor Treatment Centers, Inc., incorporating agency-wide changes to the General Terms and Conditions, revising the Scope of Work to include language detailing the service and documentation requirements for provision of specialty mental health services, and increasing the amount by \$29,140 for a new maximum of \$60,500 to provide residential mental health services.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the Child and Family Policy Institute of California for a maximum of \$5,000 for the term May 1, 2005 through April 30, 2006 for the CalWORKs/Child Welfare Partnership Project.
- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following revenue agreements with First 5 Napa County Children and Families Commission, each for a maximum of \$100,000 and each for the term July 1, 2005 through June 30, 2006:
1. Agreement to provide funding for an Infant-Child Mental Health Specialist and a Special Education Instructor/Early Childhood Teacher at the Therapeutic Child Care Center; and
 2. Agreement to provide funding for prevention and therapeutic infant-parent mental health services for children at the Therapeutic Child Care Center.
- I. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Chateau Hotel Napa Valley for a maximum of \$3,200 for meeting room rental fees to conduct stakeholder training, planning and priority setting for the Mental Health Services Act on September 12, 19 and 26, and October 3, 2005.

- J. Napa County Mental Health Board requests adoption of a resolution approving comprehensive revisions to its bylaws.

Community Resources & Infrastructure

- K. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6350 with Environmental Science Associates (ESA) increasing the amount by \$14,865 for a new maximum of \$126,539 and extending the term through June 30, 2006 to complete the preparation of the California Environmental Quality Act document associated with Erosion Control Plan Application #99048-ECPA, Nicholas Vineyards.
- L. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6354 with Environmental Science Associates (ESA) increasing the amount by \$13,582 for a new maximum of \$129,788 and extending the term through June 30, 2006 to complete the preparation of the California Environmental Quality Act document associated with Erosion Control Plan Application #00006-ECPA, Cianciarulo Vineyards.
- M. Director of Conservation, Development and Planning requests the following:
1. Termination of Agreement No. 6149 with Environmental Science Associates (ESA), for preparation of a combined/joint Environmental Impact Report (EIR) for the Saintsbury Vineyards (#01259-ECPA) and Hudson Vineyards (#99376-ECPA & #03376-ECPA) Erosion Control Plans and vineyard projects; and
 2. Approval of and authorization for the Chair to sign an agreement with ESA for a maximum of \$132,307 for the term August 23, 2005 through June 30, 2006 for preparation of an EIR for the Hudson Vineyards (#99376-ECPA & #03376-ECPA) Erosion Control Plan project only.
- N. Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with Nichols-Berman Environmental Planners for a maximum of \$89,600 for the term August 23, 2005 through June 30, 2006 to prepare a Subsequent Environmental Impact Report for the proposed Montalcino at Napa Golf Course Use Permit, Zone Change, and Zoning Ordinance Amendment.

General Admin & Finance

- O. County Counsel requests approval of and authorization for the Chair to sign an agreement with Mark A. Wasser of the law firm of Kronick, Moskovitz, Tiedemann & Girard for a maximum of \$25,000 for the term August 10, 2005 through December 30, 2005 for legal services related to preparing a legal analysis of the Fair Payment For Public Benefit Act for inclusion in the report ordered by the Board pursuant to California Elections Code Section 9111.

- P. County Counsel and County Executive Officer request adoption of a resolution establishing a \$1,000 County Match for the benefit of 401(a) Retirement Savings Plan participants for the 2006 calendar year.
- Q. Human Resources Director requests adoption of a resolution amending the Table and Index to increase the salary of the Chief Appraiser in the Assessor-Recorder-County Clerk-Elections Department, effective August 23, 2005.
- R. Human Resources Director requests adoption of a resolution amending the County's Policy for Maintaining a Harassment and Discrimination Free Work Environment.
- S. Human Resources Director requests adoption of a resolution amending the Table and Index for the purpose of adding the \$130 biweekly Management Compensation to salary for all management non-classified, management non-classified (other) and management classified employees effective August 27, 2005.
- T. 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 \$436,500 for the term September 30, 2005 through September 29, 2006 for the fifth and final year of the Project INCLUSION grant.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:30 AM

Discussion and possible action related to a request by the Town of Yountville in the amount of \$20,000 for the Yountville Community Pool. (Supervisor Luce)

B. 10:00 AM

County Counsel requests the Board consider and adopt a resolution of Findings of Fact and Decision on Appeal granting the appeal filed by Gary Houck, applicant regarding the decision by the Conservation, Development and Planning Commission on May 18, 2005 to deny Viewshed Request #P05-0005-VIEW for applicant to construct a two-story 8,219 square foot main residence and an approximate 10,000 square foot separate landscaped yard area located predominantly on a major ridgeline as defined in 18.106.020 of the Napa County Code and a 1,200 square foot second unit and a 1,000 square foot guest cottage located 25-feet below the major ridgeline. (These two units are proposed to be constructed on the property at a later date, under a separate Viewshed Protection Program application, however, were included in the environmental review of this application as part of the entire project.) The project site is on a 41.35-acre parcel, located on a private driveway approximately 1,300-feet west of Soda Canyon Road and 3.5 miles north of its intersection with

Silverado Trail within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel No. 039-640-001) 2275 Soda Canyon Road, Napa.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Aesthetics and Biological Resources. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5

C. 10:15 AM

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

9. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

- A.** Discussion direction to staff regarding improvements to the code enforcement efforts initiated by the Department of Conservation, Development, and Planning Department, as follows:
1. Direct staff to prepare an ordinance increasing administrative citations; and
 2. Direct staff to prepare a resolution rescinding the March 1998 procedure manual, eliminating the 30-day grace period and universally applying the "investigation fee" for work performed without permit; and
 3. Direct staff to prepare a budget transfer increasing appropriations by \$200,000 in Building Division's Fiscal Year 2005-2006 budget to fund County-initiated abatement efforts.
- B.** Director of Conservation, Development and Planning requests the Board of Supervisors provide direction to the Watershed Information Center & Conservancy (WICC) Board to review draft materials associated with the Regional Water Quality Control Board's (RWQCB) proposed Total Maximum Daily Load (TMDL) allocations for the Napa River basin and apprise the Board of Supervisors of opportunities in the TMDL process for local input and participation.
- C.** Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with Pacific Municipal Consultants (PMC) for a maximum of \$1,514,699 and a not to exceed amount of \$750,000 for the initial term of August 23, 2005 through June 30, 2006, with an automatic renewal provision for subsequent fiscal years, for consultant services related to the ongoing General Plan update.

General Admin & Finance

D. Auditor-Controller requests adoption of the following three resolutions:

1. Resolution authorizing the implementation of the Teeter Plan as follows:
 - a. Authorizing the continuance, for the purposes of the Teeter Plan, to be governed by Revenue and Taxation Code Section 4703.2 for Fiscal Year 2005-2006;
 - b. Authorizing the issuance of a promissory note to fund payment of the Fiscal Year 2004-2005 delinquent secured taxes; and
 - c. Authorizing the Chair and Clerk of the Board to sign the note;
2. Resolution adopting the tax rates for the Fiscal Year 2005-2006 Secured Tax Roll; and
3. Resolution establishing the Fiscal Year 2005-2006 appropriation limit and estimated revenue subject to the limit for the County of Napa as required by Article XIII-B of the California Constitution.

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. **PUBLIC EMPLOYEE APPOINTMENT/ONGOING RECRUITMENT OF THE FOLLOWING POSITION** (Government Code Section 54957):

Title: Director of Corrections

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' SPECIAL MEETING, TUESDAY, SEPTEMBER 06, 2005
AT 9:30 A.M.**