



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday August 31, 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 the following actions relating to the Challenge Activities Program grant (4/5 vote required):
 1. Acceptance of the grant in the amount of \$10,000 for the term July 1, 2004 through June 30, 2005;
 2. Authorization for the Chief Probation Officer to sign the agreement with the State Board of Corrections; and
 3. Approval of Budget Transfer No. 21 increasing appropriations by \$10,000 with offsetting revenues in the Probation budget.
- B. Chief Probation Officer requests approval of the following actions relating to the Peer Court Program (4/5 vote required):
 1. Acceptance of a donation in the amount of \$32,000 from the Juvenile Justice Network;
 2. Approval of Budget Transfer No.19 increasing appropriations in the Probation Department in the amount of \$32,000 with offsetting revenues; and
 3. Approval of and authorization for the Chair to sign the renewal of Agreement No. 4802 with Isadora Asch for a maximum of \$30,000 for the term July 1, 2004 through June 30, 2005.
- C. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with Community Health Clinic Ole for a maximum of \$1,575 for the term August 1, 2004 through June 30, 2005 to perform physical examinations to minors participating in the IMPACT Program.

- D. District Attorney and Acting Director of Health and Human Services request the following actions to fund Public Administrator and Public Guardian/Public Conservator functions in the correct budget units (4/5 vote required):
1. Approval of Budget Transfer No. 18 transferring \$72,173 from the Public Administrator/Public Guardian/Public Conservator budget unit to the District Attorney budget unit; and
 2. Authorization to establish an imprest cash fund in the amount of \$250 for conservatee emergencies for the Public Guardian/Public Conservator Office, under the responsibility and jurisdiction of Health & Human Services Agency.

Human Services

- E. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 4839 with the Regents of the University of California for the term August 30, 2004 through August 19, 2005 for a maximum of \$2,400 per student per year to provide stipends for fieldwork performed at the Health and Human Services Agency.
- F. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 6126 with CyberMill, Inc. for a maximum of \$4,500 for the term July 1, 2004 through June 30, 2005 to provide planning and coordination of the Mayor's Committee on Disabilities Breakfast event.
- G. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 3579 with the California Department of Alcohol and Drug Programs increasing the amount by \$14,913 for a new maximum of \$1,261,472 for Fiscal Year 2003-2004.
- H. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4197 with Janet Lord, M.D., decreasing the amount by \$39,000 for a new maximum of \$39,000 to provide medical consultation services in the Medical Therapy Unit and California Children's Services Programs.
- I. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Shameem Ghauri, M.D.:
1. Amendment No. 2 to Agreement No. 4656 decreasing the amount by \$5,000 for a new maximum of \$30,000 and modifying the insurance requirement of the agreement to provide psychiatric services to clients of the Therapeutic Child Care Center; and
 2. Amendment No. 1 to Agreement No. 6075 modifying the insurance requirement of the agreement to provide psychiatric services to clients in the children's mental health program.

- J.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4705 with Preferred HealthCare Registry, Inc. decreasing the amount by \$55,000 for a new maximum of \$50,000 and incorporating compliance requirements into the agreement to provide occupational and physical therapy services.
- K.** Acting Director of Health and Human Services requests approval of the following actions regarding MATRIX:
1. Authorization for the Chair to sign Amendment No. 1 to Agreement No. 6095 increasing the amount by \$30,862 for a new maximum of \$128,104; and
 2. Budget Transfer No. 22 increasing appropriations by \$30,862 in the Social Services budget with offsetting revenues from the SB163 allocation to fund contract expenditures. (4/5 vote required)
- L.** Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Community Impact Consulting for a maximum of \$700 for the term August 23, 2004 through June 30, 2005 to provide consultation services to the Napa County Commission on Aging.
- M.** Acting 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. Agreements for a maximum of \$5,000 each for the term July 1, 2004 through June 30, 2005:
 - a. Agreement with Cheryl Anderson, MFT;
 - b. Agreement with Bethany Craigie, MFT;
 - c. Agreement with Gila Freeberg, LCSW;
 - d. Agreement with Angie Ito, LCSW;
 - e. Agreement with Frieda Weinstein, MFT;
 - f. Agreement with James Jones, Ph.D.;
 - g. Agreement with Joan Marie Seidel, MFT;
 - h. Agreement with Jeanne Fisher-Cervone, MFT;
 - i. Agreement with Laurel Antonucci, LCSW;
 - j. Agreement with Barbara Goldsmith, MFT; and
 - k. Agreement with Nancy Waldeck, MFCC.
 2. Business Associate Agreements setting forth the terms and conditions of the Health Insurance Accountability and Portability Act of 1996 (HIPAA) Privacy Rule:
 - a. Agreement with Cheryl Anderson, MFT;
 - b. Agreement with Bethany Craigie, MFT;
 - c. Agreement with Gila Freeberg, LCSW;
 - d. Agreement with Angie Ito, LCSW;
 - e. Agreement with Frieda Weinstein, MFT;
 - f. Agreement with James Jones, Ph.D.;
 - g. Agreement with Joan Marie Seidel, MFT;
 - h. Agreement with Jeanne Fisher-Cervone, MFT;
 - i. Agreement with Laurel Antonucci, LCSW; and
 - j. Agreement with Barbara Goldsmith, MFT.

- N. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Drapinski TV and Audio for a maximum of \$6,100 for the term August 31, 2004 through September 30, 2004 to upgrade existing cable lines on the campus of the Health and Human Services Agency.
- O. Acting Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the U.S. Department of Housing and Urban Development (HUD) for a maximum of \$19,950 for the term July 1, 2004 through June 30, 2005 for the Homeless Management Information System (HMIS).
- P. Acting Director of Health and Human Services requests authorization to remove \$82,952.54 of fully depreciated fixed assets from the Health and Human Services Agency's inventory.

Community Resources & Infrastructure

- Q. Acting Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4797 with EDAW, increasing the amount by \$82,022 for a new maximum of \$398,228, for preparation of California Environmental Quality Act (CEQA) document for Robert Mondavi Properties at Suscol Springs Vineyard Erosion Control Application No. 99-323.
- R. Library Director requests acceptance of a \$30,000 California Library Literacy Services grant from the State of California.
- S. Library Director and County Executive Officer/Purchasing Agent requests authorization t
 - 1. Accept a donation in the amount of \$20,400 from the Friends of the Napa Library;
 - 2. Approve Budget Transfer No. 20 transferring \$12,279 within the Library budget (4/5 vote required);
 - 3. Establish a fixed asset for the purchase of a microfilm reader-printer (4/5 vote required); and
 - 4. Approve waiver of competitive bidding requirements and authorization to make a sole source award for the purchase of a Canon MS800 Micrographic Scanner from BMI Imaging Systems, Sunnyvale, California, for a total of \$12,279 pursuant to County Ordinance Code 2.36.090.
- T. Director of Public Works requests adoption of a resolution certifying to the State Department of Transportation the total mileage of Napa County maintained roads as of May 2004 in accordance with the provisions of Section 2121 of the California Streets and Highway Code.

- U.** Director of Public Works requests the following actions:
1. Award of the contract for the "Napa County Airport Administration Building Remodel Project," PW 04-08, to Page Construction of Novato, California, for their low base bid of \$58,658 and authorization for the Chair to sign the construction contract; and
 2. Approval of Budget Transfer No. 24 appropriating \$35,000 in the Airport Capital Improvement budget with offsetting revenues from the Airport Enterprise Fund. (4/5 vote required)
- V.** Director of Public Works requests approval of plans and specifications for the "Napa Valley Residential Stabilization Center Fire Sprinkler System Installation Project," PW 04-13, authorization to advertise for sealed bids and opening of the bids at a time, date and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.
- W.** Director of Public Works requests approval of plans and specifications for the "Asphalt Concrete Resurfacing of Silverado Trail Project," RDS 04-16, authorization to advertise for sealed bids and opening of the bids at a time, date and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.
- X.** Director of Public Works requests adoption of a resolution temporarily closing a portion of Berryessa-Knoxville Road from 9:00 A.M. to 12:00 P.M. on Saturday, October 9, 2004 for the "See Jane Tri - Napa Valley" (Inaugural) triathlon.
- Y.** Director of Public Works requests approval of and authorization for the Chair to sign a License Agreement with the Federal Emergency Management Agency (FEMA) to grant FEMA a nonexclusive License to use and distribute Napa County's digital Geographic Information Systems (GIS) data to make floodplain information and related base map data accessible to the public.
- Z.** Director of Public Works requests approval of and authorization for the Chair to sign the following Program Supplemental Agreements with the California Department of Transportation (CalTrans) to obtain reimbursement for overlay projects which were previously completed in Fiscal Year 2003:
1. M010 Rev 1 to Administering Agency-State Agreement No. 04-5921 for the "Silverado Trail Overlay Project," RDS 02-13; and
 2. M011 Rev 1 to Administering Agency-State Agreement No. 04-5921 for the "Howell Mountain Overlay Project," RDS 02-13.
- AA.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Lease Agreement No. 3803 with the Transmission Agency of Northern California (TANC) at a cost of \$9,860 for Fiscal Year 2004-2005 for the term October 1, 2004 through June 30, 2006 for use of the Berryessa Peak communications facility and tower.

- BB.** Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Kleinfelder Inc. for a maximum of \$25,000 for the term September 1, 2004 through June 30, 2005 for construction testing services.
- CC.** Director of Public Works/Aviation requests the following actions relating to the acceptance of Federal Aviation Administration (FAA) Grant No. 19:
1. Approval of and authorization for the Chair to sign necessary documents including escrow instructions to Acquire Land For Approach Protection Runway 18R; and
 2. Approval of Budget Transfer No. 15 appropriating \$1,188,300 in the Airport Capital Improvement Program budget with offsetting revenues from the FAA, State, and the Airport Enterprise Fund for land acquisition. (4/5 vote required)

General Admin & Finance

- DD.** Clerk of the Board requests action directing the Clerk of the Board to notify all school districts and the Napa County Board of Education of receipt of a resolution from the St. Helena School District to consolidate the March 2007 School District Governing Board election and all subsequent governing board elections with the statewide general election beginning with the November 2006 statewide general election.
- EE.** County Counsel requests approval of and authorization for the Chair to sign an agreement for legal services to John Tuteur, Registrar of Voters, between the County of Napa and Kronick, Moskovitz, Teidemann & Girard for a maximum of \$80,000 for the term April 29, 2004 through June 30, 2005.
- FF.** Human Resources Director requests adoption of a resolution amending the Physical Performance Program for Law Enforcement Employees.
- GG.** Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Napa City-County Library to add one (1) (S) Librarian III Limited Term (LT) position, effective August 31, 2004.
- HH.** Information Technology Services Director requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6137 with Neko Industries increasing the amount by \$15,638 for a new annual maximum of \$43,782 for the term August 1, 2004 through July 31, 2005 for maintenance and support of the County's document and image management system.
- II.** County Executive Officer requests appointment of Assistant Environmental Management Director Jill Pahl to serve as the County of Napa alternate representative on the Bay Area Hazardous Waste Management Facility Allocation Committee, a subcommittee of the Association of Bay Area Governments (ABAG).

- JJ.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4905 with HalfthePlanet Foundation increasing the amount by \$4,782 for a new maximum of \$92,402 and amending the scope of work to include coordination of all logistical and administrative matters involving Project DEVELOP youth leadership panel presentations.
- KK.** County Executive Officer requests approval of and authorization for the Chair to sign the following Project COMPASS amendments for the continued implementation of a disability program navigator system:
1. Amendment No. 1 to Agreement No. 6237 with the County of Solano increasing the amount by \$8,300 for a new maximum of \$135,675; and
 2. Amendment No. 1 to Agreement No. 6236 with the County of Sonoma increasing the amount by \$8,300 for a new maximum of \$185,593.
- LL.** Approve minutes of the meetings held August 3, 10 and 17, 2004.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:15 AM

Presentation by Napa County Fire Marshal regarding Fiscal Year 2004-2005 Firewise goals with possible direction from Board.

B. 10:35 AM

Director of Public Works requests adoption of a resolution amending the Napa County Road and Street Standards.

(CONTINUED FROM AUGUST 10 AND AUGUST 17, 2004)

C. 10:45 AM PUBLIC HEARING

Director of Public Works requests the following actions with respect to the Napa Industrial Area Traffic Mitigation Fee Program:

1. Open a Public Hearing for discussion of yearly and five-year reports on the Traffic Mitigation Fee Program; and
2. Close the Public Hearing and adopt a resolution making Government Code Sections 66001 and 66006 findings with respect to the mitigation program for the Fiscal Years 1998-1999 through 2003-2004 and Fiscal Year 2003-2004.

D. 10:50 AM

County Executive Officer requests authorization for the Chair to sign a Letter of Public Convenience and Necessity allowing the transfer of a Type 20 Retail Off-Sale Alcoholic Beverage License from 1445 Sproul Avenue, Napa, to 177 Tower Road, Suite A, Napa, for Wine Scout International doing business as Bounty Hunter Rare Wine Company.

E. 11:00 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Dan Wojkowiak to a decision by the Conservation, Development and Planning Commission on June 2, 2004 approving the Michael Harrison/Michael and Lyndsey Harrison – Use Permit Modification Request No. 03383-MOD to modify Use Permit No. 92163-UP to (1) increase production capacity from 7,200 gallons per year to 15,000 gallons per year; (2) convert an existing 2,877 square foot olive oil facility (established under Use Permit No. 99084-UP) to winery storage and office space for a winery totaling 5,377 square feet (which includes the existing 2,500 square foot cave); (3) add tours and tastings for the public by prior appointment with 30 persons per week; (4) add a marketing plan with four activities per year with a maximum of 60 people per event and two wine auction events with a maximum of 40 people per event; (5) add wine retail sales; (6) add 6 parking spaces for a total of 10 spaces; and (7) construct road improvements to State Highway 128. This project is located on a 44.85 acre parcel on the east side of Sage Canyon Road/State Highway 128, approximately ¼ mile south of its intersection with Chiles-Pope Valley Road within the AW (Agricultural Watershed) Zoning District. (Assessor's Parcel No. 032-510-004) 1527 Sage Canyon Road, St. Helena.

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: hydrology & water quality.

F. 1:30 PM PUBLIC HEARING

County Executive Officer requests the following concerning the development of a Request for Proposals (RFP) for the collection of solid waste and recyclables in Garbage Zone One:

1. Open Public Hearing regarding the proposed solid waste franchise non-refundable RFP application fee;
2. Close Public Hearing and adopt a resolution establishing a solid waste franchise non-refundable RFP application fee; and
3. Discussion and possible action concerning finalizing the Request for Proposal (RFP) for the collection of solid waste and recyclables in Garbage Zone One.

G. 3:30 PM

Recess to reception welcoming Dr. Karen Smith, County Public Health Officer, at 2344 Old Sonoma Road, Napa, California.

9. ADMINISTRATIVE ITEMSCommunity Resources & Infrastructure

- A. Director of Public Works requests approval and authorization for the Chair to sign a letter of interest in contributing \$270,000 of County Measure "A" funds for the Rutherford Dust Society's Napa River Restoration Project in Fiscal Year 2004-2005 upon the execution of a Memorandum of Understanding with the Rutherford Dust Society, the Napa County Resource Conservation District and the County regarding funding, implementation and maintenance responsibilities of the collaborating partners.

General Admin & Finance

- B. County Executive Officer requests the appointment of one (1) of the following applicants to serve on the Napa County Parks and Open Space Advisory Committee as the Supervisorial District No. 2 representative with the term of office to expire December 31, 2005:

Applicant

Anthony Norris

Lucio Ezequiel Perez

Larry Pyle

Ronald J. Taddei

- C. County Executive Officer requests appointments/reappointments to the Board of Directors of the Watershed Information Center and Conservancy of Napa County as follows:
1. Appointment of one (1) of the following applicants representing the general public with the term expiring August 2008:
 - Richard L. Camera
 - Guy William Kay
 - Jim Dempsey Lincoln
 - Karen Jean Bower Turjanis
 2. Appointment/reappointment of the following three (3) applicants representing Napa County Cities and Town as recommended by the Napa County City Selection Committee with terms expiring as indicated:

<u>Name</u>	<u>City/Town</u>	<u>Term Expires</u>
Eric E. Knight (regular member)	Town of Yountville	August 2006
David Crawford* (regular member)	City of Napa	August 2008
Karen Slusser (alternate member)	City of Calistoga	August 2008
 3. Reappointment of Phil Blake* representing the Natural Resource Conservation Service with the term expiring August 2008.

*Incumbent

- D. County Executive Officer requests approval of Budget Transfer No. 25 establishing and appropriating General and non-General Fund balances for Fiscal Year 2004-2005 budgets. (4/5 vote required)

10. LEGISLATIVE ITEMS

- A. Approval of and authorization for the Chair to sign a letter thanking Senator Feinstein for the position she has taken concerning S1529, Indian Gaming Regulatory Act Amendments of 2003.
- B. Approval of and authorization for the Chair to sign a letter of support for HR1501/S738, the Northern California Coastal Wild Heritage Wilderness Act.

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: Dennis Morris, Human Resources Director

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

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

Agency Designated Representatives: Dennis Morris, Human Resources Director

Employee Organization: Napa County Deputy Sheriffs' Association (Employee Unit & Supervisory Unit of the County of Napa).

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

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:
(Two cases)

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, SEPTEMBER 14, 2004
AT 9:00 A.M.**