



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday August 09, 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**

- A. Presentation of a proclamation declaring August, 2005 as "Child Support Awareness Month" in Napa County.

**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 renewal of Agreement No. 6119 with the County of Sonoma at the rate of \$3,000 per ward per month on an as needed basis, and at a rate of \$1,200 per ward per month for aftercare services for the term of July 1, 2005 to June 30, 2006 for court ordered placements of Napa County wards.

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 2731 with Child Abuse Prevention Services, Inc., dba COPE Family Center, increasing the amount by \$3,000 for a new maximum of \$25,000, incorporating agency-wide changes to the General Terms and Conditions, and revising the budget to provide child abuse prevention services for Fiscal Year 2005-2006.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with ECHO Management Group for software maintenance support:
1. Amendment No. 3 to Agreement No. 4322 increasing the amount by \$500 for a new maximum of \$21,568, updating the description of services to include Data Junction Lite for HIPAA compliance, and updating federal health care program compliance requirements; and
  2. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4770 with Teletask, Inc., incorporating agency-wide changes to the General Terms and Conditions and increasing the amount by \$840 for a new maximum of \$2,935 for maintenance of a voice response and auto dialer system for the Maternal Child Health and the Women, Infants and Children programs.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6231 with Catholic Charities, CYO, incorporating agency-wide changes to the General Terms and Conditions, adding language regarding billing requirements, amending compensation rates, and increasing the amount by \$11,000 for a new maximum of \$55,000 for the contractor to provide residential mental health services.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments regarding the Safe and Drug Free Schools and Communities Grant:
1. Amendment No. 2 to Agreement No. 6255 with COPE Family Center, incorporating agency-wide changes to the General Terms and Conditions, increasing the amount by \$26,338 for a new maximum of \$115,979, revising the Scope of Work to include educational trainings for parents to be held in American Canyon, and revising the budget for Program Year 2004-2005 and subsequent years;
  2. Amendment No. 3 to Agreement No. 6245 with Mark Duerr, dba Duerr Evaluation Services, incorporating agency-wide changes to the General Terms and Conditions, increasing the amount by \$2,988 for a new maximum of \$18,213, revising the budget for Program Year 2004-2005, and establishing a maximum of \$18,038 for Program Year 2005-2006; and
  3. Amendment No. 3 to Agreement No. 6254 with the Boys and Girls Club of Napa Valley, incorporating agency-wide changes to the General Terms and Conditions, increasing the amount by \$15,394 for a new maximum of \$65,272 and revising the budget for Program Year 2004-2005 and subsequent years.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Pamela Walton, MFT, for the term August 9, 2005 through June 30, 2006:
1. Agreement for a maximum of \$5,000 to provide services in the Mental Health Outpatient Managed Care Program; and
  2. Business Associate Agreement setting forth the terms and conditions of the Health Insurance Accountability and Portability Act of 1996 (HIPAA) Privacy Rule.
- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Short-Doyle Medi-Cal HIPAA Transactions Trading Partner Agreement with the Department of Mental Health for the term May 19, 2005 through May 18, 2006 outlining the requirements for submitting HIPAA-compliant electronic claims to the Department of Mental Health.

Community Resources & Infrastructure

- I. Library Director requests approval to accept two grants from the California State Library and several donations from the Library Foundation and the Napa Friends of the Library totalling \$132,923.
  
- J. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Matriscope Engineering Laboratories, Inc. for a maximum of \$50,000 for the term August 9, 2005 through June 30, 2006 for construction testing services.
  
- K. Director of Public Works requests the following actions relating to the "Energy Efficient Mechanical Retrofit for the Hall of Justice and Administration Building Project," PW 04-15:
  - 1. Rejection of all the bids received on July 7, 2005; and
  - 2. Approval of revised plans and specifications for the "Energy Efficient Mechanical Retrofit for the Hall of Justice and Administration Building Project," PW 04-15R, authorization to re-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.

General Admin & Finance

- L. Clerk of the Board requests adoption of a resolution authorizing consolidation of the Howell Mountain School District bond election with the statewide special election to be held on November 8, 2005.
  
- M. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency with regards to deleting one (1) Public Health Nurse and adding one (1) Staff Nurse, effective August 13, 2005.
  
- N. County Executive Officer requests ratification of signatures of support by the County Executive Officer, the Director of Health and Human Services and the Emergency Services Manager as a requirement of the Napa County Office of Education grant application to the U. S. Department of Education for a maximum of \$600,000 for the development of a comprehensive Countywide School Emergency Services Plan and Program.
  
- O. County Executive Officer requests the reappointment of Richard F. Hum, representing Supervisorial District #2, and Wendy Wallin, representing Supervisorial District #3, to the Board of Directors of the Area Agency on Aging Serving Napa and Solano Counties with the terms of office to commence immediately and expire July 1, 2007.
  
- P. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with Omni-Group, Inc. for a maximum of \$188,100 for the term August 9, 2005 through June 30, 2006 to provide Phase One of the Adult Correctional System Master Plan which will include defining future correctional resource needs.

- Q. Approve minutes of the regular meetings held May 3, 10 and 17, 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 and adoption of a resolution adopting the final budget for Fiscal Year 2005-2006 for County Service Area No. 3.  
(4/5 vote required)

**B. 9:00 AM**

Auditor-Controller requests approval of the final appropriation and revenue levels and adoption of a resolution adopting the final budget for the Fiscal Year 2005-2006 for County Service Area No. 4.  
(4/5 vote required)

**C. 9:00 AM**

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

**D. 9:00 AM**

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

**E. 9:00 AM**

Recess to the Monticello Public Cemetery District (MPCD) meeting (See MPCD Agenda).

**F. 9:00 AM**

Recess to the Silverado Community Services District (SCSD) meeting (See SCSD Agenda).

**G. 9:30 AM CLOSED SESSION****CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Government Code Section 54956.9(a))Names of cases:

1. Polk et. al. v. County of Napa, et. al. (US District Court Case No. C 04 2903);
2. Isaac Stephenson et. al. v. County of Napa, et. al. (Napa Superior Court Case No. 26-27091);
3. Vickii Garcia v. County of Napa, et. al. (Napa Superior Court Case No. 26-23875);
4. Pedro Jaramillo et. al. v. County of Napa, et. al. (US District Court Case No. C 04 1740); and
5. Melissa Devos v. County of Napa, et. al. (Napa Superior Court Case No. 26-28362)

**H. 9:30 AM CLOSED SESSION****CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

**I. 11:30 AM**

County Counsel requests the Board consider and adopt a resolution of Findings of Fact and Decision on Appeal regarding the appeal filed by Earth Defense for the Environment Now (EDEN), to the decision by the Conservation, Development and Planning Director on March 28, 2005 to certify the Final Environmental Impact Report (FEIR) for Erosion Control Plan No. 99323-ECPA and to approve 99323-ECPA, for the Robert Mondavi Properties, Inc. Suscol Springs Vineyard Project within an Agricultural Watershed and Airport Compatibility (AW:AC) zoning district. (Assessor's Parcel No. 046-400-034)

**ENVIRONMENTAL DETERMINATION:** An Environmental Impact Report (EIR) was prepared and certified by the Conservation, Development and Planning Director pursuant to CEQA, the State CEQA Guidelines, and the County's local procedures. The adequacy of the FEIR was the subject of the appeal so the Board will need to affirmatively recertify the FEIR pursuant to State CEQA Guidelines Section 15090.

**9. ADMINISTRATIVE ITEMS**General Admin & Finance**A. County Counsel requests the Board:**

1. Receive certification of sufficient signatures on the initiative known as the "Read and Understand Act" from the Registrar of Voters; and

2. Take one of the three following actions as required by Elections Code Section 9118:
  - a. Direct staff to prepare an ordinance tracking the "Read and Understand Act" without alteration for adoption by the Board on or before August 19, 2005; or
  - b. Adopt a resolution ordering an election and placing the "Read and Understand Act" initiative on the ballot for the November 8, 2005 statewide special election; or
  - c. Order the appropriate department(s) to prepare and present to the Board a report within 30 calendar days, pursuant to Elections Code Section 9111, and identify what information should be included in the report.

**B.** County Counsel requests the Board:

1. Receive certification of sufficient signatures on the initiative known as the "Fair Payment for Public Benefit Act" from the Registrar of Voters; and
2. Take one of the three following actions as required by Elections Code Section 9118:
  - a. Direct staff to prepare an ordinance tracking the "Fair Payment for Public Benefit Act" without alteration for adoption by the Board on or before August 19, 2005; or
  - b. Adopt a resolution ordering an election and placing the "Fair Payment for Public Benefit Act" initiative on the ballot for the November 8, 2005 statewide special election; or
  - c. Order the appropriate department(s) to prepare and present to the Board a report within 30 calendar days, pursuant to Elections Code Section 9111, and identify the information which should be included in the report.

**C.** County Executive Officer recommends that the Board provide the following direction related to the County's participation in the Community Development Block Grant (CDBG) Program:

1. Authorize County participation in the current round of funding for Planning and Technical Assistance grants; and
2. Require that agencies or organizations requesting Planning & Technical Assistance Grant funding through the County be responsible for preparing all needed application documents and materials for County review and for providing any required County match; and
3. Designate the County Executive Officer, or her designee, to hold the first public hearing required to consider public input on the potential uses of CDBG funds; and
4. Direct that staff prepare an analysis of issues related to County participation in other elements of the CDBG program and provide that analysis and a recommendation to the Board by December of 2005.

## 10. LEGISLATIVE ITEMS

- A.** Discussion and possible action concerning any and all issues related to AB 54 - disposal of state surplus real property. (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: The property known as Skyline Park and certain adjacent areas of open space located within all or portions of the following Assessor's Parcel Numbers: 046-450-041, 046-450-042, 046-380-001, 046-390-001, 045-350-002 and 045-360-001

Agency Negotiator: Robert Peterson and Michael Stoltz, Public Works Department

Negotiating Parties: State of California

Under Negotiation: Price and terms of payment

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, AUGUST 16, 2005  
AT 9:00 A.M.**