



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday September 13, 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 declaring September, 2005 as "Recovery Happens 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. 6498 with the Napa County Office of Education for a maximum of \$81,900 for the term October 1, 2005 through September 30, 2006 to fund a Deputy Probation Officer assigned to the Safe Schools/Healthy Students Program to expand campus safety.

Public Safety

- B. Director of Corrections requests approval of and authorization for the Chair to sign a revenue agreement with Leaders in Community Alternatives, Inc. for the term September 13, 2005 through June 30, 2007 to provide electronic technology services to select individuals for 24-hour monitoring including equipment, installations and removal of equipment, collection of client fees, on sites and other fieldwork associated with client accountability.
- C. County Fire Chief, pursuant to Section 8.3 of the Memorandum of Understanding between County of Napa and Volunteer Departments, requests ratification of the following 2005 volunteer chief election/appointment results:

Brad Kirkpatrick Pope Valley

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign renewals of the following agreements to provide job-related training and counseling services to clients of the Training and Employment Center's INCLUSION Program, each for the term October 1, 2005 through September 30, 2006:
1. Agreement No. 6029 with Napa Personnel Systems for a maximum of \$10,000; and
 2. Agreement No. 6030 with Goodwill Industries of the Redwood Empire for a maximum of \$10,000.
- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 2 to revenue Agreement No. 3579 with the California Department of Alcohol and Drug Programs increasing the amount by \$7,426 for a new maximum of \$1,225,857 for Fiscal Year 2004-2005.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to revenue Agreement No. 3662 with the California Department of Health Services (CDHS) decreasing the amount by \$4,716 over the next two years for a new maximum of \$95,733 for the Housing Opportunities for Persons With AIDS (HOPWA) Program.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4348 with J. Michael Murphy, EdD, increasing the amount by \$4,340 for a new maximum of \$18,200, incorporating agency-wide changes to the General Terms and Conditions, and revising the Scope of Work to include additional evaluation services for the contractor to provide consultation and evaluation services for children at risk.
- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following amendments incorporating changes to the Addendum for Contracts Involving Federal Health Care Programs:
1. Amendment No. 1 to Agreement No. 4674 with Michael Shifflett, M.D.; and
 2. Amendment No. 2 to Agreement No. 4458 with Barbara McCarroll, Ph.D.
- I. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6217 with Drug Abuse Alternatives Center, increasing the amount by \$190,000 for a new maximum of \$227,800 to provide substance abuse residential treatment services.
- J. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Mohammad Abu-Hamdi, dba Napa Valley Cab Company, for a maximum of \$5,000 for the term September 13, 2005 through June 30, 2006 to provide transportation services for clients participating in the Napa County Emancipated Youth Ride Program.

- K.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Allen, Shea & Associates for a maximum of \$10,000 for the term September 13, 2005 through October 31, 2005 to provide assistance in implementing the Children's Health Initiative in Napa County.
- L.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Alternatives for Better Living, Inc. for a maximum of \$15,000 for the term September 13, 2005 through June 30, 2006 for treatment services provided under Penal Code 1000 Drug Diversion Program.
- M.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with Robin Goldner, LCSW, for the term September 13, 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 Portability and Accountability Act of 1996 (HIPAA) Privacy Rule.
- N.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the Workforce Investment Act Subrecipient Release for the grant period April 1, 2002 through June 30, 2004.
- O.** Director of Health and Human Services requests approval of and authorization for the Chair to sign a Declaration of Intent Not to Apply for Rural Health Services Program Funding for Fiscal Year 2005-2006.
- P.** Director of Health and Human Services requests authorization to remove \$6,622.63 of fully depreciated fixed asset from the Health and Human Services Agency's inventory.

Community Resources & Infrastructure

- Q.** Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with Environmental Science Associates (ESA) for a maximum of \$111,000 for the term September 13, 2005 through June 30, 2006 for preparation of an EIR for the Saintsbury Vineyards (#01259-ECPA) Erosion Control Plan project.

- R. Acting Director of Environmental Management requests approval of the following actions relating to two environmental grants:
1. Acceptance of the Federal Environmental Protection Agency (EPA) Underground Injection Control Program 2-year grant in the amount of \$75,962 for identification and inventory of injection wells;
 2. Acceptance of the International City/County Management Association (ICMA) Environmental Land Use Control Tracking grant in the amount of \$5,000 for enhancing the existing Hazardous Materials Release Search on the Internet; and
 3. Approval of Budget Transfer No. 8 increasing appropriations by \$62,000 with offsetting revenues in the Environmental Management budget. (4/5 vote required)
- S. Library Director requests approval of and authorization for the Chair to sign an agreement with Group 4 Architecture, Research + Planning, Inc., for a maximum of \$142,130 for the term September 13, 2005 through December 31, 2006 to assist the Napa City-County Library in preparing a 20-year Facilities Master Plan.
- T. Director of Public Works requests an extension to August 8, 2006 for the completion date of road and drainage improvements on Devlin Road as required by Subdivision Agreement No. 3289.
- U. 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 04-13R, "Napa Valley Residential Stabilization Center Fire Sprinkler System Installation Project."
- V. Director of Public Works requests approval of additional expenditures in the amount of \$8,138 for structural modifications to the modular units identified in Agreement No. 6583 with GE Capital Modular Space approved on June 21, 2005.
- W. 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 8, 2005 for the 2nd annual "See Jane Tri - Napa Valley" Triathlon.
- X. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 4906-2(A-1) with the Corrections Standards Authority (CSA) (previously known as the State Board of Corrections) extending the term through April 27, 2006 for construction of the Juvenile Justice Center.
- Y. Director of Public Works requests authorization for the Chair to sign two Certificates of Acceptance of Easement Deeds from The Peter A. and Vernice H. Gasser Foundation pertaining to the South Napa Homeless Shelter Project. (Assessor's Parcel No. 046-691-004)

- Z.** 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, 2005 in accordance with the provisions of Section 2121 of the California Streets and Highway Code.
- AA.** Director of Public Works requests approval of and authorization for the Chair to sign a Lease Agreement with the Napa County Flood Control and Water Conservation District, with a payment of \$1 per year, for the term September 13, 2005 through September 13, 2010 or until the County acquires the fee title interest, allowing the County to enter and operate the Napa County Animal Shelter.
- BB.** Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Jay B. Jacobs and Amelia Maxine Jacobs. (Assessor's Parcel No. 047-310-006)

General Admin & Finance

- CC.** Assessor-Recorder-County Clerk requests approval of Budget Transfer No. 7 increasing appropriations by \$11,500 in the Assessor budget for supplies and training with offsetting revenues from the State-County Property Tax Administration Grant Trust Fund. (4/5 vote required)
- DD.** Information Technology Services Director requests approval of and authorization for the Chair to sign an agreement with Data Power Monitoring Corporation for a maximum of \$3,600 per fiscal year for the term September 13, 2005 until terminated by either party, for backup power supply system monitoring services.
- EE.** County Executive Officer requests approval of and authorization for the Chair to sign a letter transmitting the response to the 2004-2005 Grand Jury Final Report to the Presiding Judge of the Superior Court.
- FF.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6364 with Managed Health Network for a monthly rate of \$4.29 per employee per month for the term July 1, 2005 through June 30, 2006 for Employee Assistance Program (EAP) services.
- GG.** County Executive Officer requests adoption of a resolution amending the Departmental Allocation List with regards to the Health of Health and Human Services Agency and its Divisions, adding one (1) Supervising Account Clerk and deleting the vacancy resulting from the internal promotion, effective September 13, 2005.

- HH.** County Executive Officer requests adoption of a resolution regarding the following in connection with the Human Resources Division of the County Executive Office effective September 13, 2005:
1. Amend the Departmental Allocation List to add one (1) Acting Human Resources Director;
 2. Amend the Table and Index to add Acting Human Resources Director; and
 3. Amend appropriate policies to add Acting Human Resources Director.
- II.** County Executive Officer/Director of Emergency Services requests acceptance of the Department of Homeland Security's Fiscal Year 2005 Homeland Security Grant Program award in the amount of \$493,992 to enhance the Napa Operational Area homeland security programs, law enforcement terrorism prevention programs and general ongoing emergency preparedness.
- JJ.** County Executive Officer/Director of Emergency Services requests approval of the following items related to the purchase of communications hardware to begin the modernization of the countywide microwave communications system:
1. Approval of Budget Transfer No. 9 in the amount of \$192,973 increasing appropriations in the Communications budget with offsetting revenue from Emergency Services budget unit to establish a fixed asset in the amount of \$190,482 for the purchase of communications hardware for the microwave communications system modernization project, and \$2,491 for purchase of related small required parts for the project (4/5 vote required); and
 2. A waiver of competitive bidding requirements and sole source award for the purchase of the communications hardware from Harris Microwave Communications Division in Redwood Shores, California, for \$190,482 pursuant to County Ordinance Code 2.36.090.
- KK.** County Executive Officer/Purchasing Agent requests authorization to declare certain items as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)
- LL.** County Executive Officer/Purchasing Agent requests the following:
1. Declare certain items of personal property as surplus and no longer required for public use; and
 2. Authorize the Purchasing Agent to dispose of these items of personal property by donating them to the following organizations:
 - a. Donaldson Way Elementary School; and
 - b. Napa Valley Personal Computers User Group, a tax-exempt Health and Human Service organization.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS**A. 9:00 AM**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Name of case: Daniel Bennett v. County of Napa, et. al. (Napa Superior Court Case No. 26-25558)

B. 9:00 AM

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

C. 9:00 AM

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

D. 9:15 AM

Director of Public Works requests discussion and possible direction regarding the development of a balloon launching facility on County owned property adjacent to the Roads Division Corporation Yard on Silverado Trail in Yountville.

E. 10:15 AM PUBLIC HEARING

Director of Corrections requests adoption of a resolution establishing and increasing fees for the Work Furlough Program, Home Electronic Leash Program, Correctional Conservation Corps (CCC), and Weekender Program to reflect actual costs of program operations.

F. 10:45 AM

Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign a comment letter to the San Francisco Bay Regional Water Quality Control Board (RWQCB) regarding Total Maximum Daily Load (TMDL) Technical Reports addressing sediment and pathogens in the Napa River Basin.

G. 1:30 PM

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

H. 2:30 PM

County Counsel requests the Board consider and adopt a resolution of Findings of Fact and Decision on Appeal regarding 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.

(CONTINUED FROM AUGUST 23, 2005)

9. ADMINISTRATIVE ITEMSPublic Safety

- A. Environmental Management, District Attorney and Sheriff Departments to provide a status report on activities involving vicious and dangerous animals within Napa County and request direction for County Counsel to prepare an ordinance that provides for dog violations to be treated as an infraction or misdemeanor.

General Admin & Finance

- B. County Counsel requests:

1. First reading and intention to adopt an ordinance amending Chapter 15.28 (Electrical Code) of the Napa County Code, adopting the updated California Electrical Code, and amending administrative provisions.
2. No action is needed regarding resolution making findings in support of modifications and changes to Chapter 15.28 (Electrical Code) due to local climatic, geological and topographical conditions.

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

(CONTINUED FROM AUGUST 16, 2005)

- C. Information Technology Services Director and County Executive Officer request the following in connection with the Information Technology Services Division of the County Executive Office:
1. Receive the Technology Workplan report from the Information Technology Services Director; and
 2. Adoption of a resolution regarding the following, effective, September 24, 2005:
 - a. Amend the Departmental Allocation List to delete:
 - i. Thirty (30) *Senior Information Systems Specialist/Information Systems Specialist I/II, [*Nine (9) positions only to be at Senior level];
 - ii. One (1) (M) Director of Management Information Services; and
 - iii. Two (2) Information System Assistants;
 - b. Amend the Departmental Allocation List to add:
 - i. Thirty (30) flexibly staffed Senior Information Systems Specialist/Information Systems Specialist I/II;
 - ii. One (1) (M) Chief Information Officer;
 - iii. One (1) (M) Geographic Information Officer; and
 - iv. One (1) (M) Technology Architect;
 - c. Amend the Table and Index to:
 - i. Add (M) Chief Information Officer, (M) Geographic Information Officer, and (M) Technology Architect; and
 - ii. Delete (M) Director of Management Information Services;
 - d. Amend appropriate policies to:
 - i. Add (M) Chief Information Officer, (M) Geographic Information Officer, and (M) Technology Architect; and
 - ii. Delete (M) Director of Management Information Services.
- D. County Executive Officer requests approval of Budget Transfer No. 4 establishing and appropriating General Fund and non-General Fund balances and making certain other adjustments for the Fiscal Year 2005-2006 budget. (4/5 vote required)
- E. County Executive Officer requests five (5) appointments/reappointments from the list of applicants below to serve in the following positions on the Napa County Dangerous Animal Hearing Panel with the terms of office to commence immediately and expire as indicated.

<u>Positions</u>	<u>Term Expires</u>
Regular Member	January 31, 2008
Regular Member	January 31, 2007
Regular Member	January 31, 2006
First Alternate	January 31, 2008
Second Alternate	January 31, 2007

Applicants

Linda Sue Bunte
 Stephen Owen Emerick*
 Yvonne "Vonn" Fuqua**
 Debbi Hamilton*
 Dina Joy Mitchell

Gregory Tyrone Remesal
Gene Rose*
Heidi Patricia Williams

*Incumbent - Regular Member
**Incumbent - Second Alternate

- F. County Executive Officer requests the appointment/reappointment of four (4) applicants from the following list representing the public at large to serve on the Board of Directors of the Napa River Watershed Conservancy/Watershed Information Center (WICC) with the term of office to commence immediately and expire August, 2009.

Applicants

Cheryl L. Harris
Beverly Saxon Leonard
Jim Dempsey Lincoln
Marc V. Pandone
Jeffrey Redding*
Charles Slutzin*
Robert E. Steinhauer

*Incumbents

- G. County Executive Officer requests the appointment/reappointment of four (4) members from the following list of applicants to serve on the Measure A Financial Oversight Committee with the terms of office to commence immediately and expire June 30, 2008.

Carl Ebbeson*	Agricultural Industry Representative
Don J. Huffman*	Business Community Representative
Lou Jefferson*	Local Media Representative

Board of Supervisors Representative (one position)

Scott K. Jenson
John K Swearingen

*Incumbents

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 REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 501 N. White Cottage Road, Angwin, California (Assessor's Parcel No. 024-111-009)

Agency Negotiator: Howard Siegel, Community Partnership Manager

Negotiating Parties: Napa Valley Community Housing and County of Napa

Under Negotiation: Sale of an interest in real property

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, SEPTEMBER 20, 2005
AT 9:00 A.M.**