

MINUTES OF THE
MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF NAPA

April 23, 2002

1. Call to Order.
THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA MET IN REGULAR SESSION, TUESDAY, APRIL 23, 2002, AT 9:00 A.M. WITH THE FOLLOWING MEMBERS PRESENT: CHAIRMAN BILL DODD, SUPERVISORS BRAD WAGENKNECHT AND MEL VARRELMAN. SUPERVISORS MARK LUCE AND MIKE RIPPEY WERE EXCUSED.

2. Pledge of Allegiance.
BECKY PETERSEN LED THE SALUTE TO THE FLAG.

3. Public Comment.
NONE

4. Department Heads' Reports and Announcements.
NONE

Consent Calendar

5. District Attorney requests authorization to apply for the Statutory Rape Vertical Prosecution Program with the Office of Criminal Justice Planning in the amount of \$192,524 for the term July 1, 2002 through June 30, 2003.
6. District Attorney requests authorization to apply for the Edward Byrnes Block Grant with the Office of Criminal Justice Planning in the amount of \$183,550 to continue funding for the Narcotics Information Network.
7. Sheriff requests the following actions related to the Boat Patrol Program:
 - A. Approval of and authorization for Sheriff to sign the Financial Aid Application and agreement with the State Department of Boating and Waterways in the amount of \$438,895 for Fiscal Year 2003/2004; and
 - B. Approval for Sheriff or his designate to sign quarterly activity reports and other documents for the State Department of Boating and Waterways.
8. Acting Director of Health and Human Services requests approval of and authorization for Chairman to sign Amendment No. 1 to Agreement No. 4497 with Chileda Habilitation Institute, Inc., increasing the amount by \$702 for a new maximum of \$50,014, for residential treatment services.

**A-4497
(AMEND. 1)**

9. Acting Director of Health and Human Services requests approval of and authorization for Chairman to sign Amendment No. 1 to Agreement No. 4495 with River Oak Center for Children and Families, increasing the amount by \$41,272 for a new maximum of \$54,940, for residential treatment services.
A-4495
(AMEND. 1)
10. Acting Director of Health and Human Services requests approval of the 2002-2005 Child Abuse Prevention, Intervention & Treatment and Community Based Family Resource Support Services Plan (CAPIT/CBFRS).
11. Acting Director of Health and Human Services requests approval of and authorization for Chairman to sign Amendment No. 2 to Agreement No. 4450 with Jodie Morgan, increasing the amount by \$5,000 for a new maximum of \$36,000, for consultation services related to substance abuse treatment.
A-4450
(AMEND. 2)
12. Acting Director of Health and Human Services requests authorization to increase the In-Home Supportive Services Provider wage from \$6.75 per hour to \$7.11 per hour, effective July 1, 2002.
13. Acting Director of Health and Human Services requests approval of the Regional Emergency Medical Services (EMS) Plan and Regional Trauma Plan for the Counties of Napa/Sonoma/Mendocino and authorization for the EMS Agency to submit the Regional EMS Plan and Trauma Plan to the State EMS Authority.
14. Second reading and adoption of an ordinance adding Chapter 2.58 to the Napa County Code relating to the establishment of the In-Home Supportive Services Public Authority of Napa County.
Environmental Determination: exempt (general rule).
CONTINUED TO APRIL 30, 2002
15. Director of Public Works requests adoption of a resolution prohibiting parking, stopping or standing of vehicles along the west side of Milton Road from Mile Post 0.00 to Mile Post 1.20 on Tuesdays from 6 A.M. to 6 P.M. to enable the maintenance of Napa River Reclamation District drainage facilities.
R-02-92
16. Director of Public Works requests adoption of a resolution establishing temporary parking restrictions on both sides of Dunaweal Lane from Silverado Trail to State Route 29 on June 6, 2002 from 6 A.M. to 6 P.M. to facilitate traffic flow during the Napa Valley Wine Auction. **R-02-82**
17. Director of Public Works requests acceptance of the work as complete and authorization for Chairman to sign and file a Notice of Completion with the Clerk/Recorder for Contract No. RDS 00-21, "Concrete Repair at Various Locations Project."
18. County Counsel requests the following actions:
 - A. Determine it will not participate in the Year 2002 Tax and Revenue Anticipation Note Program on behalf of the Calistoga Joint Unified School District, the Napa Valley Unified School District, and the St. Helena Unified School District because such Districts have chosen to participate in a pooled cash flow borrowing program sponsored by the California School Boards' Association Finance Corporation; and

18. Continued
 - B. Direct staff to advise Bond Counsel for the Districts of the Board's decision not to participate.
19. County Counsel requests adoption of a resolution rescinding Resolution No. 00-122 and revoking Use Permit No. 99065-UP to comply with the stipulated judgment entered into in Napa Citizens for Honest Government v. Napa County, et al. (Panattoni Development Company), Case No. 26-11414.
R-02-83
20. County Counsel requests adoption of a resolution rescinding Resolution No. 01-20 and revoking Use Permit Nos. 95642-UP and 96644-UP, and Tentative Parcel Map 95641-UP, to comply with the stipulated judgment entered into in Napa Citizens for Honest Government v. Napa County, et al. (Airport Boulevard Realty), Case No. 26-11436.
R-02-84
21. Housing Director requests approval of a request from "Christmas in April Napa Valley" for \$3,000 in Housing Trust Funds to assist with the cost of repairing homes on National Rebuilding Day, April 27, 2002.
22. Job Training Director requests approval of and authorization for Chairman to sign Amendment No. 1 to Agreement No. 4573 with Joyce A. Seymour, dba Falcon Truck School, increasing the amount by \$8,600 for a new maximum of \$18,600 for additional client job skills training.
**A-4573
(AMEND. 1)**
23. Local Enforcement Agency Manager requests adoption of a resolution authorizing the submittal of an application to the California Integrated Waste Management Board for two (2) 2002/03 Solid Waste Enforcement Assistance Grants in the amount of \$35,000 and authorization for the Assistant County Executive Officer to execute the required documents.
R-02-85
24. Acting Personnel Director requests adoption of a resolution amending the Departmental Allocation List with regard to a Limited Term Mental Health Worker I/II in the Behavioral Health Department, effective April 27, 2002.
R-02-86
25. Acting Personnel Director requests adoption of a resolution amending the Departmental Allocation List with regard to a Limited Term Office Assistant II in Environmental Management, effective April 23, 2002.
R-02-87
26. Acting Personnel Director requests adoption of a resolution approving the revised class specification for the position of Assistant Director of Public Works/District Engineer, effective April 23, 2002.
R-02-88
27. Acting Personnel Director requests adoption of a resolution amending the Table and Index with regard to Information Systems Manager II, effective January 19, 2002.
R-02-89
28. Acting Personnel Director requests approval of and authorization for Chairman to sign an agreement with Carrie Hays, dba The Halle Group, for a maximum of \$20,000 for the term September 1, 2001 through June 30, 2002 to provide training to County employees.
A-4735

29. Acting Personnel Director requests authorization to sign a Letter of Intent with CalPERS to enter into a health benefits agreement.
30. Regional Coordinator requests authorization for out-of-state travel for Don Callison, Staff Services Analyst II, to attend the Approaches to Skill Shortages in the 21st Century Grantee Symposium in Washington, D.C., from May 7-9, 2002, at an estimated cost of \$1,100.
31. Approval of the following actions related to the Board of Supervisor's Retreat:
 - A. Call Special Meetings of the Board of Supervisors, pursuant to Government Code Section 54956, to be held Monday, April 29, 2002 at 9:00 A.M. and Tuesday, April 30, 2002 at 9:00 A.M., at Cakebread Cellars, 8300 St. Helena Highway, Rutherford, California, for the purpose of discussing issues and priorities of the Board; and
 - B. Approval of and authorization for Chairman to sign an agreement with David Parr for \$5,000 for the term April 1, 2002 to June 30, 2002 for retreat facilitation services.

A-4736
32. Approve minutes of Board of Supervisors' meetings of March 5 and March 12, 2002.
33. Discussion of items removed from the consent calendar.
(SEE ITEM NUMBER 14)

**APPROVED CONSENT CALENDAR ITEM NUMBERS 5 THROUGH 13 AND 15
THROUGH 32.
BW-V-L-R-D
X X**

Set Matters

34. 9:05 a.m. Agricultural Commissioner to present the Annual Crop Report for 2001.
REPORT PRESENTED
35. 9:10 a.m. Presentation of a proclamation to Dave Whitmer, Agricultural Commissioner, proclaiming May 2002 as Glassy-winged Sharpshooter Awareness Month.
PRESENTATION MADE

SUPERVISOR VARRELMAN DIRECTED STAFF TO FORWARD PROCLAMATION TO THE GOVERNOR'S OFFICE AND REQUEST THE STATE MIRROR THIS PROCLAMATION AND PRESENT IT TO DAVE WHITMER, AGRICULTURAL COMMISSIONER, ON BEHALF OF THE STATE OF CALIFORNIA.

36. 9:15 a.m. - Public Hearing - County Counsel requests the following actions relating to the organization of County Service Area No. 4 ("CSA#4") pertaining to farmworker housing:
PUBLIC HEARING HELD

- A. Conduct a protest hearing to determine whether 50% or more of registered voters in the proposed area oppose formation, or whether owners of 50% or more of the value of the land and improvements in the proposed area oppose formation.

THE BOARD ACKNOWLEDGED RECEIPT OF ONE (1) PROTEST LETTER, WHICH DID NOT INCLUDE FIFTY PERCENT (50%) OR MORE OF THE REGISTERED VOTERS OR FIFTY PERCENT (50%) OR MORE OF THE LAND VALUE.

**V-BW-L-R-D
X X**

- B. Find and determine that the services proposed to be provided by CSA#4 in the Resolution of Intention are miscellaneous extended services.

THE BOARD DETERMINED THE SERVICES THAT ARE TO BE PROVIDED ARE MISCELLANEOUS EXTENDED SERVICES, WHICH ARE SPECIFICALLY DEFINED UNDER SECTION 25210.4h(a) OF THE CALIFORNIA GOVERNMENT CODE, AND ADOPTED THE RESOLUTION.

**V-BW-L-R-D
X X**

- C. Adopt resolution establishing a new County Service Area No. 4 pertaining to Farmworker Housing.

ADOPTED RESOLUTION

**V-BW-L-R-D
X X**

R-02-90

- D. Adopt resolution appointing initial members to the Farmworker Housing Advisory Committee of County Service Area No. 4 and establishing rules and procedures for the Committee.

ADOPTED RESOLUTION

**V-BW-L-R-D
X X**

R-02-91

- E. If Items C and D are approved, appoint five (5) Planted Vineyard Land Owners or Agents and two (2) Farmworkers to the Farmworker Housing Advisory Committee.

SUPERVISOR VARRELMAN NOMINATED AND THE BOARD APPOINTED DAVID BECKSTOFFER REPRESENTING PLANTED VINEYARD LAND OWNERS WITH HIS TERM OF OFFICE TO EXPIRE APRIL 23, 2005.

**V-BW-L-R-D
X X**

SUPERVISOR VARRELMAN NOMINATED AND THE BOARD APPOINTED MARGARET DUCKHORN REPRESENTING PLANTED VINEYARD LAND OWNERS WITH HER TERM OF OFFICE TO EXPIRE APRIL 23, 2005.

**V-D-L-R-BW
X X**

36. Continued

**SUPERVISOR VARRELMAN NOMINATED AND THE BOARD APPOINTED
DAWNINE DYER REPRESENTING PLANTED VINEYARD LAND OWNERS WITH
HER TERM OF OFFICE TO EXPIRE APRIL 23, 2005.**

**V-D-L-R-BW
X X**

**SUPERVISOR VARRELMAN NOMINATED AND THE BOARD APPOINTED
PATRICK J. GARVEY REPRESENTING PLANTED VINEYARD LAND OWNERS
WITH HIS TERM OF OFFICE TO EXPIRE APRIL 23, 2005.**

**V-BW-L-R-D
X X**

**SUPERVISOR VARRELMAN NOMINATED AND THE BOARD APPOINTED
RICHARD SALVESTRIN REPRESENTING PLANTED VINEYARD LAND OWNERS
WITH HIS TERM OF OFFICE TO EXPIRE APRIL 23, 2004.**

**V-BW-L-R-D
X X**

**SUPERVISOR WAGENKNECHT NOMINATED AND THE BOARD APPOINTED
PLACIDO GARCIA REPRESENTING FARMWORKERS WITH HIS TERM OF OFFICE
TO EXPIRE APRIL 23, 2005.**

**BW-V-L-R-D
X X**

**SUPERVISOR WAGENKNECHT NOMINATED AND THE BOARD APPOINTED
ELISEO GONZALEZ MORENO REPRESENTING FARMWORKERS WITH HIS TERM
OF OFFICE TO EXPIRE APRIL 23, 2004.**

**BW-V-L-R-D
X X**

Environmental Determination: Negative Declaration adopted by Local Agency Formation
Commission (LAFCO).

ADOPTED NEGATIVE DECLARATION

**V-BW-L-R-D
X X**

37. 9:30 a.m. - Public Hearing - Appeal filed by Thomas and Vicki Weinert, to a decision by the Conservation, Development and Planning Commission on February 6, 2002 to approve Herman Winery – Use Permit Request No. 99532-UP-(Revised) to establish a 50,000 gallon/year winery including custom production activities (crushing, fermentation, barrel ageing, bottling, storage, office, and distribution) for a maximum of two entities utilizing 25% of the proposed production capacity (12,500 gallons/year), the construction of a winery structure totaling 14,800 square feet, an outdoor covered crush pad, and 11 new parking spaces; retail wine sales and tours/tasting by appointment only, and to implement a marketing plan with a maximum of sixteen marketing events per year located on a 20-acre parcel on the east side of Big Ranch Road 2,500 feet north of Trancas Street, within an Agricultural Preserve (AP) Zoning District. (Assessor's Parcel No. 038-190-001) 2120 Big Ranch Road, Napa. Environmental Determination: mitigated negative declaration adopted. (Appellant requests Continuance, date to be determined at public hearing)

PUBLIC HEARING OPENED

PUBLIC HEARING CONTINUED TO MAY 7, 2002 AT 2:30 P.M.

V-BW-L-R-D

X X

38. 10:30 a.m. - Public Hearing - Appeal filed by Thomas F. Carey, Attorney on behalf of Bighorn Cellars, LLC, to a decision by the Conservation, Development and Planning Commission on February 20, 2002 to approve Bighorn Cellars, LLC/Alfred & Mary Bishop – Use Permit Request No. 00275-MOD to modify Use Permit No. 95036-UP, to increase annual production from 15,000 to 30,000 gallons, add on-site bottling and to allow the use of 3,500 square feet for wine storage by other entities, located on a 1.16-acre parcel on the south of State Highway 121, approximately 800 feet west of its intersection with Atlas Peak Road within a Commercial Limited (CL) Zoning District. (Assessor's Parcel No. 049-110-003) 1821 Monticello Road, Napa. Environmental Determination: Mitigated Negative declaration adopted. (Applicant/Appellant request Continuance to May 14, 2002 at 10:00 a.m.)

PUBLIC HEARING OPENED

PUBLIC HEARING CONTINUED TO MAY 14, 2002 AT 10:00 A.M.

BW-D-L-V-R

X X

39. 4:00 p.m. Joint meeting with the Napa City Council (Board of Supervisors Meeting Room):

Discussion and direction:

- A. Confirmation of annual meeting schedule.

THE BOARD AGREED TO CONTINUE TO MEET QUARTERLY.

- B. Housing Director requests that the Board of Supervisors and Napa City Council authorize the formation of a Joint (City-County) Housing Trust Fund Board, with each body appointing two (2) members to serve on the new Board.

APPROVED REQUEST AND THE BOARD APPOINTED CHAIRMAN BILL DODD AND SUPERVISOR BRAD WAGENKNECHT.

Regular Calendar

40. Clerk of the Board requests appointment of one (1) of the following applicants to serve on the Airport Advisory Commission as the General Public Representative with the term of office to expire December 31, 2002:

Applicants

Michael J. Baldini
Richard P. Barthelemy
John W. Blasingame
Thomas B. Gill

SUPERVISOR VARRELMAN NOMINATED AND THE BOARD APPOINTED RICHARD P. BARTHELEMY, WHO'S NAME WAS INADVERTENTLY NOT LISTED ON THE AGENDA.

V-BW-R-L-D

X X

41. Discussion and possible action regarding legislation.
SUPERVISOR VARRELMAN REPORTED ON AN ARTICLE IN THE SAN FRANCISCO CHRONICLE REGARDING THE UNDERESTIMATING OF THE STATE BUDGET AT APPROXIMATELY \$18 BILLION AND IT APPEARS THE BUDGET WILL RUN CLOSER TO \$21-\$22 BILLION, WHICH HOPEFULLY DOES NOT CREATE A DISASTER FOR THOSE AT THE LOCAL LEVEL.
42. Board of Supervisors' Committee Reports and Announcements.
CHAIRMAN DODD REPORTED ON THE FOLLOWING:
- **LAWSUIT INVOLVING METROPOLITAN TRANSPORTATION COMMISSION AND ADVOCATES OF AIR QUALITY. CHAIRMAN DODD FURTHER INDICATED THAT THE NAPA COUNTY TRANSPORTATION PLANNING AGENCY HAS SIGNED ON AS A FRIEND OF THE COURT.**
 - **ALLEN LAWRENCE, FORMER CHAIRMAN OF THE CALIFORNIA TRANSPORTATION COMMISSION, WAS REAPPOINTED BY GOVERNOR DAVIS TO SERVE ANOTHER FOUR-YEAR TERM. MR. LAWRENCE WAS INSTRUMENTAL IN PROVIDING \$2 MILLION IN FUNDING TO KEEP THE JAMIESON CANYON PROJECT ON TRACK.**
43. Board of Supervisors' Future Agenda Items.
DISCUSSION AND POSSIBLE ACTION REGARDING SUBSIDIZING AMBULANCE SERVICES IN THE UP-VALLEY AREA. (SUPERVISOR VARRELMAN)
44. Closed Session.
NONE

Adjournment

**ADJOURNED TO BOARD OF SUPERVISORS' SPECIAL MEETING, MONDAY,
APRIL 29, 2002 AT 9:00 A.M., AT CAKEBREAD CELLARS, 8300 SAINT HELENA HIGHWAY,
RUTHERFORD.**

BILL DODD
Chairman

ATTEST:

MICHELLE PRICE
Deputy Clerk of the Board

TERI SISSON
Supervising Clerk of the Board

KEY

Vote: L = Mark Luce; R = Mike Rippey; V = Mel Varrelman; D= Bill Dodd; BW = Brad Wagenknecht

Notations under Vote: N = No; X = Excused; A = Abstain