

RESOLUTION NO. 90-22

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF NAPA, STATE OF CALIFORNIA, CONCERNING THE
COMPOSITION OF THE NAPA COUNTY CONSERVATION,
DEVELOPMENT AND PLANNING COMMISSION WHEN SAID
COMMISSION FUNCTIONS AS THE AIRPORT LAND USE
COMMISSION

WHEREAS, by Resolution No. 75-51, adopted March 25, 1975, this Board, acting pursuant to the provisions of California Public Utilities Code Section 21670.1, designated the Napa County Conservation, Development and Planning Commission the body to assume and accomplish the planning responsibilities of an airport land use commission effective March 25, 1975, and rescinded Resolution No. 70-159 effective that same date; and

WHEREAS, Chapter 1018 of the Statutes of 1987 of the State of California acted to amend certain provisions within Article 3.5 of Chapter Four of Part One, Division Nine of the Public Utilities Code of the State of California dealing with Airport Land Use Commissions including Public Utilities Code Section 21670.1; and

WHEREAS, as amended, Public Utilities Code Section 21670.1 provides that:

(a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.

(b) A body designated pursuant to subdivision (a) which does not include among its membership at least two members having an expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988"; and

//

//

WHEREAS, Subdivision (e) of Section 21670 of the Public Utilities Code provides:

(e) A person having an 'expertise in aviation' means a person who, by way of education, training, business, experience, vocation or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport. The Commission shall be constituted pursuant to this Section on and after March 1, 1988; and

WHEREAS, this Board of Supervisors has previously determined that one (1) of the members of the current Napa County Conservation, Development and Planning Commission does have an "expertise in aviation" pursuant to Public Utilities Code Section 21670(e), and further appointed one (1) additional person to augment the Napa County Conservation, Development and Planning Commission when acting in the capacity of an airport land use commission in order to comply with the requirements of Public Utilities Code Section 21670.1(b) that at least two (2) members of the Airport Land Use Commission have expertise in aviation as defined in Public Utilities Code Section 21670.1(e).

NOW, THEREFORE, BE IT RESOLVED by this Board of Supervisors in order to comply with the requirements of Public Utilities Code Sections 21670(e) and 21670.1 on a continuing basis, that anytime there is a change in membership of either the Napa County Conservation, Development and Planning Commission or the Airport Land Use Commission, this Board shall determine how many members of the Conservation, Development and Planning Commission have an "expertise in aviation", defined in California Public Utilities Code Section 21670(e) as "a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation and role of airports, or is an elected official of a local agency which owns or operates an airport."

BE IT FURTHER RESOLVED THAT The Board shall augment, to the extent necessary, the Napa County Conservation, Development and Planning Commission, whenever said Commission functions as the Airport Land Use Commission, by adding up to two persons to ensure that the Airport Land Use Commission is comprised of at least two members having an expertise in aviation as defined in California Public Utilities Code Section 21670(e).

//

//

BE IT FURTHER RESOLVED that under no circumstances may a person specifically appointed to augment the Conservation, Development and Planning Commission, pursuant to California Public Utilities Code Section 21670 et seq., serve as a Conservation, Development and Planning Commissioner.

BE IT FURTHER RESOLVED that the Board hereby amends that section of the Board Policy Manual relating to the Airport Land Use Commission to read as set forth in Attachment A.

The foregoing resolution was duly and regularly adopted by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 13th day of February, 1990, by the following vote:

AYES: SUPERVISORS NEGRI, WHITE, VARRELMAN, BATTISTI
and MIKOLAJCIK

NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

ATTEST:

AGNES DEL ZOMPO,
Clerk of the Board

By: Teri Lissou, Deputy

APPROVED

FEB 13 1990

BOARD OF SUPERVISORS
COUNTY OF NAPA

AGNES DEL ZOMPO
CLERK OF THE BOARD

BY Kate Prescott Deputy

ATTACHMENT "A"

AIRPORT LAND USE COMMISSION

Established pursuant to Resolution No. 70-159 dated December 22, 1970; as amended by Resolution No. 75-51 dated March 25, 1975, and further amended by Resolution No. 90-22 dated February 13, 1990.

Resolution No. 70-159, adopted December 22, 1970, the Board, acting pursuant to the provisions of California Public Utilities Code Section 21670.1, determined that the Napa County Planning Commission and the Napa County Airport Advisory Commission jointly should constitute the body to assume and accomplish the planning responsibilities of an airport land use commission as provided for in said section, and that a separate Airport Land Use Commission need not be formed in the County of Napa.

On March 25, 1975, the Board adopted Resolution No. 75-51, amending Resolution No. 70-159 as follows:

The Board has determined that proper land use planning in relation to the Napa County Airport can henceforth be accomplished through the actions of the Napa County Planning Commission, now renamed the Conservation Development and Planning Commission, acting by itself and not jointly with the Napa County Airport Commission.

The Selection Committee of Mayors for the County of Napa has heretofore determined by majority vote that said Napa County Conservation, Development and Planning Commission may appropriately be designated to perform the planning functions and responsibilities of the Airport Land Use Commission.

Pursuant to the provisions of said Section 21670.1 of the Public Utilities Code of the State of California, the Napa County Conservation, Development and Planning Commission is hereby designated the body to assume and accomplish the planning responsibilities of an Airport Land Use Commission effective March 25, 1975, and that Resolution No. 70-159 is hereby rescinded effective that same date.

A separate Airport Land Use Commission need not be formed in this County.

The Clerk of the Board shall notify the Secretary of State of this determination in conformance with the provisions of said Section 21670.1 of the California Public Utilities Code.

Resolution No. 75-51 of the Board of Supervisors of the County of Napa, is hereby amended to conform to California Public Utilities Code Section 21670.1, as amended by Chapter 1018, Section 2, of the statutes of 1987, regarding the composition of an appropriately designated body when functioning as the Airport Land Use Commission, as follows:

Whenever there is a change in membership in either the Napa County Conservation, Development and Planning Commission or the Airport Land Use Commission, the Board of Supervisors of the County of Napa shall determine how many members of the Conservation, Development and Planning Commission have "expertise in aviation," defined in California Public Utilities Code Section 21670(e) as "a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation and role of airports, or is an elected official of a local agency which owns or operates an airport."

The Board shall augment, to the extent necessary, the Napa County Conservation, Development and Planning Commission, whenever said Commission functions as the Airport Land Use Commission, by adding up to two persons to ensure that the Airport Land Use Commission is comprised of at least two members having an expertise in aviation as defined in California Public Utilities Code Section 21670(e). Under no circumstances may a person appointed to augment the Conservation, Development and Planning Commission, pursuant to California Public Utilities Code Section 21670 et seq., serve as a Conservation, Development and Planning Commissioner.