



# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday January 11, 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  
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 may be viewed at the office of 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](http://www.co.napa.ca.us)**

**1. CALL TO ORDER; ROLL CALL****2. PLEDGE OF ALLEGIANCE****3. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of Retirement Resolution No. 05-02 to Betty Hopkins, Auditor-Appraiser II, in recognition of 35 years of service.

**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**Community Resources & Infrastructure

- A. 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 02-20, "Historic Courthouse Rehabilitation and Criminal Courts Building Office Remodel Project."
- B. Director of Public Works requests approval of plans and specifications for the "Energy Efficient Lighting Retrofit for the Hall of Justice and Administration Building Project," PE 04-14, 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.
- C. Director of Public Works requests approval of and authorization for the Chair to sign a Napa Land Tenure and Funding Agreement with the State of California for \$20,000 for the term of January 11, 2005 through ten years from the date of completion for the Acorn Soup Program Bothe-Napa Valley Park Campfire Center Project rehabilitating an existing structure known as the Campfire Center, which is an outdoor environmental learning theater.

- D. Director of Public Works requests the following actions regarding the proposed new parking structure planned for the County parcels bounded by Third, Fourth, Coombs and Randolph Streets:
1. Approval of and authorization for the Chair to sign an agreement with Watry Design, Inc. for a maximum of \$750,290 for the term January 11, 2005 through June 30, 2007 to prepare plans, specifications and engineering, and assist with construction bidding and administration;
  2. Approval and authorization for the Auditor-Controller to establish Fund 1140 - County Center Improvement Fund; and
  3. Approval of Budget Transfer No. 53 appropriating \$1,551,037 in the County Center Improvement Fund (Fund 1140) fund with offsetting revenue in the amount of \$500,000 from the City of Napa and \$1,051,037 as an Operating Transfer In from the Capital Improvement General Fund. (4/5 vote required)
- E. Director of Public Works and County Counsel request adoption of a resolution amending Part III of the County Policy Manual, pertaining to fees, to delete subsection (d) of Section 10.020, referencing superseded Outdoor Festival permits, and to delete subsection (b) of Section 140.050 so as to allow fee waivers to be granted administratively for Special Events permits.
- F. Second reading and adoption of an ordinance regarding fair housing and reasonable accommodations.  
**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)].
- General Admin & Finance
- G. County Counsel requests the Board waive any potential conflicts of interest that may exist now or in the future so that Miller, Starr & Regalia may be considered for the position of corporate counsel for Napa Recycling & Sanitation LLC.
- H. County Counsel requests adoption of a resolution approving a property owners' request to be exempted from the approved County Service Area No. 4 (CSA No. 4) assessment.
- I. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with Jones Hall, a Professional Law Corporation, for an approximate maximum of \$68,000 for the term of January 4, 2005 through June 30, 2005 for Bond and Disclosure Counsel services in connection with the refinancing of the County's 1996 Certificates of Participation.

- J. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with Kelling, Northcross & Nobriga for a maximum of \$110,000 for the term January 4, 2005 through June 30, 2005 for financial advisor services in connection with the refinancing of the County's 1996 Certificates of Participation as well as other possible financial advisory services that may be needed.
- K. County Executive Officer requests the appointment of John Reichel to serve on the Napa River Watershed Conservancy/Watershed Information Center Board of Directors representing the Napa County Land Trust with the term of office to commence immediately and expire August 2008.

## 7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

## 8. SET MATTERS OR PUBLIC HEARINGS

### A. 9:15 AM

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

### B. 10:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Mr. Tom Futo to a decision by the Director of Public Works to a partial denial of a road improvement exception request for the property located at 1575 Oakville Grade (Assessor's Parcel No. 027-360-018) and associated with Use Permit # 04029-UP.

**ENVIRONMENTAL DETERMINATION:** The appeal of the Director's determination on the road exemption is not a "project" as defined in CEQA Section 15378. Section 15378(c) sets forth that the term "project" refers to an activity which is being approved, and does not mean each separate governmental approval. In this case, the Board's determination on the road exception merely establishes how existing regulations are being interpreted, and will not result, either directly or indirectly, in a physical change in the environment. This code interpretation is necessary to establish the scope of the "project" that will then be subject to CEQA evaluation.

**(APPELLANT REQUESTS CONTINUANCE TO JANUARY 25, 2005 AT 10:15 AM)**

## 9. ADMINISTRATIVE ITEMS

### Community Resources & Infrastructure

- A. Director of Conservation, Development and Planning requests a continuance of the discussion and possible revisions to Chapter 18.116020 of the Napa County Code regarding sign regulations pending consistency finding and vetting with the Napa County Planning Commission.

General Admin & Finance

- B.** County Executive Officer requests approval of:
1. Proposed Budget Policies to guide the preparation and administration of the County's Fiscal Year 2005-2006 Budget; and
  2. The Proposed Fiscal Year 2005-2006 Budget Calendar.
- C.** County Executive Officer requests the nomination of one member of the Board of Supervisors to serve on the County Medical Services Program (CMSP) Governing Board with the term of office to commence immediately and expire December 31, 2006.
- D.** First and final reading and adoption of an ordinance amending Agreement No. 1464 with the Board of Administration of CalPERS to provide for employees sharing the cost of the retirement benefit and receiving tax deferral of that shared cost effective January 15, 2005 for all safety employees pursuant to Government Code Section 20516.  
**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)].
- E.** Emergency Services Manager and Public Health Officer to present an update of Napa County's terrorism and bioterrorism preparedness.

**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. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** (Government Code Section 54957)

**15. ADJOURNMENT**

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, JANUARY 25, 2005  
AT 9:00 A.M.**