



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday December 12, 2006 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

Mary Jean McLaughlin
Acting 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**
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**

Human Services

- A. Director of Health and Human Services requests approval of Budget Transfer No. 30 increasing appropriations by \$15,000 in the Public Guardian/Public Conservator budget with offsetting revenues from client accounts for the payment of emergency conservatees' expenses. (4/5 vote required)
- B. Director of Health and Human Services and the Human Resources Director request adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency adding one (1) System Support Analyst - H&HS, effective December 12, 2006.

Community Resources & Infrastructure

- C. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with the California Land Stewardship Institute for a maximum of \$190,000 of Measure A funding for the term December 12, 2006 through September 30, 2008 to be used as a local match for preparation of a conceptual design for restoration of the Napa River between Oakville Cross Road and Oak Knoll Avenue.
- D. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 6420 with Napa County Resource Conservation District to extend the term to December 31, 2007 and increase the subgrant by \$42,000 of Measure A funding for a new maximum of \$312,000, for additional work required to complete the preliminary design of the Rutherford Dust Restoration Project.

- E. Director of Public Works requests the following relating to the State Water Resources Control Board grant for the Rutherford Dust Society Restoration Project:
1. Adoption of a resolution approving a grant agreement with State of California and authorizing the Director of Public Works to sign the grant agreement for a maximum of \$1,000,000 for the term December 31, 2006 through April 1, 2009; and
 2. Approval of Budget Transfer No. 33 increasing appropriations in the General Fund Capital Improvement Budget by \$1,000,000 with offsetting grant revenues. (4/5 vote required)
- F. Director of Public Works requests adoption of a resolution establishing Construction Site Runoff Control Requirements for structural projects that require a building or grading permit.

General Admin & Finance

- G. County Counsel requests adoption of a resolution Approving Lake Berryessa Resort Improvement District's Draft Resolution of Notice of Intent to Levy Assessments and Issue Bonds to fund necessary facility repairs.
- H. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List for Child Support Services as follows:
1. Adding one (1) Senior Legal Clerk and two (2) Legal Clerk I/II positions, and deleting the resulting vacancies effective December 12, 2006; and
 2. Adding two (2) Legal Clerk I/II positions and deleting two (2) Legal Secretary positions effective December 30, 2006.
- I. Human Resources Director requests adoption of a resolution amending the Table and Index for the purpose of increasing the biweekly compensation of the Board of Supervisors as authorized by Napa County Ordinance No. 1263.
- J. Human Resources Director requests acceptance of Retirement Proclamation for Catherine O'Neal, Accountant-Auditor Manager, in recognition of over 30 years of service.
- K. Human Resources Director requests acceptance of Retirement Proclamation for Claudia Moelk, Accountant-Auditor III, in recognition of over 16 years of service.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:05 AM PUBLIC HEARING

Court Executive Officer requests the Board conduct a public hearing and consider adoption of a resolution increasing the amount distributed to the Napa County Law Library from the Uniform Civil Filing Fees of the Superior Court to defray costs commencing January 1, 2007.

B. 9:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Farella Braun and Martel on behalf of their client, Tom Gamble, of a decision by the Zoning Administrator on July 31, 2006, to approve a minor change to the approved tentative map (P06-01097) for the Villa Berryessa subdivision (95071-SUB). The modification would adjust the approved lot configuration, adjust the overall layout and street alignment, decrease the amount of grading work, and relocate the water intake system to comply with the applicable conditions and mitigation measures approved by the Napa County Board of Supervisors in 1997. Additionally, some conditions of approval require minor changes in the timing of implementation; however, the ultimate determination for substantial compliance with the approved tentative map is generally made at the time the Board of Supervisors approves the final map. In this case, the applicant has requested a formal determination for the minor changes to the approved tentative map. The project is located on a ±141.84 acre parcel, on the north side of Pope Canyon Road approximately 1500 feet west of its intersection with Berryessa-Knoxville Road within a PD (Planned Development) zoning district and an area designated UR (Urban Residential) by the Napa County General Plan (Assessor's Parcel Number #019-080-003), Napa, CA.

ENVIRONMENTAL DETERMINATION: Addendum to a Supplemental Mitigated Negative Declaration to Environmental Impact Report - FEIR-038 prepared (State CEQA guidelines 15164 for minor changes to the project as approved by the Villa Berryessa Use Permit (95070-UP) and Tentative Map (95071-SUB)). The proposed minor change to the approved map does not constitute a substantial change to the project that would require major revisions to the prior environmental document due to the involvement of new significant environmental impacts. Also, no substantial changes in circumstances under which the project would be undertaken and no new information of substantial importance have occurred that might necessitate additional review. An explanation of the decision not to prepare an additional environmental document is contained in the Addendum pursuant to State CEQA Guidelines Section 15164.

(CONTINUED FROM OCTOBER 17, 2006)

C. 10:45 AM

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County special meeting (See IHSS Agenda).

D. 11:00 AM

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

E. 11:30 AM

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

9. ADMINISTRATIVE ITEMSPublic Safety

- A. First reading and intention to adopt an ordinance amending sections 12.08.010 and 12.08.040 of the Napa County Code to add Pope Creek and Putah Creek to the Berryessa Lake and Park Area and to permit boating violations in these areas to be charged either as a misdemeanor or an infraction. **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

- B. Assessor-Recorder-County Clerk as ex-officio Registrar of Voters and the Director of Conservation, Development and Planning request that the Board of Supervisors take the following actions:
1. Declare results of the election on Measure I, which is under the County's jurisdiction, as set forth in the Certified Statement of Vote (Official Canvass) for the November 7, 2006 general election pursuant to Elections Code sections 15300-15400 and Public Resources Code sections 5520 and 5521; and
 2. Direct the Clerk of the Board to file Resolution No. 06-110 after entering the aye and no votes; and
 3. Adopt Resolution ordering the formation of the Napa County Regional Park and Open Space District, declaring the election of the Board of Directors, and directing the Clerk of the Board to record this order with the office of the Napa County Recorder and to file a certified copy of the order with the Secretary of State, all pursuant to Public Resources Code section 5524.
- C. County Executive Officer requests that the Board:
1. Affirm or revise the policy decisions regarding the use of Special Projects Fund resources made at its December 5th meeting, including the creation of an ad hoc Special Projects Fund Committee of the Board of Supervisors; and
 2. Appoint two of its members to serve as the Ad Hoc Special Projects Fund Committee.

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 PERFORMANCE EVALUATION (Government Code Section 54957)

Title: Director of Child Support Services

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, DECEMBER 19, 2006
AT 9:00 A.M.**