



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday March 02, 2010 9:00 A.M.

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Bill Dodd
District 4

Keith Caldwell
District 5

Nancy Watt
County Executive Officer

Gladys I. Coil, CCB
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.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, AT THE time of such distribution, in the office of the Clerk of the Board of Supervisors, 1195 Third Street, Suite 310, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

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 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. APPROVAL OF MINUTES****4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a proclamation recognizing the week of March 1 through 7, 2010 as Peace Corps Week in Napa County. (Supervisor Luce)

- B. Director of Human Resources to introduce new County of Napa employees.

5. 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.

6. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**7. CONSENT ITEMS**Law & Justice

- A. Director of Child Support Services requests the removal of one (1) XGA LCD Projector w/2200 from the Child Support Services asset list.

- B. District Attorney requests approval of Budget Transfer No. DAO0005:
 - 1. Canceling a designation and increasing appropriations in the amount of \$10,000 in the Hazardous Waste Non-Operating Special Revenue Fund and increasing revenue in the District Attorney's budget to offset budgeted expenditures related to the investigation of environmental prosecutorial activities eligible for reimbursement; and
 - 2. Canceling a designation and increasing appropriations in the amount of \$22,000 in the Asset Forfeiture Non-Operating Special Revenue Fund and increasing revenue in the District Attorney's budget to offset budgeted expenditures eligible for reimbursement by asset forfeiture funds (4/5 vote required).

Community Resources & Infrastructure

- C. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewal of revenue Agreement No. 6979 with the California Department of Food and Agriculture (CDFA) for a maximum of \$195,051 for the term July 1, 2009 through June 30, 2010 for reimbursement of expenditures for activities related to Light Brown Apple Moth trapping program.
- D. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign the renewal of revenue Agreement No. 7065 with the California Department of Food and Agriculture (CDFA) for a maximum of \$190,770 for the term July 1, 2009 through June 30, 2010 for reimbursement of expenditures for activities related to Light Brown Apple Moth exclusion program.
- E. Director of Public Works requests the following actions related to the "Silverado Trail Overlay (North of Howell Mountain Road to Deer Park Road)," Project RDS 09-13; funded by the American Recovery and Reinvestment Act of 2009 (ARRA):
1. Approval of and authorization for the Chair to sign Program Supplement Agreement N023 with the California Department of Transportation to administering Agency-State Agreement No. 04-5921R to provide County with reimbursement of \$380,000;
 2. Approval of Budget Transfer No. DPW014 appropriating \$380,000 in a new department (30030) in the Roads budget with offsetting revenue from American Recovery and Reinvestment Act (ARRA) (4/5 vote required); and
 3. Approval of plans and specifications, 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.
- F. Director of Public Works requests the following actions as they relate to the Department of Water Resources Capacity Building Grant funded by Proposition 50:
1. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 7160 with the California State University, Sacramento-Center for Collaborative Policy (CCP) increasing the amount from a maximum of \$24,751 to a maximum of \$27,201 for assistance with stakeholder outreach, interviews and a stakeholder assessment; and
 2. Approval of Budget Transfer No. DPW012 appropriating \$50,000 in the Capital Improvement Program budget with offsetting revenues.(4/5 vote required)
- G. Director of Public Works requests approval of and authorization for the Chair to sign the following agreements for the term March 2, 2010 through June 30, 2010 with provision for automatic renewal, to provide administration and support services for water and sewer operations:
1. Agreement with Napa Berryessa Resort Improvement District; and
 2. Agreement with Lake Berryessa Resort Improvement District.

General Admin & Finance

- H. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Audit Report for the Napa Special Investigations Bureau - Special Investigation Revolving Fund for the fiscal years ended June 30, 2008 and June 30, 2009.
- I. Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Jean Gage for a maximum of \$19,950 for the term March 2, 2010 through June 30, 2010 to provide Microsoft Office 2007 software training for County employees.
- J. Chief Information Officer requests approval of and authorization for the Chair to sign a software maintenance agreement with Accela, Inc., availing of a 12% discount by pre-paying the annual maintenance for the proprietary software and for wireless support, for a maximum of \$58,828 for the term July 1, 2010 through June 30, 2011.
- K. Chief Information Officer requests the following actions in relation to the purchase of a standby diesel generator and automatic transfer switch:
1. Approval of Budget Transfer No. ITS002, transferring funds within the Communications budget to establish a fixed asset in the amount of \$33,268 (4/5 vote required); and
 2. Waiver of competitive bidding requirements and authorization for a sole source award for the purchase of the generator and switch from Peterson Power Systems.

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**9. SET MATTERS OR PUBLIC HEARINGS****A. 9:15 AM**

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

B. 9:20 AM

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

C. 10:00 AM

Director of Public Works requests the following actions pertaining to the Master Plan Feasibility and Alternate Site Selection Study of Angwin Airport (Parrett Field) in Angwin, CA:

1. Receive and file the Master Plan Feasibility and Alternate Site Selection Study of Angwin Airport; and
2. Direct staff to deliver the completed study to the Federal Aviation Administration, Caltrans Division of Aeronautics, and Pacific Union College (PUC) and continue discussions regarding the findings of the study.

D. 10:30 AM

Director of Health and Human Services requests direction/possible action(s) on the following issues regarding the Fiscal Year 2010-2011 Tobacco Master Settlement Agreement (MSA) Grant Awards:

1. Potential changes to the Tobacco MSA grant categories and adoption of associated funding allocations;
2. Potential changes to the MSA grant application process and rating criteria;
3. Potential changes in the evaluation component of the grant program; and
4. Initiation of the Fiscal Year 2010-2011 grant cycle in accordance with the provisions detailed in the "Proposed Fiscal Year 2010-2011 MSA Grant Application Categories" and the "Proposed Fiscal Year 2010-2011 Grant Award Criteria", which will be revised to the extent necessary to comport with any directions provided by the Board.

E. 11:00 AM PUBLIC HEARING

Court Executive Officer and Director of Human Resources request a public hearing to discuss the future annual costs associated with a proposal by the Napa Superior Court to allow a 91 day window to offer eligible Superior Court employees two additional years of service credit for retirement purposes as authorized by Government Code Section 20903.

F. 11:30 AM

Recess to a joint luncheon and presentation by the Airport Advisory Commission at Jonesy's Famous Steak House at the Napa County Airport, 2044 Airport Road, Napa.

G. 2:00 PM PUBLIC HEARING

Director of Public Works requests adoption of a resolution abandoning excess right-of-way on White Lane, south of Saint Helena.

H. 2:15 PM

Director of Conservation, Development and Planning to present the following four separate proposals related to the Winery Definition Ordinance (WDO) and seek direction regarding next steps:

1. Development of a draft ordinance implementing consensus-based clarifications to the definition of "marketing of wine" and to other sections of Napa County Code permitting retail sales of wine-related items and food-wine pairings;
2. Development of a draft resolution articulating Planning Commission policies related to business events and other matters;
3. Development of a draft ordinance permitting cultural and social events that are indirectly related to the education and development of consumers, provided that certain conditions are met and an administrative permit is obtained; and

4. Development of a draft ordinance permitting tours and tastings without appointment.

PLEASE NOTE: While these four proposals include draft policy language and are intended to solicit public input and Board direction, no draft ordinances or resolutions have been prepared, and no formal action is requested at this time.

10. ADMINISTRATIVE ITEMS

11. LEGISLATIVE ITEMS

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

15. CLOSED SESSION

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

Names of Cases:

1. Lake Luciana LLC v. County of Napa, et al. (Napa County Superior Court # 26-49388 & US District Court # CV 09-4131 JSW)
2. Latinos Unidos de Napa vs. County of Napa, et. al. (Napa County Superior Court Case No. 26-50568)

16. ADJOURNMENT

ADJOURN TO BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MARCH 16, 2010 AT 9:00 A.M.

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON FEBRUARY 26, 2010 BY 5:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Gladys I. Coil (By e-signature)
GLADYS I. COIL, Clerk of the Board