



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday April 04, 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

Pamela Miller, CMC
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**

Law & Justice

- A. Director of Child Support Services requests approval of and authorization for Director to sign a Plan of Cooperation (POC) with the State Department of Child Support Services (DCSS) at no cost, for the term from October 1, 2005 through September 30, 2007.

Community Resources & Infrastructure

- B. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 4906-2(A-1) with the Corrections Standards Authority extending the term through August 27, 2006 for construction of the Juvenile Justice Center.
- C. Director of Public Works/Aviation requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from HCV Napa Associates LLC. (Assessor's Parcel Nos. 057-020-006, 057-020-018, 057-020-020, 057-210-002, 057-020-017)

General Admin & Finance

- D. Chief Information Officer requests approval of Budget Transfer No. 36 appropriating \$17,850 in the Information Technology Services budget with offsetting revenues from the State of California for the purchase of hardware and software necessary to implement the California Department of Justice's suspect photo database system. (4/5 vote required)
- E. County Counsel requests adoption of a resolution authorizing the Napa Valley Unified School District to issue General Obligation Bonds, Series 2006, in concert with Refunding Bonds of the District, pursuant to Education Code Section 15140 and 15146.

- F. County Executive Officer requests the appointment of Council Member Leon Garcia to serve on the Board of Directors of the Watershed Information Center and Conservancy of Napa County (WICC) representing American Canyon with the term of office to commence immediately and expire August, 2006.
- G. County Executive Officer requests the appointment of Justin Laird to serve on the Farmworker Housing Advisory Committee (CSA #4) representing the category of planted vineyard land owner with the term of office to commence immediately and expire April 23, 2008.
- H. County Executive Officer/Purchasing Agent and Director of Public Works request authorization to declare certain items of personal property as surplus and no longer required for public use, remove them from inventory, and dispose of them at public auction. (4/5 vote required)

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM

Recess to the Monticello Public Cemetery District (MPCD) meeting (See MPCD Agenda).

B. 9:50 AM

County Executive Officer and County Counsel request adoption of a resolution increasing fees for preparation of Findings of Fact for Assessment Appeal decisions by the Napa County Board of Equalization.

C. 10:00 AM PUBLIC HEARING

Consideration and possible action on an appeal filed by Mr. Dirk Fulton to a partial denial by the Director of Public Works of a road improvement modification requested by the appellant in connection with the application for Use Permit # 04065-UP for a property located at 263 Petrified Forest Road, Calistoga. (Assessor's Parcel No. 020-430-006)

ENVIRONMENTAL DETERMINATION: The appeal of the Director's determination on the road modification 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 modification 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.

(CONTINUED FROM NOVEMBER 22, 2005, JANUARY 10, 24 AND 31, 2006)

D. 10:30 AM

County Executive Officer requests the Board hold a Fiscal Year 2006-2007 Budget Study Session, to include:

1. Receipt of the General Fund Five-Year Forecast;
2. Receipt of an update on various issues related to the Fiscal Year 2006-2007 Budget, including increased OMB A-87 and Information Technology Services charges, the creation of new funds and requests by Departments for new General Fund-supported positions and program enhancements; and
3. Possibly provide direction to staff regarding some of those Budget issues and Budget policies.

E. 1:30 PM

Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (See NCFCWCD Agenda).

F. 2:30 PM

County Counsel requests the Board consider and adopt a resolution of Findings of Fact and Decision on Appeal denying the appeal filed by Farella Braun and Martel on behalf of their client, Tom Gamble, of a decision by the Zoning Administrator (ZA) on November 23, 2005 to approve the application filed by Michael Rice as representative of Miller-Song Group and Nick Petsas for a minor use permit modification (P05-0301-MODMINOR) for the Villa Berryessa subdivision. The modification would permit stick built units or modular units, 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. 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 No. 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 use permit modification does not constitute a substantial change to the project that would require major revisions to the prior environmental documents due to the involvement of new significant environmental impacts. No substantial changes in circumstances under which the project would be undertaken and no new information of substantial importance necessitates additional review.

G. 2:35 PM PUBLIC HEARING

Conduct a Nuisance Abatement Hearing pursuant to County Code Section 1.20.060 to hear and consider all objections or protests, if any, to the notice of nuisance abatement issued for the property located at 1595/1597 Las Amigas Road in Napa, CA. (Assessor's Parcel Nos. 047-310-005 and 047-310-008), and at the conclusion of the hearing take one of following two actions:

1. Terminate the abatement proceedings; or
2. Find that a nuisance exists and adopt a Resolution Declaring the Existence of Public Nuisance and Ordering its Abatement, and directing the owner or other interested persons to abate the nuisance in a reasonable time (30 days).

ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 1/Categorical Exemption Class 21: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") and Class 21 ("Enforcement Actions by Regulatory Agencies") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301 and 15321; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

H. 3:00 PM

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

9. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

- A. Director of Conservation, Development and Planning requests direction regarding the request to amend the Zoning Ordinance to define farm management companies as an agricultural use. (Supervisor Dodd)
- B. Director of Public Works requests appointment of two members of the Board of Supervisors to serve on an ad hoc committee to review the exception criteria for road modifications and report back to the Board of Supervisors within four months.
- C. University of California Cooperative Extension Director to make a presentation of a new report: "Suitability Study of Napa Sanitation District Recycled Water for Vineyard Irrigation".

General Admin & Finance

- D. County Executive Officer and County Counsel request direction regarding whether or not the process of separating the duties of the Registrar of Voters from the duties of the County Clerk and making the position of Registrar of Voters appointive should commence.

10. LEGISLATIVE ITEMS

- A. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)

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)

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

Name of case: Jorge Deharo, Hector Olvera, Latinos Unidos de Napa, an Unincorporated Association v. County of Napa et. al. (Case No. 26-22255)

15. ADJOURNMENT

**ADJOURN TO A SPECIAL MEETING OF THE BOARD OF SUPERVISORS' ON MONDAY, APRIL 10, 2006
AT 9:00 A.M. AT THE NAPA COUNTY OFFICE OF EDUCATION, 2121 IMOLA AVENUE, NAPA, CALIFORNIA.**