



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday May 03, 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.

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**

- A. Presentation of a proclamation declaring May, 2005 as Napa County Watershed Awareness Month.
- B. Presentation of a proclamation to Dave Whitmer, Agricultural Commissioner, proclaiming May, 2005 as Glassy-winged Sharpshooter Awareness Month.

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**Public Safety

- A. Sheriff requests authorization to sign the State of California, Department of Parks and Recreation grant application for Fiscal Year 2005-2006 in the amount of \$55,000 for partial reimbursement of salaries and benefits, off highway vehicle equipment and repairs in regards to law enforcement efforts in isolated areas of the County.

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the California Department of Health Services (CDHS) for the Health Resources and Services Administration (HRSA) National Bioterrorism Hospital Preparedness Program for a maximum of \$185,708 for the term September 1, 2004 through August 31, 2005 to fund cooperative agreements with hospitals and supporting health care systems.

Community Resources & Infrastructure

- C. Agricultural Commissioner requests approval of and authorization for the Chair to sign an agreement with Kristin Lowell Inc. for a maximum amount of \$5,700 for the term May 3, 2005 through August 31, 2005 to prepare the Engineer's Report required for the levy of assessments pertaining to the Napa County Winegrape Pest and Disease Control District for Fiscal Year 2005-2006.

- D. Director of Public Works requests award of the contract for the "Energy Efficient Lighting Retrofit for the Hall of Justice and Administration Building Project," PW 04-14, to T. Marshall Associates, LTD. of Pleasanton, California, for their low base bid of \$205,782 and authorization for the Chair to sign the construction contract.

General Admin & Finance

- E. The Clerk of the Board and County Counsel request the Board acknowledge the request of the Napa Valley Community College District's Bond Counsel, Stradling, Yocca, Carlson & Rauth, to not authorize the issuance of a tax and revenue anticipation note, thereby allowing the community college district to issue the note in its name, and authorize the Clerk of the Board to sign and return the acknowledgement to the District's Bond Counsel.
- F. Human Resources Director requests adoption of a resolution amending the Departmental Allocation List in the Recorder/County Clerk division of the Assessor-Recorder-County Clerk Department to add one (1) Limited Term Assessment Records Assistant I, effective May 3, 2005, through June 30, 2006.
- G. County Executive Officer and Clerk of the Board request transfer of unclaimed monies totaling \$7,512 currently held in the Clerk of the Board Tax Deposit Trust Fund to the General Fund.
- H. County Executive Officer/Director of Emergency Services requests approval of and authorization for the Chair to sign an agreement with Of The Woods for a maximum of \$50,000 for the term May 3, 2005 through July 31, 2005 to provide brush chipping services for a Firewise grant program.
- I. County Executive Officer/Director of Emergency Services requests approval of Budget Transfer No. 80 in the amount of \$6,226 increasing appropriations in the Information Technology budget with offsetting revenue from the Emergency Services budget unit to establish a fixed asset for the purchase of a 42-inch printer. (4/5 vote required)
- J. County Executive Officer/Purchasing Agent requests the following:
1. Declare certain items of personal property as surplus and no longer required for public use; and
 2. Authorize the Purchasing Agent to dispose of these items of personal property by direct sale to the Los Angeles County Elections Department.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS**A. 9:00 AM**

Receive a report on the Napa County Children's Health Initiative by Connie Battisti, Co-Chair, Napa County Children's Health Initiative. (Supervisor Dodd)

B. 9:30 AM PUBLIC HEARING

First reading and intention to adopt an ordinance amending Chapter 5.12 of the Napa County Code regulating occupancy and use of public rights-of-way by cable systems and open video systems, providing for establishment of customer service standards, franchise and licensing requirements of such systems and prescribing minimum charges, terms and conditions for construction, maintenance and repair of such systems.

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)].

C. 9:50 AM PUBLIC HEARING

County Executive Officer requests the following concerning establishing fees and rates for the collection of solid waste, recyclables and green waste for the Unincorporated Area of Garbage Zone One:

1. Open Public Hearing regarding the proposed franchise and rate surcharge fees, and service rates; and
2. Close Public Hearing and adopt the following two resolutions:
 - a. Resolution establishing franchise and rate surcharge fees charged to the Zone One solid waste collection franchisee for County costs of management and enforcement; and
 - b. Resolution establishing rates for the collection of solid waste, recycling and green waste services applicable in Garbage Zone One, effective October 1, 2005, contingent upon Board approval of the Franchise Agreement with Napa County Recycling and Waste Services.

D. 9:50 AM PUBLIC HEARING

County Executive Officer requests the following concerning approving a franchise for the collection of solid waste, recyclables, and green waste in Garbage Zone One:

1. Open Public Hearing regarding the approval of a franchise to Napa County Recycling and Waste Services, LLC. for the collection of solid waste, recyclables, and green waste in the Unincorporated Area of Garbage Zone One, effective October 1, 2015; and

2. Close Public Hearing and adopt one resolution that will:
 - a. Approve and authorize the Chair to sign a Memorandum of Understanding with the City of Napa for the County's use of the City's Material Diversion Facility for the term October 1, 2005 through November 30, 2015; and
 - b. Approve and authorize the Chair to sign the franchise agreement for the collection of solid waste, recyclables, and green waste in Garbage Zone One to Napa County Recycling and Waste Services, LLC., effective October 1, 2005 through November 30, 2015 with an option for up to (4) one year extensions.

E. 10:30 AM

First reading and intention to adopt an ordinance adding a new Chapter 1.30 to Title 1 of the Napa County Code Providing for the Indemnification of the County for Land Use Approvals.

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

(CONTINUED FROM APRIL 19, 2005)

F. 11:00 AM

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

Names of cases:

1. Vickii Garcia v. County of Napa, et. al. (Napa Superior Court Case No. 26-23875)
2. Steven A. Flinn v. County of Napa, et. al. (California State Mediation & Conciliation Service Case No. 97-1-452)

G. 1:30 PM

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

9. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. County Executive Officer requests the appointment/reappointment of one (1) member of the Board of Supervisors to serve on the Local Agency Formation Commission (LAFCO) as an alternate member for a four (4) year term of office commencing immediately and expiring the first Monday in May 2009.

- B. Second reading and adoption of an ordinance implementing process improvements for various procedural and administrative practices designated in the Napa County Code, including political signs, directional signs, comprehensive sign plans, parcel design, fences, entry structures, parking requirements, certificates of extent of legal nonconformities, and expiration of site plan approvals. **ENVIRONMENTAL DETERMINATION:** Categorical Exemption Class 5: 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. The project will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity will have significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, cause substantial adverse change in the significance of a historical resource or extract groundwater in excess of the Phase 1 groundwater extraction standards as set by the Department of Public Works. [See Class 5 ("Minor Alterations in Land Use Limitations") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

10. LEGISLATIVE ITEMS

- A. Approval of and authorization for the Chair and certain County officers to sign a letter supporting continued federal funding for the Safe and Drug Free Schools and Communities program. (Unanimous vote required)
- B. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations. (Unanimous vote of the Board members present required)
- C. Discussion and possible action concerning SB 1059 - Electric transmission corridors. (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)

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, MAY 10, 2005
AT 9:00 A.M.**