



Agenda Date: 7/25/2006
Agenda Placement: 9B

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Britt Ferguson for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Andrew Carey, Management Analyst, 253-4477
SUBJECT: Amendment to the Board's policy concerning legislative issues of international, nationwide, statewide or regional significance

RECOMMENDATION

County Executive Officer requests discussion and possible action regarding amending the Board of Supervisors' Policy, Part 1, Section 8, concerning legislative issues of international, nationwide, statewide or regional significance. (Supervisor Dodd)

EXECUTIVE SUMMARY

On March 26, 1985, the Board of Supervisors voted unanimously to adopt a policy (Part 1, Section 8, of the Napa County Policy Manual) concerning the Board taking a public position on legislative issues of international, nationwide, statewide, or regional significance. In essence, the policy requires that legislative issues must be scheduled for discussion by being placed on the agenda for a regularly scheduled meeting of the Board of Supervisors and must receive "the unanimous affirmative vote of all Board members voting upon the measure" in order to be considered as representing the position of the Napa County Board of Supervisors. This policy has been in place since it was approved by the Board in 1985.

On June 27, 2006, Chair Dodd requested staff to return to the Board with an agenda item addressing the possibility of amending the existing policy so that any county-specific legislative proposal that had been previously approved in the Legislative Platform by unanimous vote of the Board would only require a majority vote for the Board to take a subsequent action concerning such county-specific proposals.

A general history of the county's practices concerning legislative issues, the text of the existing policy concerning legislative items, and the text of a draft policy amendment are presented in the Background and Discussion section of this staff report.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

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.

BACKGROUND AND DISCUSSION

The Napa County Board of Supervisors has historically taken an interest in legislative proposals at the state and federal level that could have an impact the county's revenue streams, its financial resources and economic viability, the delivery of state mandated services within the county, and the county's ability to provide essential constituent services. Prior to 1988, the Board of Supervisors typically managed legislative issues on an *ad hoc* basis. In most cases, staff from the County Executive Office or County Counsel would bring specific legislative proposals to the Board's attention for discussion and possible action, although Board members sometimes would ask for specific legislative proposals to be placed on the Board's agenda.

To further its legislative objectives in the Sacramento, Napa County has since 1988 retained the services of a legislative advocacy firm to represent its interests with both the legislative and executive branches of State government. Don Peterson has provided legislative and regulatory advocacy services for the County of Napa since 1988, first as a partner with Wagerman and Associates, Inc. and, since November 2003, as president of Peterson Consulting, Inc. (Napa County does not utilize the services of a legislative advocacy firm in Washington, D.C.)

As the County's legislative advocate, Peterson Consulting provides the county with advice and assistance in developing and implementing its legislative platform, ensures the County Executive Officer and the Board receive timely information concerning legislation that may have an impact on the county, and generally represents the county's interests in the State Capitol. In addition to retaining legislative advocacy services, in 1988 the Board of Supervisors also initiated the process of adopting an annual legislative platform, which identifies the county's general and specific legislative objectives and priorities. In recent years, Napa County's legislative priorities have been focused on preserving existing funding for a wide variety of services provided by the county, eliminating unfunded state mandates, improving the county's ability to provide constituent services, and preserving the county's agricultural heritage.

On April 8, 2003, Board of Supervisors created a Legislative Subcommittee for the purpose of identifying and making recommendations on legislative matters of significance to the county. Supervisors Luce and Dillon volunteered to serve on the Legislative Subcommittee and were appointed to the subcommittee by the Board. At the time, the Board did not set terms for the members of the Legislative Subcommittee and, therefore, Supervisors Luce and Dillon have served on the committee since its inception.

The 2006 Napa County legislative platform is consistent with previous platforms in focusing on the preservation of existing funding sources, seeking the elimination of unfunded or unnecessary mandates, supporting legislation intended to simplify the delivery of services, and seeking to preserve and protect prime agricultural land in Napa County by ensuring that state mandated regional housing allocation decisions take into consideration local jobs and housing balance as well as county policies to preserve agricultural land within unincorporated areas. (Reform of state housing element or state regional housing needs allocation statutes has been a component of the County's legislative platform since 1999.)

The following are the policy goals from the Napa County's 2006 Legislative Platform, which was adopted by unanimous vote of the the Board members present at the December 13, 2005 meeting of the Board of Supervisors:

- | *Preserve vital County revenues and funding sources, including realignment and Williamson Act funding, from further reductions, especially those that would directly impact the Napa County General Fund.*
- | *Support legislation that caps housing allocations to prime agricultural counties such as Napa and its cities to no more than that required to accommodate internal job growth.*
- | *Support maximum funding for public health and safety programs.*
- | *Support legislation to achieve maximum funding and flexibility in the administration of state-mandated programs.*
- | *Seek to eliminate unfunded and/or unnecessary mandates.*
- | *Identify measures that maximize Napa County's economic vitality while maintaining the County's unique agricultural heritage and environmental values.*
- | *Maintain close relationships with Napa County's legislative delegation and key legislative leadership to foster greater understanding of Napa County's concerns and needs.*

POLICY ISSUE

On March 26, 1985, the Board of Supervisors voted unanimously to adopt a policy concerning the Board taking a public position on legislative issues of international, nationwide, statewide, or regional significance. This policy (Part 1, Section 8 of the Napa County Policy Manual) has been in place since 1985. The policy is reproduced in full below:

"Board members, whether individually or in concert with any other Board member or members, may always express or advocate a personal or joint opinion or position on any matter of interest. Such individual or joint expression shall not constitute, or be represented as constituting, the opinion or position of the Napa County Board of Supervisors.

"In the event the subject of proposed action by the Napa County Board of Supervisors involves matters of International, Nationwide, Statewide or Regional significance, including but not limited to Legislative proposals, ballot propositions, commission or agency activity and other similar issues, no such action shall be taken by the Napa County Board of Supervisors unless both of the following conditions have been satisfied:

1. That the subject of the proposed action, and the prospect of the Board action thereon, be first set forth in the General Agenda portion of the Board of Supervisors' Agenda for a regular meeting of said Board.
2. That the proposed action, whether by way of resolution, minute order, letter authorization or otherwise, receive the unanimous affirmative vote of all Board members voting upon the measure."

On June 27, 2006, Chair Dodd requested staff to return to the Board with an agenda item addressing the possibility of amending the existing policy so that any legislative proposals specifically authored on behalf of Napa County and previously approved in the Legislative Platform by unanimous vote of the Board would only require a majority vote for the Board to take a subsequent action concerning such county-specific proposals.

The following draft policy has been submitted as a possible amendment to the existing policy:

"In the event the subject of proposed action by the Napa County Board of Supervisors involves matters of International, Nationwide, Statewide or Regional significance, including but not limited to Legislative proposals, ballot propositions, commission or agency activity and other similar issues, no such action shall be taken by the

Napa County Board of Supervisors until the subject of the proposed action, and the prospect of the Board action thereon, be first set forth in the General Agenda portion of the Board of Supervisors' Agenda for a regular meeting of said Board and one of the following conditions have been satisfied:

1. That the proposed action, whether by way of resolution, minute order, letter authorization or otherwise, receive the unanimous affirmative vote of all Board members voting upon the measure.
2. In the case of legislative proposals specifically authored on behalf of Napa County, if said legislation is consistent with the County's Legislative Platform adopted by unanimous vote, then only a majority vote of the Board is required to approve the Napa county-specific proposal."

SUPPORTING DOCUMENTS

None

CEO Recommendation: Policy Issue

Reviewed By: Andrew Carey