



AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday August 08, 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 the Chair to sign the following agreements with the California Department of Child Support Services for the term of July 1, 2006 through June 30, 2007 to provide reimbursement for services performed by County employees:
 1. Renewal of Agreement No. 6528 (State No. 20-0055-07) for a maximum of \$92,865; and
 2. Agreement (State No. 20-0067-07) for a maximum of \$95,972.

Community Resources & Infrastructure

- B. Agricultural Commissioner/Sealer of Weights and Measures requests adoption of a resolution amending the assessment roll portion of the Engineer's Report for Napa County Winegrape Pest and Disease Control District to properly identify qualifying properties subject to the District's assessment.
- C. Director of Public Works requests acceptance of the work as complete and authorization for the Chair to sign and Clerk of the Board to file the Notices of Completion with the Clerk/Recorder for 650 Imperial Way Flood Mitigation Contract No. FLD0506-650 and 650 Imperial Way Flood Mitigation Work Order FLD0506-650.

General Admin & Finance

- D. Clerk of the Board requests adoption of a resolution authorizing consolidation of the general municipal elections for the Cities of Napa, Calistoga, American Canyon and St. Helena and the Town of Yountville with the statewide general election to be held on November 7, 2006 for the following purposes:
 - 1. City of Napa: election of two (2) members of the City Council;
 - 2. City of American Canyon: election of Mayor and two (2) members of the City Council;
 - 3. City of Calistoga: election of Mayor and two (2) members of the City Council;
 - 4. City of St. Helena: election of Mayor and two (2) members of the City Council; and
 - 5. Town of Yountville: election of Mayor and two (2) members of the Town Council, and submission of Proposition F (increase in appropriations limit) to the voters.

- E. Communications Manager requests approval of and authorization for the Chair to sign an agreement with American Telesource, Inc. for a maximum of \$25,725 for the term April 1, 2006 through June 30, 2007 for voice mail maintenance and repair services.

- F. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 4097 with Shute, Mihaly and Weinberger, LLP amending the Scope of Work to include services involving implementation measures, actions and performance milestones required by the Regional Water Quality Control Board's proposed Basin Plan Amendment (Napa River Sediment Reduction and Habitat Enhancement Plan).

- G. County Counsel requests adoption of a resolution authorizing consolidation of the Napa Valley Unified School District bond election with the statewide general election to be held on November 7, 2006.

- H. County Executive Officer requests the following appointments to the State Council on Developmental Disabilities Area Board 4 with terms of office to commence immediately:

<u>Applicant</u>	<u>Representing</u>	<u>Term Expiration</u>
Blaine Cherrington	General Public	December 31, 2006
Robert Horon	General Public	December 31, 2007

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

8. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM

Auditor-Controller requests approval of the final appropriation and revenue levels and adoption of a resolution adopting the final budget for Fiscal Year 2006-2007 for County Service Area No. 3. (4/5 vote required)

B. 9:00 AM

Auditor-Controller requests approval of the final appropriation and revenue levels and adoption of a resolution adopting the final budget for Fiscal Year 2006-2007 for County Service Area No. 4. (4/5 vote required)

C. 9:00 AM

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

D. 9:00 AM

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

E. 9:00 AM

Recess to the Silverado Community Services District (SCSD) meeting (See SCSD Agenda).

F. 9:00 AM

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

G. 10:00 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Tom Carey of Dickenson, Peatman & Fogarty, on behalf of their client, Mr. William Smith, 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 # 02057-UP for a property located at 1181 Las Posadas Road, Angwin. (Assessor's Parcel No. 025-060-001)

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 MARCH 14, APRIL 18, AND JUNE 6, 2006; APPELLANT REQUESTS CONTINUANCE TO SEPTEMBER 26, 2006 AT 9:15 A.M.)

H. 10:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Randy Mihm to a decision by the Director of Conservation, Development and Planning on May 26, 2006 denying a request for the refund of housing mitigation fees paid by Mr. Mihm regarding the property located at 5851 Knoxville Road. (Assessor's Parcel No. 019-060-009)

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.

I. 1:30 PM

Director of Conservation Development and Planning requests the following:

1. Approval of and authorization to initiate an amendment to the Airport Industrial Area Specific Plan to allow continued operation of the Napa Flea Market at 303 South Kelly Road as a conditionally permitted use; and
2. Provide direction to staff regarding the continued operation of the flea market at its present size during preparation and consideration of the Specific Plan amendment.

9. ADMINISTRATIVE ITEMS**10. LEGISLATIVE ITEMS**

- A. Discussion and possible action concerning any and all issues related to Regional Housing Needs Allocations.

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. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8)

Property: 933 Water Street, Napa (Assessor's Parcel No. 003-242-003)

Agency Negotiator: Robert Peterson, Director of Public Works and Michael Stoltz, Deputy Director of Public Works

Negotiating Parties: Copia

Under Negotiation: Terms of sale

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:
(One case)

15. ADJOURNMENT

**ADJOURN TO BOARD OF SUPERVISORS' REGULAR MEETING, TUESDAY, AUGUST 15, 2006
AT 9:00 A.M.**