

Members

Diane Dillon
Mark Luce
David Graves
Jeff Reichel
Phill Blake
Donald Gasser
Kate Dargan
Jeffrey Redding
Tom Shelton
Charles Slutzkin
Carol Kunze
Richard Camera

Alternates

Harold Moskowite
Karen Slusser

AGENDA

REGULAR BOARD MEETING

Thursday, April 28, 2005 at 4:00 p.m.
2nd Floor Conference Room, Hall of Justice Building,
1125 Third Street, Napa CA

Staff Representatives

Patrick Lowe,
Secretary
Deputy Director,
Conservation Div., CDPD

Jeff Sharp,
Watershed Coordinator
Planner III,
Conservation Div., CDPD

Laura Anderson,
Counsel
Attorney IV,
County Counsel's Office

1. **CALL TO ORDER & ROLL CALL** (Chairman)
2. **APPROVAL OF ACTION MINUTES**
None at this time.
3. **PUBLIC COMMENT**
In this time period, anyone may comment to the Board regarding any subject over which the Board has jurisdiction, or request consideration to place an item on a future Agenda. No comments will be allowed involving any subject matter that is scheduled for discussion as part of this Agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Board as a result of any item presented at this time.
4. **ANNOUNCEMENTS** (Board/Staff)
5. **UPDATES/REPORTS:**
 - a. Update and reminder of Board's **Strategic Planning Workshop, May 9, 2005, 8:30am – 1:30pm**, Joseph Phelps Winery, 200 Taplin Road, St. Helena CA (Staff)
 - b. Update on activities supporting "**Watershed Awareness Month 2005**," including County Board of Supervisor's proclamation, events, posters and brochures (Staff/RCD)
 - c. Update on available County Policy allowing the Planning Director **authority to apply for certain watershed grants** with approval from the County's Executive Office (Staff)
 - d. Report on **Commissions and Boards Training Workshop** held March 3, 2005 (Staff/Chair/Vise Chair)
 - e. Report on Special **Technical Advisory Committee Meeting** held April 21, 2005 (Staff)

6. **PRESENTATION, DISCUSSION AND REQUEST FOR COMMENT:**

Presentation, discussion and request for comments on one or more of the following draft sections prepared for the Napa County **Baseline Data Report (BDR): Cultural Resources, Geology & Soils, Transportation & Circulation, Agriculture Resources, Land Use** (Staff/Jones & Stokes/EDAW)

7. **FUTURE AGENDA ITEMS** (Board/Staff)

- a. Additional BDR elements for Board review and comment
- b. Update on Napa River TMDL process from Regional Water Quality Control Board staff
- c. Others

8. **NEXT MEETING – Special Meeting: WICC Board Strategic Planning Workshop**

May 9, 2005 - 8:30 AM

Joseph Phelps Winery, 200 Taplin Road, St. Helena, CA

9. **ADJOURNMENT** (Chairman)

If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability. Please contact Jeff Sharp at 707-259-5936, 1195 Third St., Suite 210, Napa CA 94559) to request alternative formats.



Watershed Information Center & Conservancy (WICC) Board
of Napa County

Special Meeting Location Map

WICC Board Strategic Planning Workshop



Monday, May 9, 2005

8:30AM – 1:30PM

**Joseph Phelps Winery
200 Taplin Road, St. Helena CA**

***Take Taplin Rd. East from Silverado Trail,
Take Left through archway onto winery driveway,
Follow drive uphill to winery.***

707-963-2745

GRANT POLICY

Amended 06/24/03

10/11/77

In view of the involvement of County departments in Federal and State grant-in-aid programs, guidelines for the preparation and processing of grant applications are necessary. The following policy and procedures relative to this matter are effective immediately.

This policy applies to any grant effort, whether it be for Napa County only or for a regional agency. It also applies to renewals or augmentations of existing grants.

Prior to completion of an application, the department shall first notify the County Executive Officer (CEO). This notification will consist of a brief cover memo and the Napa County Grant Application Form as explained under "Grant Application Procedures" below. Upon approval of the concept of the proposed grant by the CEO, the department shall prepare an application for review by the CEO. Grant applications shall not be submitted to any granting agency without prior review and approval of the completed application by the CEO.

Approval of the grant application by the CEO shall not constitute final approval for participation in the grant-funded program. Such final approval must be given by specific action of the Board of Supervisors when they authorize execution of a contractual agreement between the County and the grant agency upon receiving the grant award.

Grant Application Procedures

1. Department Head to prepare brief cover and Grant Application Form (see attached) and submit to CEO at the earliest possible date in order that the assigned analyst and Department Head can discuss concepts, approximate costs, possible impacts on the General Fund and/or other organizational units, potential alternatives for leveraging, and prospective source of funding of required County match, if any.
2. Upon approval of the intent to apply by the CEO, the department may prepare the application, coordinating necessary legal and financial arrangements with the County Counsel and Auditor-Controller.
3. Completed application is to be submitted to the CEO, after coordination with the County Counsel and Auditor-Controller.

The application is to be accompanied by a letter signed by the appropriate Department Head explaining the program and clearly indicating that the application has approval of County Counsel and the Auditor-Controller (if needed). Any required resolutions shall also be prepared and approved by County Counsel.

4. If the grant application is approved by the CEO, the Department shall submit the application to the appropriate agency.
5. Upon written notification from the granting agency that the grant has been approved, the Department shall submit an agenda item requesting Board approval of proposed contract, indicating any modifications made by granting agency. After Board approval, the Clerk of the Board will process the appropriate contractual material.



Napa County
Board, Committee and Commission
Training Workshop

Goal:

To prepare Board/Committee/Commission members and staff liaisons to become more effective in their roles, thereby enabling them to continue to make a difference in our community.

Objectives:

- A. Deepen our understanding of:
 - 1. The County Organization
 - 2. The Board of Supervisors' vision
 - 3. The Board of Supervisors' policy on Boards/Committees/Commissions
 - 4. The role of a staff liaison
 - 5. The role of a Board/Committee/Commission member
 - 6. How to create an effective and legal agenda
 - 7. How to create accurate and meaningful minutes
 - 8. The Brown Act and how it relates to Boards/Committees/Commissions

- B. Gain more skills in:
 - 1. Understanding and accepting the importance of making a difference in the community
 - 2. Recognizing, appreciating, and utilizing your strengths and the strengths of others

- C. Increase your effectiveness as a member or staff liaison

- D. Have fun learning



Roles and Responsibilities

Remember that being a commission member is not an honorary assignment, but rather an assignment of honor.

What is my role as a board/committee/commission (commission) member?

The primary purpose of a commission is to serve as an advisory body to assist governmental bodies in the decision-making process. Commissions serve as a conduit for citizen input by gathering, analyzing and recommending options to the Board of Supervisors. Some commissions are mandated by federal or state statute or established by County ordinance or resolution; others may be established by Joint Powers Agreement. Regardless of the establishing mechanism, the Board of Supervisors usually retains final responsibility and authority for making policy decisions. The Planning Commission is one of the few exceptions and has the authority to take independent actions.

What does a commission member do?

Each commission should have a set of by-laws outlining the mission, purpose and specific details on the functioning of the group. For most commissions there is typically an establishing ordinance, resolution, or legal mandate that outlines the scope and functions of the commission. This is very useful in orienting members to the specific charge and focus of the assigned commission. A county staff person is assigned to support the commissions' activities and is an excellent resource. The Board of Supervisors has also adopted a policy establishing standing rules and application and appointment procedures.

Many commissions also have an annual list of goals, objectives and priorities that guide their work program for the year. Reviewing these goals and priorities will assist you in understanding the function of the commission you now serve, especially its authority, work programs and relationship to the Board of Supervisors, county staff and other commissions. The most productive and effective commissions are those whose members are clearly committed to fulfilling the mission and goals of their commission and focus on accomplishing the annual priorities.

The first thing you must do in order to be a voting member on your commission is to take your oath of office. Without being sworn into your appointment, you cannot assume your voting rights.

Who does a commission member represent?

Commission members represent the whole community and not the exclusive point of view of a particular group or special interest. The role of the commission is to gather and analyze public input prior to making a recommendation to the Board of Supervisors. The guiding principle of any decision or recommendation is that of addressing the overall public benefit.

Are there legal requirements I should know about?

Yes. One of your first assignments should be to familiarize yourself with the legal requirements relating to the conduct of "public business". Board, committee and commission meetings are by definition public meetings. With very few exceptions you are required by law to observe both The Brown Act and the Public Records Act.

What is a "conflict of interest" and how will I know if I have one?

A conflict of interest applies when a decision may have financial impact on personal income or assets of an individual or the personal income or assets of their spouse or dependent children. The conflict applies whether the financial impact is positive or negative and is "material" if it exceeds \$250 in value. (See "Can I Vote" in this workbook)

Any commissioner who is appointed by the Board of Supervisors, and where the commission makes recommendations to the Board, will have certain filing obligations under the Fair Political Practices Commission (FPPC) Conflict of Interest Code. (See "Your Duty To File" in this workbook)

"Everybody can be great. Because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and your verb agree to serve. You don't have to know the second theory of thermo-dynamics to serve. You only need a heart full of grace. A soul generated by love."

Martin Luther King



Standing Committee vs. Ad-Hoc Committee

A standing committee is a permanent committee. Standing committees have either:

- 1) a continuing subject matter jurisdiction or
- 2) a meeting fixed by charter, ordinance, resolution or other formal action of the legislative body. (Govt. Code §54952(b).)

Standing committees comprised of less than a quorum of the governing body are covered by the Brown Act. By way of example, if a governing body creates long-term committees on budget and finance, or public safety, those are standing committees subject to the Brown Act.

Conversely, an **ad-hoc committee refers to a temporary committee** that is contrived purely for the purpose in hand. The committee is generally created for a one-time purpose or to focus on examining a specific subject. Most are created with a deadline by which they must complete their work, or the committee will expire. There is no intent to have a permanent committee.

Sub-committees with a regular ongoing responsibility or a standing committee created by a legislative commission must also abide by the Brown Act. However, an ad-hoc, advisory committee composed solely of less than a quorum of the legislative body is exempted from the Brown Act. (Govt. Code §54952(b)) The exception covers advisory committees that are ad-hoc in nature; meaning they serve a limited or single purpose, are not perpetual, and are to be dissolved once their specific task is completed. An example would be an advisory committee composed of less than a quorum created to interview candidates for a vacant position. If this ad-hoc committee has members other than the commissioners, it must comply with the Brown Act.



County of Napa Policy Manual

Part I: Section 8

Boards, Commissions and Committees

(As of March 31, 2005)



5/2/89

Committee/Commission Appointments on Behalf of the County of Napa

It is the goal of the Board of Supervisors that when vacancy(s) occur on various committees and commissions:

1. An effort is made to make all interested individuals aware of said vacancies.
2. The most qualified individual(s) is appointed to fill the vacancy(s).

To achieve these goals, the following policy and procedures regarding appointments shall be followed:

- A. In addition to conforming to Government Code Section 54970-54975, when memberships on commissions and committees appointed by the Board of Supervisors consist of representatives from professional societies or organizations, or members of the general public as determined by State law or regulations or by the Board of Supervisors.
 1. A news release regarding the vacancy(s), requirements, process and deadline for making application will be sent by the County Administrator's Office to all local news media.
 2. The individual members of the Board of Supervisors and the appropriate professional society or organization will be requested to recommend one or more individuals for consideration and appointment by the Board of Supervisors.
 3. When representation of educational interests is desired on advisory committees or commissions, all public school districts in the County shall be requested to confer with one another and provide the Board of Supervisors with a joint recommendation.
 4. All interested applicants shall complete the resume' (application) form that will be made available and returned to the County Administrator's Office.
 5. All submitted application forms will be reviewed by the County Counsel's Office for legal sufficiency and to note any known conflicts of interest.
 6. One week prior to agendizing committee/commission appointment(s) all applications will be forwarded to Board of Supervisors members for their information. At his/her discretion,

the Chairman of the Board of Supervisors may designate one or more members of the Board to evaluate the applications in whatever manner most appropriate and submit recommendations for Board decision.

7. Individual(s) appointed by the Board of Supervisors will be notified by the Clerk of the Board in order that oath of office can be made when appropriate.
 8. Individuals not appointed will be so notified by the County Administrator's Office.
- B. These procedures will apply to initial appointments and the filling of vacancies occurring during a term.

8/29/89

Establishment of County Boards, Commissions and Committees

Policy Statement

The Board of Supervisors recognizes the valuable untapped resources that exist in the community and appreciate the public participation and input in the operation of County government.

Therefore, the Board of Supervisors establishes local advisory and regulatory boards, commissions, committees, and/or task forces for the purpose of assisting in the effectiveness of County government and services. The Board of Supervisors will consider for appointment (pursuant to policy dated May 2, 1989) all persons willing to serve and whose interests, background, experience, perspective and talents may significantly contribute to the purpose of these various commissions.

A. Scope of Policy

1. For the purpose of this policy, the word commission(s) will mean board(s), commission(s), committee(s), and/or task force(s).
2. This policy pertains to commission(s) established and appointed by the Board of Supervisors and Board appointments made to other State and local advisory bodies provided, however, that this policy shall not apply to the Financial Oversight Committee, an advisory committee of the Napa County Flood Protection and Watershed Improvement Authority.
3. The conduct of all commission affairs shall be in accordance with this policy unless otherwise prescribed by Federal or State statute, County Code or specific Board action.

As Amended
7/14/98

4. Each commission shall have assigned a County department to act as "liaison" for that commission in connection with its affairs and the "Maddy Act" requirements. The liaison department shall, where practical, assign a specific County employee to act as "liaison officer" for the commission.

B. Establishment of Commissions

1. Each commission shall be established for a specific purpose.
2. Unless otherwise prescribed, a specific life of four years shall be established for each new commission. Board of Supervisors' action will be required to extend that life.
3. Unless otherwise prescribed by Federal or State statute or County Code of Ordinance, the Commission shall be advisory to the Board of Supervisors and as such shall be responsible to provide the Board advice on matters pertaining to the purpose of the commission and shall serve at the pleasure of the Board.
4. The responsibilities of a commission shall not be amended, changed or redirected without specific approval of the Board of Supervisors.

C. Roles of Commissions

1. Specifically Requested Advice

Commissions have the responsibility to publicly review and discuss those matters they have been requested to review and comment upon by the Board of Supervisors or the appropriate liaison department.

2. Advice Subject to Review

All resolutions, motions or other comments made by advisory commissions are subject to review by the appropriate liaison department prior to any Board of Supervisors' action.

3. Limited Advisory Function

Commission(s) are not authorized to sign contracts, disburse funds, implement programs, employ or consider any personnel matter or act in any other capacity that involves the direct management or operation of a program.

D. Terms of Appointment

The following provisions pertain only to commissions established by the Board of Supervisors and only to the extent they do not conflict with statutory requirements or the provisions of a County ordinance or resolution.

1. No appointment shall be made for a term to exceed four (4) years in length, and a term may be shorter as provided herein. In order to provide broad public participation, it is desirable to limit appointments to no more than two full terms or a total of eight years.
2. The terms of office shall be staggered and no more than two-thirds of the terms of the total number of members of a commission shall expire in any one-year period.
3. Terms shall expire on January 31 of the appropriate year and subsequent new terms shall begin February 1 of that year unless otherwise specified by any ordinance or resolution of formation.
4. A commissioner whose appointment has expired may continue to serve in that capacity until a new appointment is made or the Board of Supervisors declares that position vacant. Such commissioner is eligible for reappointment subject to this Policy.
5. In an emergency, an unscheduled vacancy may be filled by an "acting appointee" but a final appointment cannot be made until at least ten working days after a "Notice of Unscheduled Vacancy on Board, Commission or Committee" has been posted by the County Administrator's Office.
6. All final appointments shall be made for either a full term or the completion of an unexpired term.
7. Notwithstanding any of the foregoing, commission members serve at the pleasure of the Board of Supervisors and may be removed from the commission at any time only by the Board of Supervisors.
8. The resignation of a commission member shall be submitted to the County Administrator's Office and shall be effective upon receipt by that office.

E. Qualifications for Appointment and Service

Amended
12/19/89

1. Specific qualifications for each Commission, as provided by the liaison department, shall be available at the office of the County Administrator.
2. Unless Federal, State law, or the Napa County code requires otherwise, appointees must reside within the County of Napa during the period of time they serve on the Board, Commission or Committee.
3. All persons appointed to serve on commissions shall take the loyalty oath given by the Clerk of the Board as required by Section 3100 et. seq. of the Government Code, prior to participating in or voting on the business of the commission.

Copy of the oath shall be filed with the Chairman of the appropriate commission prior to appointee's full participation.

4. Unless otherwise provided by state or federal law, no individual will be appointed, and any such appointment may be terminated by majority vote of the Board of Supervisors, if it is or becomes known to the Board of Supervisors that the person has committed any felony or misdemeanor, or been determined in any court order to have committed misconduct involving payment of child support or other family support obligations, unless such conviction or order has been exonerated, pardoned, expunged, dismissed or otherwise revoked or rescinded.

F. Standards of Ethics and Conduct

1. Commission members will be informed of all applicable conflict of interest statutes, ordinances and policies.
2. No commissioner shall profit by County contracts or purchase agreements related to commission activities while a commission member.

G. Meetings of Commissions

1. Each commission shall meet a minimum of four times per year, unless other specified.
2. Each commission shall prepare rules and regulations for conduct of business for adoption by the Board of Supervisors.

3. All commissions are subject to the provisions of the Brown Act (see California Government Code, Section 54950 et. seq.).

H. Commission Lists and Records

1. County Administrator shall maintain listings of all commissions, committees and boards and of all members of such bodies. A resigning commissioner shall notify the County Administrator's Office of his/her resignation. The liaison department also immediately shall report any unscheduled vacancy to the County Administrator's Office.
2. Each commission shall keep current up-to-date minute records on file and distribute copies to the liaison department and others as requested in accordance with provisions of the California Public Records Act.
3. Each commission shall prepare an annual written report to the Board of Supervisors of the activities of the commission. The liaison department will arrange for each commission to appear before the Board of Supervisors annually to present the report.
4. The County Administrator's Office shall distribute in December of each year a roster of the current membership including incumbent appointee name, appointment date, appointment expiration date and the necessary qualification for the position, or as otherwise required by Government Code Section 54972, to the Board of Supervisors and liaison departments. Up-to-date copies of this roster will also be printed for the Board of Supervisors and liaison department at any time, upon their request.
5. The above roster shall be made available to members of the public for a reasonable fee which shall not exceed actual cost.

I. Function of a Liaison Department

Liaison department serves as a vital connection between the commission and County government services and programs. The effectiveness of the liaison department will greatly assist both the commission and the Board of Supervisors in accomplishing the goals and purpose of the commission.

1. The assigned liaison department is responsible to review and make recommendations as to the continuation and/or role of the commission pursuant to this Policy.

2. The liaison department shall provide guidance to the commission as to its responsibilities and adherence to County Policy, and shall, where practical, assign a specific County employee to act as "liaison officer" for the commission.
3. The liaison department shall schedule the commission to appear before the Board of Supervisors for the purpose of presenting its annual report.
4. The liaison department shall list and provide to the County Administrator's Office information, including but not limited to the authority, purpose and qualifications of the commission and its members.
5. The liaison department immediately shall report to the County Administrator's Office any unscheduled vacancy.
6. The liaison department shall determine the conflict of interest statutes, ordinances and policies applicable to its commission members (by consultation with County Counsel as necessary) and shall so advise commission members.

J. Reduction of Commissions Review

The County Administrator's Office and liaison department will review, as an ongoing program, the commissions to determine the feasibility of reducing the number of commissions to fewer numbers and to fewer overlapping jurisdictions and territories of concern.





**CALIFORNIA CODES
GOVERNMENT CODE
SECTION 54970-54975
"THE MADDY ACT"**

54970.

- (a) The Legislature finds and declares that a vast and largely untapped reservoir of talent exists among the citizenry of the State of California, and that rich and varied segments of this great human resource are, all too frequently, not aware of the many opportunities which exist to participate in and serve on local regulatory and advisory boards, commissions, and committees.
- (b) The Legislature further finds and declares that the general public of this state has traditionally been denied access to information regarding vacancies which occur on such boards, commissions, and committees, thereby denying most citizens and interest groups the opportunity to nominate for consideration by the respective appointive powers persons whose particular strengths, backgrounds, experience, perspective, and talents might contribute significantly to efficient and representative policy development and administration in local government.
- (c) The Legislature further finds and declares that the respective local appointive powers have been denied access to a talent resource hitherto untapped.
- (d) The Legislature further finds and declares that all citizens of the state, regardless of their place of residence should have equal access to specific and current information about the many local regulating and advisory boards, commissions, and committees and equal opportunity to be informed of vacancies which shall occur thereon, so that they may pursue the opportunity to participate in and contribute to the operations of local government by serving on such boards, commissions, and committees.
- (e) It is therefore the intent of the Legislature that this chapter shall apply to all cities and all counties throughout California, including charter cities and charter counties.

54971.

As used in this chapter:

- (a) "Legislative body" means the board of supervisors or its chairman in the case of the county, or the city council or the mayor in the case of a city.
- (b) "Local agency" means a county or city, whether chartered or general law.

54972.

On or before December 31 of each year, each legislative body shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency. This list shall be known as the Local Appointments List. The list shall contain the following information:

- (a) A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.
- (b) A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

54973.

The Local Appointments List shall be made available to members of the public for a reasonable fee which shall not exceed actual cost. The legislative body shall designate the public library with the largest service population within its jurisdiction to receive a copy of the list.

54974.

- (a) Whenever an unscheduled vacancy occurs in any board, commission, or committee for which the legislative body has the appointing power, whether due to resignation, death, termination, or other causes, a special vacancy notice shall be posted in the office of the clerk of the local agency, the library designated pursuant to Section 54973, and in other places as directed by the legislative body, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final appointment to the board, commission, or committee shall not be made by the legislative body for at least 10 working days after the posting of the notice in the clerk's office.
- (b) Notwithstanding subdivision (a), the legislative body may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

54975.

- (a) The board of supervisors shall include in the Local Appointments List prepared pursuant to Section 54972 all appointments of public members and alternate public members made to the local agency formation commission pursuant to Chapter 2 (commencing with Section 56325) of Part 2 of Division 3.
- (b) Whenever an unscheduled vacancy occurs in a local agency formation commission, the board of supervisors shall cause a special vacancy notice to be posted as provided in Section

54974.

Final appointment to fill the vacancy may not be made by the appointing body for at least 10 working days after the posting of the notice.

Watershed Information Center & Conservancy (WICC) Board
of Napa County



**Technical Advisory Committee
Special Meeting**

*Thursday, April 21, 2005
10:00AM – 1:00PM*

**Flood Control and Water Conservation District
Conference Room (old Chanterelle Building)
804 First Street, Napa**

AGENDA

| <u>ITEM</u> | <u>ACTION REQUESTED</u> |
|---|---|
| 10:00 - Welcome, Introductions & Agenda Review <i>(WICC Staff/TAC Members)</i> | <i>Informational</i> |
| 10:10 - Watershed Information Center & Conservancy (WICC) Update <i>(WICC Staff)</i> | <i>Informational w/Questions</i> |
| 10:20 - Napa County Baseline Data Report (BDR) Project Overview & Update <i>(WICC Staff, Jones & Stokes/EDAW BDR Team)</i> | <i>Informational w/Questions</i> |
| 10:40 - Presentation of DRAFT BDR Biology Section for TAC Review & Comment <i>(WICC Staff, Jones & Stokes/EDAW BDR Team)</i> | <i>Discussion & Recommendations to Staff, Project Team & WICC Board</i> |
| 12:00 - Presentation of The Napa Valley Watershed Resources Analysis: Steelhead Bioenergetics Analysis <i>(US Army Corp. of Engineers (ACE), Stillwater Sciences)</i> | <i>Discussion & Recommendations to Project Team & WICC Board</i> |
| 12:30 - Box Lunch Provided | <i>Cont. Discussions</i> |
| 1:00 - Wrap-up & Adjournment | |