

MEMORANDUM

To: Members, Board of Supervisors

Copy: Nancy Watt, Minh Tran, Gladys Coil, Hillary Gitelman

From: Larry Florin, Director Housing and Intergovernmental Affairs

Date: September 23, 2013

Re: Board of Supervisors – September 24, 2013 Board Meeting, Item 10A

In its deliberations on September 17th, the Napa City Council considered the Memorandum of Understanding between the City and County regarding Napa Pipe. A copy of this revised MOU is attached to this memo.

In short the Council recommended three changes to the MOU as identified below:

- Section 2.2a4 – The City Council set the date for the vote on the RUL expansion to November 2014. The City and County both understood that this was the date that they were planning to hold such a vote.
- Section 8.15 – City staff recommended, and the Council agreed that they were to eliminate the CEQA references in this section. We have included it in our presentation to the Board, and so have no problem with this having been eliminated from the MOU.
- Section 2.3a - In this section the City staff has recommended changing the language as it appears in the redlined version attached to this memo. The change in the specific word raises some concerns on staff's part as to the intent of this provision. We believe that the law regarding processing ministerial applications is very clear and would not support an agreement that diminishes the county's discretion in processing these applications. We do believe that we will be able to clarify this in the final agreement that is contemplated in this section.