



A Tradition of Stewardship
A Commitment to Service

MINUTES OF THE
NAPA COUNTY - BOARD OF SUPERVISORS SPECIAL MEETING
COUNTY OF NAPA

September 9, 2014

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in special session on Tuesday, September 9, 2014, at 9:00 a.m. at the Napa County Transportation & Planning Agency, 625 Burnell Street, NCTPA Conference Room, Napa, with the following supervisors present: Chairman Mark Luce, Supervisors Brad Wagenknecht, Diane Dillon, Bill Dodd and Keith Caldwell. The meeting was called to order by Chairman Mark Luce.

2. PLEDGE OF ALLEGIANCE

Chairman Mark Luce led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

A. Clerk of the Board requests approval of minutes of the meetings held on:

1. August 12, 2014 Special Meeting (All Supervisors were present); and
2. August 12, 2014 Regular Meeting (All Supervisors were present).

Motion moved by Diane Dillon, seconded by Brad Wagenknecht, to approve minutes. Motion passed 5 - 0.

4. PRESENTATIONS AND COMMENDATIONS

None.

5. PUBLIC COMMENT

Geoff Ellsworth spoke concerning the agricultural preserve and winery definition ordinance.

The following people spoke regarding the Walt Ranch Winery project and inadequate water supplies:

**Gordon Evans
Brian Lockland
Richard Cannon
Lisa Hirayama
David Heitzman**

Rex Stultz of the Napa Valley Vintners thanked the Board and County staff for their hard work during the earthquake recovery efforts.

Napa resident Evangeline James commented on concerns with the use permit process.

6. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Director of Public Works Steve Lederer provided an update on the relocation of several County departments and earthquake damage to buildings.

Director of Housing and Intergovernmental Affairs Larry Florin reported he was working with the Napa Valley Vintners to assess earthquake damage to wineries which is currently estimated at \$70-\$100 million.

Sheriff John Robertson acknowledged various local agencies for their assistance after the earthquake and department heads for their hard work at the Emergency Operation Center (EOC).

7. CONSENT ITEMS

Law & Justice

- A. Director of Child Support Services requests approval of and authorization for the Chairman to sign the following agreements with Thomson Reuters for the term of September 1, 2014 through August 30, 2015 to provide online data access:

1. Agreement (formerly AUD 6521) for a maximum of \$3,600; and
2. Agreement (formerly AUD 6522) for a maximum of \$15,000.

A-8204 & A-8205

Public Safety

- B. County Fire Chief requests approval of and authorization for the Chairman to sign an agreement with Joaquin's Landscaping Service for a maximum of \$30,000 for the term August 1, 2014 through June 30, 2015, with an automatic renewal provision, to provide defensible space for properties that do not comply with the fire hazard abatement ordinance.

A-8206

- C. Director of Corrections requests the Board accept and instruct the Clerk of the Board to file the letter of expenditures for the Inmate Welfare Fund for FY 2013-2014.

- D. Sheriff requests approval of Budget Transfer No. SHE001 transferring \$15,907 from Law Enforcement Supplies within the Sheriff's budget and establishing a fixed asset in the amount of \$15,907 for the purchase of a Yamaha Wave Runner and trailer.
(4/5 vote required)

BT-SHE001

- E. County Fire Chief and County Executive Officer/Purchasing Agent request approval of sole source award to Burton's Fire, Inc. of Modesto, CA for the purchase of two water tender "build ups" pursuant to Napa County Code Section 2.36.090.

Human Services

- F. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 2 to Revenue Agreement No. 3579 with the Department of Health Care Services increasing the amount for Fiscal Year 2013-2104 by \$23,867 for a new multi-year maximum of \$4,906,118 and updating the general terms and conditions, the budget and the funding conditions for non Medi-Cal and Medi-Cal services.

A-3579 (Amend. 2)

- G. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the renewal of Revenue Agreement No. 7086 with the California Department of Public Health for a maximum of \$150,000 for the term July 1, 2014 through June 30, 2015 to fund tobacco control activities.

A-7086

- H. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the renewal of Revenue Agreement No. 7135 with Queen of the Valley Medical Center (QVMC) for an annual maximum of \$21,787 for the term July 1, 2014 through June 30, 2017, designating QVMC as a base hospital to provide medical control and direction to advanced life support (ALS) pre-hospital Emergency Medical Services units, and providing for QVMC to reimburse the County for the staff time required to work with QVMC as a base hospital.

A-7135

- I. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 8105 with ConnectHealthcare, Inc. clarifying language to the Compliance with Laws, Equitable Remedies, No Warranties, Termination for Breach, Applicable Laws and Assignment provisions of the Agreement for participation in a regional Health Information Exchange system.

A-8105 (Amend. 1)

- J. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with Aldea, Inc. for a maximum of \$318,633 for the term July 1, 2014 through June 30, 2015, for the contractor to provide evidence based substance abuse treatment services for Napa County youth and adolescents.

A-8207

- K. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with Brandman University for a maximum of \$15,000 for the term September 9, 2014 through June 30, 2015, with a provision for

annual renewal, to provide specialized training services for participants in job training programs.

A-8208

- L. Director of Health and Human Services requests approval of and authorization for the Chairman to sign a revenue agreement with the U.S. Department of Housing and Urban Development for a maximum of \$1,918 for the term July 1, 2014 through June 30, 2015, to provide funding for technical assistance in support of the new Homeless Management Information System.

A-8209

Community Resources & Infrastructure

- M. Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 3 to Agreement No. 7836 with ESA PWA increasing the amount by \$64,890 for a new maximum of \$853,790 and amending the scope to provide additional construction support and design and to perform additional biological surveys and monitoring activities for Reaches 5, 6, 7, and 9 of the Napa River Rutherford Reach Restoration Project.

A-7836 (Amend. 3)

- N. Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 8119 with Nacht & Lewis Architects, Inc. increasing the amount by \$139,160 for a new maximum of \$299,760 amending the scope of work to include architectural/engineering services for preliminary planning of the new jail including pre-design in preparation for applying for SB 863 funding for the new jail.

A-8119 (Amend. 1)

- O. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Coast Landscape Management, Inc. for the term July 1, 2014 through June 30, 2015 for a three year maximum of \$15,000 per fiscal year to provide landscaping services to the medians of roadways located in County Service Area No. 3.

A-8210

- P. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with McCann, Inc. for the purpose of operating a business known as "Patrick's Restaurant Bar and Grill" to be located in a portion of the Napa County Airport Administration Building based on a rental rate of \$5,000 per month for the term October 1, 2014 through September 30, 2015 with two option terms.

A-8211

- Q. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Napa County Resource Conservation District (NCRCD), for a maximum amount of \$25,000 for the term of July 1, 2014 through December 31, 2016 to provide development of a Bank Erosion and Rural Road Condition Rapid

Assessment Methodology (RAM) to enhance the Total Maximum Daily Load (TMDL) Implementation Tracking and Accounting System (ITAS) website.

A-8212

- R. Director of Public Works requests approval of plans and specifications for the "Napa River Rutherford Reach Restoration - Reaches 5, 6, 7 and 9 (Phase 5 and 6) Revegetation Project", PW 14-34, authorization to advertise for sealed bids and opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.
- S. Director of Public Works requests approval of Budget Transfer No. DPW001 increasing appropriations by \$212,000 in the Roads Capital Improvement Subdivision, Program 06004, with offsetting revenues from the Roads Operating Fund for the completion of White Sulphur Springs Road Retaining Wall Project. (4/5 vote required)

BT-DPW001

- T. Director of Public Works requests adoption of a resolution establishing a No Parking/Tow Away Zone along both sides of Atlas Peak Road from mile post 3.25 to mile post 5.5.

R-2014-103

Item removed for separate discussion. See Item 8.

General Admin & Finance

- U. Auditor-Controller requests the Board to approve and instruct the Clerk of the Board to file the Internal Audit Plan for fiscal year 2014-15.
- V. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the internal audit report for the Napa County - Napa Special Investigations Bureau - Special Investigations Revolving Fund for the fiscal year ended June 30, 2013.
- W. Auditor-Controller requests adoption of a resolution establishing the tax rates for the Fiscal Year 2014-2015 Secured Tax Roll.
- X. Chief Information Officer requests retroactive approval of the following, which was needed to relocate County staff located in offices that were damaged by the recent South Napa earthquake:

R-2014-104

1. Authorization of Amendment No. 1 to Agreement No. 8113 with Comcast Business Communications, LLC, effective August 28, 2014, increasing the amount by \$48,232 for a new maximum of \$95,634 to expand the network services to the County South Campus; and
2. Authorize the establishment of 10 fixed assets, effective August 29, 2014, in the amount of \$78,591 for the network switches to be used at various relocated locations.
(4/5 vote required)

A-8113 (Amend. 1)

- Y. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign the following agreements to provide Federal legislative and other governmental assistance:

1. Agreement with Van Scoyoc Associates for the term September 1, 2014 through June 30, 2015 for a maximum amount of \$80,000; and
2. Amendment No. 3 to Agreement No. 6402 with Platinum Advisors for the term July 1, 2014 through June 30, 2015, for a maximum amount of \$35,000.

A-8213 & A-6402 (Amend. 3)

- Z. Director of Human Resources and the Director of Public Works request approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 8034 with PayFlex Systems USA, Inc. to provide a Transit Spending Account for County employees in order to comply with the Bay Area Commuter Benefits Program.

A-8034 (Amend. 1)

- AA. County Executive Officer and Chief Probation Officer request:

1. Authorization for the Chairman to sign a letter of interest to the California Board of State and Community Corrections (BSCC) notifying them of the County of Napa's interest in participating in the Community Recidivism Reduction Grant program; and
2. Direction to the Community Corrections Partnership to establish minimum requirements, funding criteria, grant award limits, and procedures for the County to award grants to nongovernmental entities within the guidelines provided by the BSCC.

- BB. County Executive Officer/Purchasing Agent and Chief Information Officer request 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 donating them to Parent, Faculty & Community Club of Vintage High School (PFCC).

Motion moved by Keith Caldwell, seconded by Bill Dodd, to approve consent items. Motion passed 5 - 0.

8. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 7T:

Director of Public Works Steve Lederer made presentation.

Testimony presented.

Sheriff John Robertson made presentation.

Motion moved by Keith Caldwell, seconded by Brad Wagenknecht, to approve Item 7T. Motion passed 5 - 0.

9. SET MATTERS OR PUBLIC HEARINGS

- A. 9:15 AM Recess to the Lake Berryessa Resort Improvement District (LBRID) special meeting (**See LBRID Minutes**).
- B. 9:20 AM Recess to the Napa Berryessa Resort Improvement District (NBRID) special meeting (**See NBRID Minutes**).
- C. 10:00 AM PUBLIC HEARING Director of Planning, Building and Environmental Services requests adoption of a resolution increasing rates by approximately 1.6% for the residential and commercial operational cost associated with the collection of solid waste, recyclables, green waste and food waste services applicable in the Unincorporated Area of Garbage Zone One, effective October 1, 2014.

R-2014-105

Solid Waste Program Manager Greg Pirie made presentation.

Tim Dewey-Mattia of Napa County Recycling & Waste Services spoke concerning earthquake debris recycling efforts.

Opened public hearing.

Testimony received.

Closed public hearing.

Motion moved by Brad Wagenknecht, seconded by Bill Dodd, to approve adoption of resolution. Motion passed 5 - 0.

- D. 10:30 AM PUBLIC HEARING Consideration and possible action regarding an appeal filed by Scott Greenwood-Meinart, Attorney for Paul Pelosi, to a decision by the Planning Commission on May 21, 2014, to approve the Castellucci Family Winery application for a use permit (P13-00140) to establish a new winery with a new 30,000 gallon per year winery as follows: 1) construction of new winery buildings totaling 12,376 square feet, including a covered crush pad, barrel storage, hospitality and tasting room, and office space; 2) construction of a Transient Non-Community Water System (a water system to serve the winery, visitors, and employees); 3) construction of 10 parking spaces; 4) construction of a left-turn lane on Zinfandel Lane; 5) tours and tastings by appointment only on a daily basis up to a maximum of 50 visitors per day and a maximum of 300 per week; 6). private promotional tastings with meals up to 12 per year with a maximum of 25 guests; marketing events up to three per year with a maximum of 60 guests; marketing events up to two per year with a maximum of 125 guests; harvest events up to two per year with a maximum of 50 guests; 7) 10 or fewer employees; 8) request for on premise consumption of wines produced on site within the hospitality building in accordance with AB 2004; and 9) A Variance to encroach approximately 460 feet from the required 600 foot setback from Silverado Trail. The 19.30 acre project parcel is located at the northwest corner of Silverado Trail and Zinfandel Lane, within the AP (Agricultural Preserve) zoning district. APN:025-160-006. 3 Zinfandel

Lane, St. Helena, Calif.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Planner III Shaveta Sharma presented report and recommended the Board proceed with Option 1 as outlined in the staff report.

Opened public hearing.

Both the Appellant and Applicant's representatives agreed to a continuance of the hearing.

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to continue the Public Hearing to October 21, 2014 at 11:00 a.m. Motion passed 5 - 0.

10. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. County Executive Officer requests one (1) appointment to serve on the Mental Health Board with the term of office to commence immediately and expire January 1, 2017.

Name (Choose One)

Patricia Lynn Ashworth
Caroline Livermore
Katherine MacMahon
Darlene A. Olejniczak*

*Recommended for appointment by Mental Health Board

Motion moved by Diane Dillon, seconded by Keith Caldwell, to approve appointment of Darlene A. Olejniczak. Motion passed 5 - 0.

- B. County Executive Officer/Director of Emergency Services requests adoption of the following resolutions:
1. Resolution extending the Proclamation of Local Emergency and a Declaration of Local Emergency at Berryessa Estates ratified by the Board of Supervisors on August 12, 2014; and
 2. Resolution extending the Proclamation of Local Emergency due to the South Napa County Earthquake ratified by the Board of Supervisors by Resolution No. 2014-100 on August 24, 2014.

R-2014-106 & R-2014-107

County Executive Officer (CEO) Nancy Watt made presentation and encouraged the public to contact the City and County of Napa Public Works

departments to report any damage to their property for an accurate assessment.

CEO Watt also reported the Local Assistance Center was now open and more information could be found on their website: Napaquakeinfo.com.

Held discussion.

Motion moved by Diane Dillon, seconded by Brad Wagenknecht, to approve adoption of resolution in Item 1. Motion passed 5 - 0.

Motion moved by Diane Dillon, seconded by Keith Caldwell, to approve adoption of resolution in Item 2. Motion passed 5 - 0.

11. LEGISLATIVE ITEMS

Supervisor Diane Dillon stated the Legislative Subcommittee met and will return on September 23, 2014 with recommendations for all the propositions.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Supervisor Brad Wagenknecht reported on his attendance at the California State Association of Counties Board of Directors meeting yesterday.

Supervisor Keith Caldwell reported both he and Supervisor Brad Wagenknecht attended the Marin Clean Energy Board meeting last Thursday evening.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

None.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

15. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1))

Name of case: Latinos Unidos del Valle De Napa y Solano, et. al. vs. County of Napa, et. al. (California Superior Court, County of Napa, Case No. 26-50568)

Closed session held. No reportable action.

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(e)(1): (2 cases)

Closed sessions held. No reportable action.

16. ADJOURNMENT

Adjourned to the Board of Supervisors special meeting Tuesday, September 16, 2014 at 9:00 a.m. at Napa County Transportation & Planning Agency, 625 Burnell Street, NCTPA Conference Room, Napa, California.

MARK LUCE, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board