



A Tradition of Stewardship  
A Commitment to Service

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

October 14, 2014

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

**The Board of Supervisors of the County of Napa met in regular session on Tuesday, October 14, 2014 at 9:00 a.m. at the South County Campus, 2741 Napa Valley Corporate Drive, Building 2, South County Campus Large 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

**None.**

4. PRESENTATIONS AND COMMENDATIONS

- A. Presentation of a proclamation to Agricultural Commissioner/Sealer of Weights and Measures Greg Clark, declaring October 24, 2014 as "Food Day" in Napa County.

**Presented proclamation.**

- B. Presentation of a Retirement Proclamation to Nilka Calderon, Community Aide, in recognition of 25 years of service.

**Presented proclamation.**

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

**Registrar of Voters John Tuteur provided an update on the mailing of November 4 voting materials.**

6. CONSENT ITEMS

Law & Justice

- A. Chief Probation Officer requests authorization to accept a \$30,000 donation to the Probation Department from the Van Loben Sels/Remberock Foundation.

## Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with Frank Smith-Waters for a maximum of \$81,000 for the term September 15, 2014 through June 30, 2015, with a provision for annual renewal, for the provision of mental health patient rights advocacy services.

**A-8223**

- C. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with On The Move, Inc. for a maximum of \$2,400 for the term October 14, 2014 through June 30, 2015, with a provision for annual renewal, to provide cultural competency training to Health and Human Services Agency staff.

**A-8224**

## Community Resources &amp; Infrastructure

- D. Director of Library Services and Community Outreach requests authorization to accept a donation in the amount of \$22,000 to be used for Library services and programs and authorization for the Chairman to sign a letter thanking the Friends of the Napa Library for their ongoing support of the Library's mission.
- E. Director of Public Works presents, as required by Resolution No. 2014-102 of August 28, 2014, this report to the Board on leases signed by the Director for temporary space to accommodate County functions and departments displaced by the earthquake, and leases signed by the Director to lease County owned property to the United States Postal Service (USPS), and to Community Action Napa Valley (Food Bank), which were displaced by the earthquake.
- F. Director of Public Works requests the following actions:
1. Approval of and authorization for the Chairman to sign Amendment No. 7 to Agreement No. 6569 with Edd Clark and Associates, Inc. increasing the amount by \$653,002 for a new maximum of \$1,272,627 and amending the scope of work to include installation of a remediation system, operation and maintenance of the system for two years, monitoring of groundwater contamination for three years, removal of the remediation system and monitoring wells, and receive a No Further Action Letter from the State Water Board; and
  2. Approval of Budget Transfer No. DPW003 appropriating \$310,000 in the Roads Operating Division with a corresponding reduction in available fund balance. (4/5 vote required)

**A-6569 (Amend. 7); BT-DPW003**

- G. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Tetra Tech Inc. for a maximum of \$26,674 for the term October 14, 2014 through June 30, 2015 for consultant services to complete development of a monitoring and reporting strategy for Total Maximum Daily Load (TMDL) implementation in the Napa River watershed.

**A-8225**

- H. Director of Public Works requests approval of a sole source award to Municipal Maintenance Equipment of Sacramento, California for the purchase of a mower and additional accessories pursuant to Napa County Code Section 2.36.090.

**General Admin & Finance**

- I. Auditor-Controller requests the adoption of a resolution establishing the fiscal year 2014-15 appropriation limit and estimated revenue subject to the limit for the Napa County Community Facilities District 2013-01 (Devlin Road - Segment C) as required by Article XIII B of the California Constitution.

**R-2014-120**

- J. Treasurer-Tax Collector requests adoption of a resolution re-authorizing the Napa County Treasury Oversight Committee and repealing Board Resolutions Nos. 96-36 and 98-49.

**R-2014-121****Item removed for separate discussion. See Item 7.**

- K. County Executive Officer and Risk and Emergency Services Manager request approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement 7497 with York Risk Services Group, Inc. to extend the term through June 30, 2015 and revise the scope of work to include new claims handling guidelines.

**A-7497 (Amend. 2)**

- L. County Executive Officer requests adoption of a resolution appointing Barry Biermann as the County Fire Chief to serve at the will of the Board of Supervisors, effective October 27, 2014.

**R-2014-122**

**Motion moved by Brad Wagenknecht, seconded by Diane Dillon, to approve consent items as amended. Motion passed 5 - 0.**

**County Fire Chief Barry Biermann introduced himself.**

**7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**

**Item 6J:**

**Treasurer-Tax Collector Tamie Frasier made presentation.**

**Held discussion.**

**Testimony presented.**

**Motion moved by Bill Dodd, seconded by Mark Luce, to approve adoption of resolution. Motion passed 5 - 0.**

## 8. PUBLIC COMMENT

**None.**

## 9. SET MATTERS OR PUBLIC HEARINGS

A. 8:00 AM Board of Supervisors (BOS) - Closed Session (See Special 8:00 AM BOS Agenda)

B. 9:00 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Save Yountville Hill to a decision by the Planning Commission on July 2, 2014, to approve the Yountville Hill Winery/CS2 Wines, LLC application for a use permit and exception to the conservation regulations, a variance, and a viewshed application to establish a new winery with an annual production capacity of 100,000 gallons as follows: (1) construct two new winery buildings with approximately 14,019 sq. ft. of floor area, including a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery, administration and visitor center building with 9,605 sq. ft. of unenclosed terraces; (2) construct approximately 35,588 sq. ft. of cave area, including a warming kitchen; (3) provide 37 on-site parking spaces; (4) establish a Marketing Plan with 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); six (6) events per year for a maximum of 100 guests at each event; two (2) events per year for a maximum of 200 guests at each event; and, two (2) wine auction events per year; (5) allow tours and tastings, which may include food pairing, by appointment only for a maximum of 285 visitors per day with a maximum of 1,120 visitors per week (285 Sat/Sun; 110/day Mon-Fri); (6) establish hours of operation from 6 AM to 3 PM (production staff), 8 AM to 5 PM (administrative staff) and 9:30 AM to 6:30 PM (hospitality staff - visitation would occur between 10 AM and 6 PM); 7 days a week; (7) allow on-premise consumption of the wines produced on-site in the winery administration and visitor center building and terraces pursuant to the Evans Bill (AB2004); (8) employ up to 19 people; (9) install a new on-site winery process and domestic wastewater treatment system; and, (10) new landscaping, driveway improvements, four water storage tanks (10,500 gallons each), and signage. The proposal also includes an exception to the conservation regulations to grade/construct improvements on slopes exceeding 30%, a viewshed application to construct on slopes 15% or greater and visible from a viewshed designated roadway (State Route 29) and a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach into the approximately 275-feet into the 600-foot setback from State Route 29, winery buildings to encroach into the 300-foot setback from a private road, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard. The project site is comprised of two parcels that will be combined. An existing 4,000 sq. ft. residence (former bed & breakfast) and garage, the existing driveway from State Route 29 to the structures, and a cave will be removed as part of the proposal to facilitate construction of the winery, a new driveway, and associated improvements. The 10.9 acre project site is located on the east side of State Route 29 approximately ¼-mile south of the Yount Mill Road/State Route 29 intersection. APN's: 031-130-028 & 029. 7400 St. Helena Highway, Napa.

ENVIRONMENTAL DETERMINATION: Consideration and possible readoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a

potentially significant impact in the following areas: Biological Resources; Cultural Resources and Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

(STAFF, APPELLANT AND APPLICANT REQUEST CONTINUANCE TO DECEMBER 2, 2014 AT 9:45 AM)

**Opened public hearing.**

**Continued the public hearing to December 2, 2014 at 9:45 a.m.**

**Motion moved by Diane Dillon, seconded by Keith Caldwell, to continue the public hearing to December 2, 2014 at 9:45 a.m. Motion passed 5 - 0.**

10. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

- A. Director of Public Works requests the following actions regarding the South Napa County Earthquake which may be ordered by the County Executive Officer or Director of Public Works:

1. Receive and review report of emergency public work actions in response to the event without competitive bidding as authorized by Public Contract Code Section 22050(b) and Board of Supervisors Resolution No. 2014-103; and

2. Determine the need to continue, or alternatively terminate, each emergency public work action so ordered. (4/5 vote required)

**Director of Public Works Steve Lederer stated there were no emergency actions to report.**

General Admin & Finance

- B. Director of Housing and Intergovernmental Affairs requests discussion and direction to staff on a time schedule for consideration of approvals for the Napa Pipe project.

**Item removed from the agenda.**

- C. County Executive Officer requests appointment of one (1) member and one (1) alternate member of the Board of Supervisors to serve on the California State Association of Counties (CSAC) Board of Directors for the 2014-2015 Association year beginning on November 18, 2014.

**Motion moved by Bill Dodd, seconded by Diane Dillon, to appoint Brad Wagenknecht as the member and Keith Caldwell as the alternate member. Motion passed 5 - 0.**

11. LEGISLATIVE ITEMS

**None.**

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

**None.**

## 13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

**None.**

## 14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

**None.**

## 15. CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)  
Agency Designated Representatives: Suzanne Mason, Human Resources Director and Jack Hughes, Chief Negotiator Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa); Deputy Sheriff's Association (DSA Unit and Supervisory Unit of the County of Napa) Unrepresented Employees: Non-Classified Management, Classified Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

**Closed session held. No reportable action.**

## 16. ADJOURNMENT

**Adjourned to the regular meeting Tuesday, October 21, 2014, at 9:00 a.m. at the South County Campus, 2741 Napa Valley Corporate Drive, Building 2, South County Large Conference Room, Napa, California.**

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MARK LUCE, Chairman

ATTEST:

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GLADYS I. COIL, Clerk of the Board