



A Tradition of Stewardship
A Commitment to Service

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

January 26, 2016

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, January 26, 2016, at 9:00 a.m. with the following supervisors present: Chairman Alfredo Pedroza, Supervisors Brad Wagenknecht, Diane Dillon, Keith Caldwell and Mark Luce. The meeting was called to order by Chairman Alfredo Pedroza.

2. PLEDGE OF ALLEGIANCE

Agricultural Commissioner - Sealer of Weights and Measures Greg Clark led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

A. Clerk of the Board requests approval of minutes from:

1. Special meeting December 8, 2015 (All Supervisors were present)
2. Regular meeting December 8, 2015 (All Supervisors were present)
3. Special meeting December 15, 2015 (All Supervisors were present)
4. Regular meeting December 15, 2015 (All Supervisors were present)
5. Special meeting December 18, 2015 (All Supervisors were present)

**Motion moved by Mark Luce, seconded by Diane Dillon, to approve minutes.
Motion passed 5 - 0.**

4. PRESENTATIONS AND COMMENDATIONS

None.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

None.

6. CONSENT ITEMS

Public Safety

- A. County Executive Officer/Purchasing Agent and County Fire Chief requests a waiver of competitive bidding requirements and sole source award for the purchase

of two fire engines from Golden State Fire Apparatus/Pierce Manufacturing in Sacramento, California, for an approximate total of \$795,000 pursuant to County Ordinance Code 2.36.090.

Correction memo provided regarding revision to read as, "ratification of a waiver of competitive bidding and sole source award".

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 9 to Agreement No. 3260 with Crestwood Behavioral Health, Inc., incorporating an addendum to the compensation section reflecting revised rates for Fiscal Year 2015-2016 with no change to the contract maximum amount.

A-3260 (Amend. 9)

- C. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 3 to Agreement No. 7774 with The Center for Common Concerns, Inc., increasing the amount by \$26,794 for a new maximum of \$71,794, incorporating Addendum 3 to the Scope of Work and Compensation sections and extending the term through November 30, 2016 for development of a funding application to the U.S. Department of Housing and Urban Development.

A-7774 (Amend. 3)

- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with Napa Valley Unified School District, through its Napa Valley Adult Education, for a maximum of \$25,000, for the term January 26, 2016 through March 31, 2016, to provide workplace training services for at-risk businesses.

A- 160011B-16

- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign a Memorandum of Understanding ("MOU") between the California Department of State Hospitals and The California Mental Health Services Authority ("CalMHSA"), as the administrative agent for participating counties, for the purchase of state hospital beds and usage for Fiscal Year 2014-2016.

A-8459

- F. Director of Health and Human Services requests approval of Budget Transfer No. HHS 002 increasing appropriations in the Mental Health budget by \$12,921 with offsetting revenues from the Mental Health Services Act Technology Needs funds and establishment of fixed assets in the amount of \$12,921 for the purchase of one PowerEdge server. (4/5 vote required)

BT-HHS002

Community Resources & Infrastructure

- G.

Director of Library Services and Community Outreach requests authorization to accept a North Napa Rotary grant in the amount of \$3,000 for the Baby Readers for Newborns and Parents literacy program.

- H. Director of Library Services and Community Outreach requests the following:
1. Acceptance of a \$18,624 donation toward library programs, services and supplies; and
 2. Authorization for the Chairman to sign a letter thanking the Friends of the Napa Library for the donation.
- I. Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 8284 with URS Corporation, increasing the amount by \$483,736 for a new maximum of \$2,215,125, for Phase 1 of the Historic Courthouse Earthquake Repair Project.

A-8284 (Amend. 2)

- J. Director of Public Works request acceptance of the \$1,000 donation from HCA Family Fund in the name of Mrs. Jayme Greenwell Grossi to the Animal Shelter and approval for the Chairman to sign a letter of appreciation.

General Admin & Finance

- K. County Counsel requests approval of and authorization for the Chairman to sign the following amendments for conducting certification review hearings:
1. Amendment No. 6 to Agreement No. 4793 with John Dawdy increasing the maximum amount by \$41,000 for a new maximum of \$55,000 for the term of January 15, 2016 through June 30, 2016 and revising the scope of work to include hearings held at St. Helena Hospital; and
 2. Amendment No. 4 to Agreement No. 4794 with Judith Jones increasing the maximum amount by \$17,000 for a new maximum of \$25,000 effective July 1, 2015 to provide for additional hearings.

Item removed from the agenda.

- L. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 8355 with di Rosa extending the term of the Grant Agreement through July 31, 2016.

A-8355 (Amend. 1)

- M. County Executive Officer/Purchasing Agent and Director of Library Services and Community Outreach requests a waiver of competitive bidding requirements and sole source award for the purchase of a library media box from Public Information Kiosk, Inc., Germantown, Maryland, for a total of \$49,599 pursuant to County Ordinance Code 2.36.090.
- N. County Executive Officer requests reappointment of Lonnie Payne-Clark to represent the County of Napa on the Napa County Library Commission with the term of office to commence immediately and expire January 31, 2019.

O.

County Executive Officer requests appointment of Mayra M. Vega to represent the category of Family Member of Consumer to serve on the Mental Health Board with the term of office to commence immediately and expire January 1, 2019.

- P. Second reading and adoption of an ordinance amending Section 2.70.030 (Membership of Commission) in Chapter 2.70 (Solano-Napa Commission on Medical Care) of the Napa County Code by revising the number of Medi-Cal Beneficiaries per Commissioner for the arrangement and provision of health care services. 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.

O-1409

Correction memo with non-substantive changes was provided.

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

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 6A:

Testimony presented.

Cal Fire/Napa County Fire Steve Hawks made presentation.

Motion moved by Keith Caldwell, seconded by Mark Luce, to approve consent item. 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 Minutes**).

B. 9:00 AM PUBLIC HEARING

First reading and intention to adopt an ordinance adding a new Chapter 8.10 entitled "Medical Marijuana Cultivation" to Title 8 of the Napa County Code. ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act under Section 15301 [See Class 1 ("Existing Facilities")]; Section 15303 [See Class 3 ("New Construction or Conversion of Small Structures")]; and Section 15311 [See

Class 11 ("Accessory Structures"]]. See also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.

Opened public hearing.

Director of Planning, Building and Environmental Services David Morrison made presentation.

Held discussion.

Deputy County Counsel Chris Apallas made presentation.

Testimony presented.

Closed public hearing.

Held discussion.

Read title.

Motion moved by Brad Wagenknecht, seconded by Diane Dillon, to waive reading the balance of the ordinance. Motion passed 5 - 0.

Motion moved by Mark Luce, seconded by Diane Dillon, to approve motion of intent to adopt ordinance as amended. Motion passed 5 - 0.

C. 9:00 AM

Recess to the Board of Equalization meeting (**See BOE Minutes**).

D. 9:10 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Scott Greenwood-Meinert, Esq. on behalf of Vintage Wine Estates dba Girard Winery to a tie-vote of the Napa County Planning Commission on October 21, 2015, which resulted in denial of the Girard Winery Use Permit No. P14-00053-UP request for a new winery with an annual production capacity of 200,000 gallons as follows: 1) a new winery building, totaling 32,771 sq. ft. in area to include 28,955 sq. ft. production area (crush area, fermentation and barrel storage, restrooms) and ±3,816 sq. ft. of accessory use area (offices, tasting rooms, retail storage, catered food prep area, and visitor restrooms), maximum building height 33.5 ft. with two 15 ft. tall decorative cupolas to 45 ft. In addition, a ±2,560 sq. ft. covered veranda and a ±2,871 sq. ft. covered work area; 2) hosted daily tours and tastings for wine trade personnel and consumers by appointment only for a maximum of 75 persons per weekday (Monday-Friday); maximum of 90 persons per weekend day (Saturday-Sunday); 3) Hours of operation: 8:00 AM to 6:00 PM (production hours, except during harvest) and 10:00 AM to 6:00 PM (visitation hours), seven days a week; 4) 11 employees (8 full-time; 3 part-time) non harvest; 19 additional employees (12 full-time and 7 part-time) during harvest, for a total maximum of 30; 5) Employee hours: production, 7:00 AM to 3:00 PM; hospitality/ tasting room, 9:30 AM to 6:30 PM; 6) Construction of twenty-two parking spaces; 7) Installation of landscaping, an entry gate and a winery sign; 8) A Marketing Program as follows: a) Four events per year with a maximum of 75 guests; b) Four events per year with a maximum of 200 guests; c) One Harvest event per year with a maximum of 500 guests; d) All food to be catered utilizing a ±184 sq. ft. small prep/staging area; 9) On-premises consumption of the wines produced on-site, consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as the Picnic Bill) within the tasting rooms, covered veranda, and within a 4,000 sq. ft. portion of the front entry landscaped winery garden; 10) Construct a new 24-ft. wide access driveway from Dunaweal Lane to the winery; 11) Construction of additional piping and service connections to the existing Clos Pegase water system on the site, and

update the existing Clos Pegase Transient Non-Community Water System contract to include the Girard Winery; 12) Installation of on-site sanitary disposal improvements and installation of connections into the existing on-site winery wastewater processing ponds serving the Clos Pegase Winery (APN: 020-150-012); and, 13) Installation of a ±45,000 gallon water storage tank (±30 ft. diameter; ±12 ft. height). The project is located on a 26.53 acre parcel on the east side of Dunaweal Lane, approximately 1000 ft. south of its intersection with Silverado Trail, within the AP (Agricultural Preserve) Zoning District; 1077 Dunaweal Lane; Calistoga, CA 94515, APN: 020-150-017.
(APPELLANT REQUESTS A CONTINUANCE TO MARCH 8, 2016 AT 9:30 AM.
STAFF HAS NO OBJECTION TO THE CONTINUANCE)

Opened public hearing.

Deputy Planning Director Planning, Building and Environmental Services John McDowell made presentation.

Opened public hearing.

Continued to March 8, 2016 at 9:30 a.m.

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to continue public hearing. Motion passed 5 - 0.

E. 9:20 AM

Director of Planning, Building and Environmental Services requests adoption of a resolution updating the Napa County Road and Street Standards to incorporate the California Board of Forestry and Fire Protection State Responsibility Area (SRA) Fire Safe Regulations dated January 1, 2016 for application to properties located within the SRA of Napa County.

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

R-2016-06

Director of Planning, Building and Environmental Services David Morrison made presentation.

Napa County Fire Marshal Joe Peterson and Deputy County Counsel Tom Capriola made presentation.

Testimony presented.

Held discussion.

Motion moved by Diane Dillon, seconded by Mark Luce, to adopt resolution. Motion passed 5 - 0.

F. 1:30 PM

Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (**See NCFCWCD Minutes**).

10. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. Auditor-Controller to present and request acceptance of the County's Comprehensive Annual Financial Report (CAFR) and County's Single Audit Report for the fiscal year ended June 30, 2015.

Auditor-Controller Tracy Schulze and Assistant Auditor-Controller Bob Minahen made presentation.

Motion moved by Brad Wagenknecht, seconded by Mark Luce, to approve requested action. Motion passed 5 - 0.

- B. Director of Housing and Intergovernmental Affairs requests the Board receive a presentation by Chairman Pedroza, Supervisor Dillon, and Agricultural Commissioner Greg Clark on Napa County's participation in the 2015 Great Wine Capitals' Assembly meeting held in Bilbao-Rioja, Spain, on November 8-12, 2015.

Chairman Alfredo Pedroza, Supervisor Diane Dillon and Agricultural Commissioner - Sealer of Weights and Measure Greg Clark made presentation.

11. LEGISLATIVE ITEMS

Supervisor Diane Dillon made presentation.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Supervisor Mark Luce reported on his attendance at a joint Metropolitan Transportation Commission (MTC) Planning Committee with the Association of Bay Area Governments (ABAG) Administrative Committee meeting regarding the merger and anticipates a resolution by June.

Supervisor Brad Wagenknecht announced there were approximately 400 attendees at St. John Catholic Church for the Martin Luther King, Jr. event held on January 18, 2016.

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: Napa County vs. Caymus Vineyards, et al. Napa County Superior Court Case No. 26-62161

Closed session held. No reportable action.

16. ADJOURNMENT

**Adjourned to the Board of Supervisors regular meeting Tuesday, February 2, 2016
at 9:00 a.m.**

ALFREDO PEDROZA, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board