



A Tradition of Stewardship
A Commitment to Service

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

December 2, 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, December 2, 2014, at 9:00 a.m. with the following supervisors present: Chairman Mark Luce, Supervisors Brad Wagenknecht, Diane Dillon and Keith Caldwell. District 4 is vacant. 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:

1. October 14, 2014 - Special 8:00 a.m. meeting - (Supervisors Bill Dodd and Diane Dillon arrived during Item 15A)*.
2. October 14, 2014 - Special 9:00 a.m. meeting - (All Supervisors were present).

*Excused Supervisors will be recorded as abstained unless Supervisor indicates otherwise.

Motion moved by Brad Wagenknecht, seconded by Diane Dillon, to approve minutes with abstentions. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

4. PRESENTATIONS AND COMMENDATIONS

A. Director of Human Resources to introduce new County employees.

Introduced new employees.

B. Director of Public Works recommends the Board of Supervisors receive a presentation from the City of Napa, thanking County of Napa staff for their assistance in responding to the August 24, 2014 South Napa Earthquake.

City of Napa Deputy Director of Public Works Phil Brun made presentation.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Public Works Roads Superintendent Steve Stangland presented an update on storm-related activities.

Director of Public Works Steve Lederer presented an update on drainage repairs at the north driveway of the South County Campus.

6. CONSENT ITEMS

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chairman to sign an Agreement with Julie Truschel for a maximum of \$25,200 for the term December 2, 2014 through June 30, 2015, with automatic rollover provisions, to assist the Probation Department in developing and developing a quality assurance plan and process for evidence based practices.

A-8239

- B. Director of Child Support Services requests authorization to sign a of the Plan of Cooperation with the Ventura County Department of Child Support Services (Ventura) for Customer Call Center Services at no cost for the term of November 1, 2014 through October 31, 2017.

Community Resources & Infrastructure

- C. Director of Public Works requests approval of and authorization for the Chairman to sign a Space License Agreement with Progress Foundation, located at 4381 Broadway (Suites 1 & 2), with no license fee, for the term November 6, 2014 through June 30, 2015 with an automatic renewal for an additional year at the end of each fiscal year.

A-8240

- D. Director of Public Works requests approval of and authorization for the Chairman to sign the following agreements with Nacht & Lewis Architects Inc. for the term of December 2, 2014 through June 30, 2015, with automatic renewal provisions:

1. Agreement for architectural, engineering and associated design and construction administration assistance services for off-site utilities associated with the future Napa County Department of Corrections Staff Secure Facility/Jail site for a maximum of \$378,164; and
2. Agreement for architectural, engineering and associated design and construction administration assistance services for the Napa County Department of Corrections Staff Secure (Minimum Custody) Facility for a maximum of \$1,599,236.

A-8241; A-8242

General Admin & Finance

- E. Director of Human Resources and Chief Probation Officer request adoption of a resolution amending the Departmental Allocation List, the Table and Index of Classes and Appropriate Personnel Policies for the Probation Department, as follows, effective December 2, 2014, with no net increase to the General Fund:

1. Amend the Probation Departmental Allocation List by:
 - a. Deleting one (1.0 FTE) Assistant County Probation Officer; and
 - b. Adding one (1.0 FTE) Assistant Chief Probation Officer.
2. Amend the Table and Index of Classes by:
 - a. Deleting one (1.0 FTE) the Assistant County Probation Officer; and
 - b. Adding one (1.0 FTE) Assistant Chief Probation Officer.
3. Amend Appropriate Personnel Policies as outlined in "Exhibit A" of the Resolution.

R-2014-142

- F. Director of Human Resources and Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation Lists, as follows, effective December 6, 2014, with no net increase to the General Fund:

1. Amend the Public Health Departmental Allocation List by:
 - a. Deleting one (0.85 FTE) Occupational Therapist;
 - b. Deleting one (0.7 FTE) Occupational Therapist;
 - c. Adding one (1.0 FTE) Occupational Therapist; and
 - d. Adding one (0.55 FTE) Occupational Therapist.
2. Amend the Mental Health Departmental Allocation List by:
 - a. Deleting one (1.0 FTE) Community Aide;
 - b. Deleting one (0.5 FTE) Psychiatric Nurse;
 - c. Adding one (1.0 FTE) Mental Health Worker Aide;
 - d. Adding one (0.5 FTE) Emergency Response Counselor - Licensed; and
 - e. Adding one (0.6 FTE) Emergency Response Counselor - Licensed.
3. Amend the Comprehensive Services for Older Adults Departmental Allocation List by:
 - a. Adding one (1.0 FTE) Office Assistant I/II.

R-2014-143

- G. County Executive Officer requests reappointment of Frank Cabral to serve as the Napa County representative on the Napa County Mosquito Abatement District Board of Trustees with the term of office to commence immediately and expire December 31, 2016.

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to approve consent items. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

8. PUBLIC COMMENT

None.

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. 9:30 AM PUBLIC HEARING

Director of Planning, Building and Environmental Services requests adoption of a resolution establishing certain Agricultural Preserves (Types A & H), and approval of and authorization for the Chairman to execute the following Williamson Act related contracts:

1. Rescinding nine (9) existing contracts and replacing with eleven (11) new contracts with the following applicants:

a. C.P. Family Partnership, L.P., in the general location of Highway 12 & Cuttings Wharf Road (2 new contracts);

b. Bonnie E. Storm, Trustee of the Bonnie E. Storm Revocable Trust, dated May 30, 2000, in the general location of the Chiles Pope Valley Road (2 new contracts);

c. Trefethen Family Vineyards, LTD, in the general direction of Oak Knoll Avenue & State Route 29 (7 new contracts);

2. Approving one (1) new contract with the following applicant:

Jennifer Roycelynn Thomson, an unmarried woman as her sole and separate property, in the general direction of Los Carneros Avenue & McKinnon Road.

Planning, Building and Environmental Services Planner III Kelli Cahill requested continuance.

Testimony presented.

Motion moved by Diane Dillon, seconded by Brad Wagenknecht, to continue to December 9, 2014 at 11:15 a.m. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

- D. 9:35 AM Recess to the Silverado Community Services District (SCSD) special meeting (See SCSD Minutes).

E. 9:45 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.

(CONTINUED FROM OCTOBER 14, 2014; APPLICANT, APPELLANT AND STAFF REQUEST CONTINUANCE TO DECEMBER 16, 2014 AT 10:15 AM)

Director of Planning, Building and Environmental Services David Morrison requested continuance.

Motion moved by Diane Dillon, seconded by Keith Caldwell, to continue to December 16, 2014 at 10:15 a.m. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

F. 11:30 AM

County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal regarding the appeal filed by Scott Greenwood-Meinert, 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 210 per week; 6) private promotional tastings with meals up to seven (formerly 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; 9) a Variance to encroach approximately 460 feet into the required 600 foot setback from Silverado Trail; and 10) a Variance to encroach approximately 196 feet into the required 600 foot setback from Zinfandel Lane. 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 at 3 Zinfandel Lane, St. Helena, CA. (APN: 025-160-006).

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, if mitigation measures are not included, the proposed project would have any potentially significant effects in the following area(s): Traffic and Transportation. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

(CONTINUED FROM NOVEMBER 25, 2014)

R-2014-144

County Counsel Minh Tran made presentation.

Motion moved by Brad Wagenknecht, seconded by Diane Dillon, to approve adoption of resolution as amended. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

G. 11:45 AM PUBLIC HEARING

Director of Housing and Intergovernmental Affairs requests adoption of a resolution updating the nonresidential (commercial) impact fees per Housing Element Program H-2d and the Nexus Study prepared by Keyser Marston at the level recommended by the Planning Commission.

R-2014-145

Director of Housing and Intergovernmental Affairs Larry Florin, Housing and Community Development Program Manager Nancy Johnson, and Deputy County Counsel Silva Darbinian made presentation.

Motion moved by Keith Caldwell, seconded by Brad Wagenknecht, to approve adoption of resolution. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

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 was no need for formal Board action at this time.

General Admin & Finance

- B. Auditor-Controller and County Executive Officer request adoption of a resolution establishing Fund 1000, Division 10580: Declared Emergency, Sub-Division 1058001: 2014 Earthquake, with appropriations of \$10,000,000 and revenue of \$6,000,000 and using up to \$4,000,000 of General Reserve restricted fund balance within the General Fund, retroactively to August 24, 2014. (4/5 Vote Required)

R-2014-146

Auditor-Controller Tracy Schulze and Assistant County Executive Officer Leanne Link made presentation.

Motion moved by Brad Wagenknecht, seconded by Diane Dillon, to approve adoption of resolution. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

- C. Director of Housing and Intergovernmental Affairs requests direction and possible action on the following regarding the creation of a Grant Program to provide one time funding to nonprofit organizations to further existing projects and/or programs that support affordable housing.
1. Approve the Notice of Funding Availability (NOFA) in the amount of \$200,000, grant application and guidelines;
 2. Authorize the solicitation and processing of applications; and
 3. Authorize the Director of Housing and Intergovernmental Affairs to execute all agreements with recipients of grant funding.

Community Development Program Manager Nancy Johnson and Director of Housing and Intergovernmental Affairs Larry Florin made presentation.

Held discussion.

Item continued to a future date.

- D. County Executive Officer/Director of Emergency Services requests the following actions:
1. Adoption of a Resolution terminating 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. Affirmation of Resolution No. 2014-107 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-2014-147

County Executive Officer Nancy Watt made presentation.

Motion moved by Keith Caldwell, seconded by Brad Wagenknecht, to approve requested actions. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

E. County Executive Officer requests that the Board:

1. Receive a report on the fiscal status of the General Fund related to FY 2013-2014 and FY 2014-2015;
2. Approve an increase of \$315,443 to the Designation for Fiscal Uncertainties in the General Fund;
3. Approve Budget Transfer No. CEO003, making certain adjustments to the FY 2014-2015 budget, including adjustments related to the FY 2013-2014 ending fund balances; and
4. Establish two capital assets in the amount of \$76,000 (\$38,000 each) for the purchase of two additional utility vehicles for the Building Inspection and District Attorney Consumer Fraud programs. (4/5 vote required)

BT-CEO003

Assistant County Executive Officer Leanne Link and Auditor-Controller Tracy Schulze made presentation.

Held discussion.

Motion moved by Keith Caldwell, seconded by Diane Dillon, to approve Items 1 through 3. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

Motion moved by Keith Caldwell, seconded by Brad Wagenknecht, to approve Item 4. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

F. County Executive Officer requests the appointment of one individual to serve on the Metropolitan Transportation Commission (MTC) from the three nominees provided by the Napa County City Selection Committee for filling the unexpired term of office previously held by Supervisor Bill Dodd, which term commences immediately and will expire on February 9, 2015.

Napa County City Selection Committee Nominees

Supervisor Mark Luce
Supervisor Keith Caldwell
Napa City Councilmember Alfredo Pedroza

County Executive Officer Nancy Watt made presentation.

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to appoint Mark Luce. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

G. County Executive Officer requests the appointment of one member of the Board of Supervisors to serve on the Local Agency Formation Commission (LAFCO) to fill an unexpired term of office to commence immediately and expire May 7, 2018.

County Executive Officer Nancy Watt made presentation.

Motion moved by Mark Luce, seconded by Brad Wagenknecht, to appoint Diane Dillon as member and Keith Caldwell as alternate. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon and Keith Caldwell voting yes / District 4 - vacant.

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

None.

16. ADJOURNMENT

Adjourned to the Board of Supervisors special meeting Tuesday, December 9, 2014 at 8:00 a.m. at the South County Campus, 2741 Napa Valley Corporate Drive, Building 2, South County Campus Large Conference Room, Napa, California.

MARK LUCE, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board