



A Tradition of Stewardship
A Commitment to Service

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

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

None.

4. PRESENTATIONS AND COMMENDATIONS

None.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

County Fire Chief Barry Biermann reported on Insurance Service Office (ISO) review of fire protection and fire insurance ratings.

6. CONSENT ITEMS

Human Services

A. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the following renewal agreements to provide assistance with outreach, enrollment, retention, and utilization of Medi-Cal for all potentially eligible children/families throughout Napa County, each for the term July 1, 2014 through June 30, 2015:

1. Agreement No. 8018 with Cope Family Center, Inc., for a maximum of \$43,093;
2. Agreement No. 8020 with Spirit of Unity in Napa, Inc., doing business as Puertas Abiertas Community Resource Center, for a maximum of \$22,500;
3. Agreement No. 8021 with Children's Health Initiative, Inc., for maximum of \$32,000;

4. Agreement No. 8047 with American Canyon Family Center, Inc., for a maximum of \$20,930;
5. Agreement No. 8048 with Napa Valley Child Advocacy Network, Inc., doing business as Parent-Child Advocacy Network, Inc., for a maximum of \$23,328;
6. Agreement No. 8056 with Up Valley Family Center, Inc., for a maximum of \$34,243; and
7. Agreement No. 8146 with Queen of the Valley Medical Center, Inc., for a maximum of \$26,907.

A-8018, A-8020, A-8021, A-8047, A-8048, A-8056 and A-8146

- B. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the Children's Medical Services Plan and Fiscal Guidelines for Fiscal Year 2014-2015.
- C. Director of Health and Human Services requests approval to accept an anonymous donation of \$6,000 to be used for the benefit of the Children's Trust Fund.

Community Resources & Infrastructure

- D. Director of Library Services and Community Outreach requests authorization to accept a donation to the Napa County Library from an anonymous donor in the amount of \$6,000.
- E. Director of Public Works requests approval of plans and specifications for the "Administration Building Earthquake Repairs Project," PW 15-14, 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.
- F. Director of Public Works requests approval of plans and specifications for the "Jail Supply and Exhaust Vent Modification Project," PW 13-12, 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.

General Admin & Finance

- G. Assessor-Recorder-County Clerk in his capacity as ex-officio Registrar of Voters requests that the Board declare elected those persons under its jurisdiction based on the certified results of the General Election held on Tuesday, November 4, 2014.
- H. Chief Information Officer requests approval of and authorization for the Chairman to sign a revenue agreement with the City of Napa for a maximum of \$40,871 for the term December 9, 2014 through December 31, 2014 for aerial photographs.

A-8243

- I. County Executive Officer requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 7049 with the California Department of Forestry and Fire Protection:

1. Extending the term through June 30, 2017 for a maximum amount of \$9,340,599 in Fiscal Year 2014-2015, \$9,807,629 in Fiscal Year 2015-2016 and \$10,298,010 in

Fiscal Year 2016-2017 for the provision of fire protection services and administrative services for the Napa County Fire Department; and
 2. Amending the scope of work to include the reclassification of a Division Chief position to a Deputy Chief position to serve as the Napa County Fire Chief, a Staff Services Analyst position to an Associate Government Program Analyst; and
 3. Adding five Amador firefighters and one Amador engine to provide a three person career engine during the non-fire season months at the Gordon Valley CAL FIRE station.

A-7049 (Amend. 1)

- J. County Executive Officer requests reappointment of David Ybarra to the Napa County Airport Advisory Commission to represent the category of General Public member with the term of office to commence immediately and expire on December 31, 2017.

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

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

8. PUBLIC COMMENT

Gary Margadant requested documents submitted for the Woolls Ranch Winery appeal be available to the public electronically.

Lisa Hirayama and Jim Wilson spoke concerning the Walt Ranch Winery project.

Yeoryios Apallas requested the Planning Department consider a thorough analysis when granting specific exceptions for projects.

David Heitzman commented on the need for expert review on certain Planning projects.

9. SET MATTERS OR PUBLIC HEARINGS

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

B. 9:10 AM PUBLIC HEARING

Director of Planning, Building and Environmental Services requests adoption of a resolution amending the Napa County General Plan to change the land use designation from "Study Area" to "Public Institutional" and make necessary changes to the General Plan text and map to accommodate the County Jail Project located at 2300 Napa Vallejo Highway, on the east side of State Route 221 northeast of its intersection with Basalt Road, Napa, CA. (APN 046-370-021).

R-2014-148

Planning, Building and Environmental Services Planner III Kelli Cahill presented item.

Opened public hearing.

Testimony presented.

Closed public hearing.

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

C. 9:30 AM PUBLIC HEARING

Director of Housing and Intergovernmental Affairs and Director of Planning, Building and Environmental Services request the following for the Napa Pipe Project:

1. First reading and intention to adopt an ordinance approving the Design Guidelines; and
2. Adoption of a resolution making findings pursuant to CEQA including a mitigation, monitoring and reporting program.

ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report (EIR) was prepared for the Napa Pipe Project and certified by the Board of Supervisors on January 14, 2013. An Initial Study/Addendum to the County's EIR was prepared by the City of Napa and adopted by the Napa City Council on July 22, 2014 concluding that the County's EIR was prepared by the City of Napa and adopted by the City of Napa City Council on July 22, 2014 concluding that the County's EIR for the Napa Pipe project adequately identified and analyzed the potential environmental effects of the City providing municipal services to and potential annexation of the Napa Pipe Project Site. Prior to taking action, the Board should adopt the attached resolution making CEQA findings which document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed action and that additional environmental review, in the form of a subsequent EIR is unnecessary prior to approval.

R-2014-149

Director of Housing and Intergovernmental Affairs Larry Florin made presentation and introduced Principal Planner Sean Trippi and SiteLab Principal Eleanor Pries.

Opened public hearing.

Testimony presented.

Closed public hearing.

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

Read title.

Motion moved by Diane Dillon, seconded by Keith Caldwell, to waive reading the balance of the ordinance. Motion passed 3 - 0, with Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Brad Wagenknecht absent / District 4 - vacant.

Motion moved by Keith Caldwell, seconded by Diane Dillon, to approve motion of intent to adopt the ordinance. Motion passed 3 - 0, with Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Brad Wagenknecht absent / District 4 - vacant.

D. 10:00 AM

Napa County Health Care Coverage Task Force representatives to provide an update on health care coverage outreach and enrollment activities.

Deputy Director of Health and Human Services Self Sufficiency Services Lynn Perez made presentation.

Held discussion.

Children's Health Initiative Executive Director Mark Deil and Clinic Ole Chief Executive Director Tanir Ami made presentations.

E. 10:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Thomas Carey on behalf of Albert Giovannoni, Trustee of the Albert D. Giovannoni Trust, to a letter issued by the Napa County Department of Planning, Building and Environmental Services on August 22, 2014, regarding the status of a pending application filed by the appellant to rezone portions of the Napa Sea Ranch property from AW - Agricultural Watershed and RS - Residential Single to MC - Marine Commercial, located at 333 Cuttings Wharf Road, (P14-00019-RG) (Assessor's Parcel Nos. 047-261-007 & 047-261-009).

ENVIRONMENTAL DETERMINATION: The proposed action, conducting an appeal of a processing status letter regarding a pending rezoning application, is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Deputy Director of Planning, Building and Environmental Services John McDowell presented item.

Opened public hearing.

Applicant's representative Tom Carey made presentation and requested a continuance.

Testimony presented.

Motion moved by Diane Dillon, seconded by Keith Caldwell, to continue the Public Hearing to December 16, 2014 at 10:20 a.m. Motion passed 3 - 0, with Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Brad Wagenknecht absent / District 4 - vacant.

F. 11:00 AM PUBLIC HEARING

Director of Planning, Building and Environmental Services Department requests:

1. First reading and intention to adopt an ordinance to expand the radius from 300 feet to 1,000 feet for notice of public hearings before the Planning Commission or Zoning Administrator on discretionary land use applications by amending Sections 2.88.010 (Definitions), 2.88.050 (Appeal Packet - Information to be Submitted), 18.106.060 (Required Public and Private Notification), 18.119.220 (Telecommunication Facilities - Public Notice), 18.124.130 (Use Permit Modifications - Procedure - Size Limitation), 18.132.050 (Certificate of Present Extent of Legal Nonconformity - Application - Procedure), 18.136.040 (Public Hearing Before Commission - Notice); and
2. Adoption of a resolution amending Part 1, Section 12 of the Napa County Policy Manual as it relates to the Planning, Building and Environmental Services Department.

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed actions 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-2014-150

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

Opened public hearing.

Testimony presented.

Closed public hearing.

Held discussion.

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

Read title.

Motion moved by Keith Caldwell, seconded by Diane Dillon, to waive reading the balance of the ordinance. Motion passed 3 - 0, with Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Brad Wagenknecht absent / District 4 - vacant.

Motion moved by Keith Caldwell, seconded by Diane Dillon, to approve motion of intent to adopt the ordinance. Motion passed 3 - 0, with Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Brad Wagenknecht absent / District 4 - vacant.

G. 11:15 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:
 - a. Jennifer Roycelynn Thomson, an unmarried woman as her sole and separate property, in the general direction of Los Carneros Avenue & McKinnon Road. ENVIRONMENTAL DETERMINATION: Categorical Exemption Class 17: Open Space Contracts or Easements. It has been determined that this type of project does not have a significant effect on the environment and is exempt for the California Environmental Quality Act. [See Class 17 (Open Space Contracts or Easements) which may be found in the guidelines for the implementation of the California Environmental Quality Act at Title 14 CCR Section 15317.] (CONTINUED FROM DECEMBER 2, 2014)

R-2014-151

Planning, Building and Environmental Services Planner III Kelli Cahill made presentation.

Assessor-Recorder-County Clerk John Tuteur commented on letter received from Jennifer Thomson.

**Opened public hearing.
No testimony presented.
Closed public hearing.**

Motion moved by Diane Dillon, seconded by Keith Caldwell, to approve adoption of resolution. Motion passed 3 - 0, with Mark Luce, Diane Dillon, and Keith Caldwell voting yes / Brad Wagenknecht absent / 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 made presentation.

General Admin & Finance

- B. 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.

Director of Housing and Intergovernmental Affairs Larry Florin made presentation.

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

11. LEGISLATIVE ITEMS

None.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

None.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Chairman Mark Luce requested as part of the Erosion Control Plan policy that consent of the landowner be obtained for a public hearing in order to have a complete administrative record.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

County Executive Officer Nancy Watt gave update on upcoming storm.

Director of Public Works Steve Lederer made presentation and stated storm coordination efforts were already underway with County departments and surrounding cities.

15. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2): (1 case)

Closed session not held.

16. ADJOURNMENT

Adjourned to the Board of Supervisors special meeting Tuesday, December 16, 2014 at 8:00 a.m.

MARK LUCE, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board