



A Tradition of Stewardship
A Commitment to Service

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

February 9, 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, February 9, 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

Napa County Fire Chief Barry Biermann led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

A. Presentation of a proclamation to Pam Kindig, Chair of the Napa County Library Commission, in recognition of the Library system's centennial birthday.

Presented proclamation.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

None.

6. CONSENT ITEMS

Law & Justice

A. Chief Probation Officer requests approval of and authorization for the Chairman to sign an agreement with B.I. Incorporated for the term February 9, 2016 through June 30, 2017 for a maximum of \$10,000 to provide a risk and needs assessment for the homeless population.

A-160015B-16

B.

District Attorney requests approval of and authorization for the Chairman to sign two (2) Certification of Assurance of Compliance documents that authorize the District Attorney to apply for and sign grant subawards with the California Office of Emergency Services for the following programs:

1. Unserved/Underserved Victim Advocacy and Outreach Program, approximately \$218,750 for the term April 1, 2016 through March 31, 2017; and
2. Elder Abuse Program, approximately \$121,000 for the term July 1, 2016 through June 30, 2017.

Public Safety

- C. Sheriff requests authorization to sign the State of California, Department of Parks and Recreation grant application for Fiscal Year 2016-2017 in the amount of \$65,368 for reimbursement of salaries, equipment and training for law enforcement efforts in isolated areas of the County.

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to Revenue Agreement No. 8134 with the Housing Authority of the City of Napa (HACN), increasing the amount by \$10,000 for a new maximum of \$45,374, for reimbursement of a portion of the cost of Agreement No. 8435 with the Corporation for Supportive Housing for the purpose of providing homelessness and housing policy support in Napa County.

A-8134 (Amend. 1)

- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with the Public Health Foundation Enterprises, Inc. (PHFE) for an annual cost of \$576, for the term January 22, 2016 through January 21, 2020, for a web-based reporting system to extract information from the California Integrated Statewide Information System.

A-160016B-16

Community Resources & Infrastructure

- F. Agricultural Commissioner/Sealer of Weights and Measures requests the Board accept the itemized report of the costs of the abatement work performed at 7460 Wild Horse Valley Road, Napa County (Assessor's Parcel No. 033-110-054) per Food and Agricultural Code section 5633.
- G. Director of Planning, Building and Environmental Services requests adoption of a resolution:
1. Authorizing the submission of an application to the California Department of Resources Recycling and Recovery for a Waste Tire Enforcement Grant in the amount of \$80,000 for the State's Fiscal Year 2015-2016 award cycle, to be received by the County in Fiscal Year 2016-2017; and
 2. Authorizing the Assistant Director of Planning, Building, and Environmental Services to execute the necessary grant documents.

R-2016-12

- H. Director of Planning, Building and Environmental Services requests approval of and authorization for the Chairman to sign Budget Transfer No. PBE-003 increasing the appropriations by \$50,000 to provide for abatement services. (4/5 vote required)

BT-PBE003

- I. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with the Association of Bay Area Governments (ABAG) to receive a maximum of \$92,335 to deliver services related to the Bay Area Regional Energy Network (BayREN) for the term January 1, 2016 through December 31, 2016.

A-160017B-16

General Admin & Finance

- J. Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file the quarterly report of gifts, bequests and donations received for the quarter ended December 31, 2015, including acceptance of donations totaling \$5,129.18 received by the Auditor-Controller on behalf of the Animal Shelter and Health and Human Services - Public Health Division.

- K. Director of Human Resources and the Director of Child Support Services request adoption of a resolution amending the Departmental Allocation List for the Department of Child Support Services by adding one (1.0 FTE) Legal Clerk I/II – Limited Term, effective February 13, 2016 through August 12, 2016, with no net increase to the General Fund.

R-2016-13

- L. Director of Human Resources and Director of Corrections request adoption of a resolution amending the Departmental Allocation List for the Department of Corrections, as follows, effective February 13, 2016 through June 30, 2017, with no net increase to the General Fund:

1. Adding one 1.0 FTE Limited Term Correctional Lieutenant; and
2. Adding one 1.0 FTE Limited Term Correctional Sergeant

R-2016-14

- M. Director of Human Resources and District Attorney request adoption of a resolution amending the Departmental Allocation List for the District Attorney's Office by adding one (1.0 FTE) Attorney I – Limited Term, effective February 13, 2016 through December 31, 2016, with no net increase to the General Fund.

R-2016-15

- N. Director of Human Resources and Director of Health and Human Services request adoption of a resolution amending the Table and Index of Classes and

Departmental Allocation List for the Child Welfare Services, Comprehensive Service for Older Adults, and Self Sufficiency Services Divisions of Health and Human Services Agency, as follows, effective February 13, 2016:

1. Amend the Child Welfare Services Departmental Allocation List by:
 - a. Adding one (1.0 FTE) Child Protective Services Worker I/II; and
 - b. Deleting one (1.0 FTE) Social Worker IV.
2. Amend the Self-Sufficiency Services Departmental Allocation List by:
 - a. Adding one (1.0 FTE) Eligibility Worker III; and
 - b. Deleting one (1.0 FTE) Senior Account Clerk.
3. Amend the Comprehensive Services For Older Adults Departmental Allocation List by:
 - a. Adding one (1.0 FTE) Social Worker Supervisor I,
 - b. Adding one (1.0 FTE) Social Worker I
 - c. Adding one (1.0 FTE) Social Services Aide, and
 - d. Adding one (1.0 FTE) Deputy Public Administrator/Guardian/Conservator.
4. Amend the Table and Index of Classifications by:
 - a. Adding Deputy Public Administrator/Guardian/Conservator.

R-2016-16

- O. Director of Human Resources and Napa County Sheriff request adoption of a resolution amending the Departmental Allocation List for the Sheriff's Department by adding one 1.0 FTE Evidence Technician - Limited Term, effective February 13, 2016 through June 30, 2016, with no net increase to the General Fund.

R-2016-17

- P. County Executive Officer requests the following actions related to the Napa County Transportation and Planning Agency and the Napa Valley Transportation Authority:
1. Approval of and authorization for the Chairman to sign Amendment No. 10 to Agreement No. 3061, Napa County Transportation and Planning Agency (NCTPA) Joint Powers Agreement, changing the name to Napa Valley Transportation Authority, a Joint Powers Agency, and
 2. Approval of a name change of the existing Napa Valley Transportation Authority (NVTA) to the Napa Valley Transportation Authority-Tax Agency, subject to consent to the name change by the board of directors of NVTA.

A-3061 (Amend. 10)

- Q. County Executive Officer requests authorization for out-of-state travel for Supervisor Diane Dillon from February 19, 2016 to March 1, 2016 to attend the National Association of Counties (NACo) Legislative Conference in Washington, D.C. and meet with federal officials regarding land use matters in Napa County.

- R. Second reading and adoption of an ordinance amending Chapter 10.24 (Special Events on Public Roadways) of the Napa County Code.
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-1411

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

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

8. PUBLIC COMMENT

Los Carneros Water District President John Stewart commented on the recycled water project development progress.

James Hinton commented on natural cultivation of marijuana.

Dan Mufson commented on water, air pollution and Napa County cancer rates.

Robert Lee and Peter Kilkus spoke regarding the Capell Valley School Park opportunity.

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

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

C. 9:05 AM PUBLIC HEARING

Consideration and possible action regarding the following:

1. Appeals filed by Skyline Park Citizens Association, Inc. and Dorothy Glaros (hereafter Appellant Skyline Park Citizens) to:
 - a. A decision made by the Planning Commission on October 21, 2015, to certify an environmental impact report (EIR) prepared in connection with Syar Industries, Inc.'s Surface Mining Permit (SMP) to modify the mining and reclamation plan and associated quarry operations, including aggregate processing, production and sales as currently permitted under UP-128182, UP-27374, and County Agreement 2225 to allow: a) an approximate 106-acre expansion of the current surface mining and reclamation plan for a 35 year term; b) an increase in mining depth from approximately 300 feet and 150 feet above mean sea level (msl) to no greater than 50 feet above msl; c) an increase in production of Aggregate and Aggregate-related Materials from approximately 1 million tons per year (tpy) to 1.3 million tpy; and d) add Reclaimed Asphalt Pavement handling equipment to the existing asphalt batch plant and an increase in asphalt production up to approximately 300,000 tpy (inclusive of total annual production). This SMP replaces UP-128182, UP-27374, and County Agreement No. 2225, and brings existing and expanded mining and reclamation areas

- and associated quarry operations, including aggregate processing, production, and sales under one permit. (Hereafter referred to as the Syar Project.)
- b. A decision made by the Planning Commission on November 18, 2015, to adopt Resolution No. 2015-03 regarding the Syar Project: (1) Adopting Findings and Rejecting the Proposed Project, the No Project Alternative, and the Reduced Footprint/Conservation Alternative pursuant to the California Environmental Quality Act (CEQA); (2) Finding the Syar Modified Project Plus Area C (the Reduced Production Alternative) consistent with the Napa County General Plan; (3) Adopting the Mitigation Monitoring and Reporting Program; (4) Adopting the Syar Modified Project Plus Area C (Reduced Project Alternative); and (5) Approving Surface Mining Permit No. P08-00337-SMP. (Hereafter referred to as the CEQA Findings.)
2. Appeals filed by Stop Syar Expansion, Steven Booth, Sandra Booth, Julia Winiarski, Kathy Felch, Richard S. Blair, Susanne M. von Gymnich-Rosenberg, and David Lopez (Appellant Stop Syar) to:
- a. A decision made by the Planning Commission on October 21, 2015, to certify the EIR prepared in connection with the Syar Project.
 - b. A decision made by the Planning Commission on November 18, 2015, to adopt Resolution No. 2015-03 regarding the Syar Project and the CEQA Findings.

The Syar Project site is located on the east side of State Highway 221 (Napa-Vallejo Highway) at its intersection with Basalt Road east of 2301 Napa-Vallejo Highway, within the unincorporated portion of Napa County. Assessor's Parcel Numbers 045-360-005, 046-370-012, -013, -015, -022, -025, 046-390-002, -003, and 046-450-071.

(APPELLANTS, APPLICANT AND STAFF REQUEST A CONTINUANCE TO MARCH 22, 2016, AT 9:15 A.M.)

Opened public hearing.

Planning, Building and Environmental Services Planner III Don Barrella made presentation.

Motion moved by Mark Luce, seconded by Keith Caldwell, to continue the public hearing to March 22, 2016 at 9:15 a.m. Motion passed 5 - 0.

D. 9:10 AM

Director of Planning, Building and Environmental Services and County Counsel request that the Board take public comment and provide direction to staff on the proposed terms of a proposed Development Agreement between the County and Caymus Vineyards (Applicant). The Development Agreement is being processed concurrently with the Applicant's pending request to modify the winery's use permit. The purpose of the Development Agreement would be to provide a mutually agreed upon framework that would be binding on both parties with regards to the Applicant's pre-Winery Definition Ordinance (WDO) status and rights, as well as the Applicant's obligations concerning affordable housing, traffic, fire, and other impacts. The subject winery is located at 8700 Conn Creek Road, Rutherford California on approximately 4.5 acres within a 69.5 acre parcel. The project site is located on the east side of Conn Creek Road approximately at the intersection with Rutherford Road, within the Agricultural Preserve Zoning District (APN: 030-200-066).

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

Applicant's representative Katherine Philippakis made presentation.

**Opened public hearing.
Testimony presented.
Closed public hearing.**

Held discussion.

E. 10:00 AM PUBLIC HEARING

Director of Health and Human Services requests the Board conduct a public hearing and consider adoption of a resolution establishing a revised Alcohol and Drug Services fee schedule.

R-2016-18

**Opened public hearing.
Health and Human Services Chief Fiscal Officer Rose Hardcastle made presentation.
No testimony presented.
Closed public hearing.**

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to adopt resolution. Motion passed 5 - 0.

F. 10:05 AM PUBLIC HEARING

Director of Health and Human Services requests the Board conduct a public hearing and consider adoption of a resolution establishing a revised Mental Health Services fee schedule.

R-2016-19

**Opened public hearing.
Health and Human Services Chief Fiscal Officer Rose Hardcastle made presentation.
No testimony presented.
Closed public hearing.**

Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to adopt resolution. Motion passed 5 - 0.

G. 10:15 AM

County Executive Officer, together with Department and Division Heads will present the 2016 Performance Measurement report.

**General Administration and Finance
Assistant County Executive Officer Leanne Link made presentation.**

**Assessor-Recorder-Registrar of Voters John Tuteur made presentation.
Auditor-Controller Tracy Schulze made presentation.
Director of Human Resources Heather Ruiz made presentation.**

Law and Justice Public Safety

**Chief Probation Officer Mary Butler made presentation.
Napa County Fire Chief Barry Biermann made presentation.**

Community Resources and Infrastructure

Agricultural Commissioner-Sealer of Weights and Measures Greg Clark made presentation.

Director of Public Works Steve Lederer made presentation.

Health and Human Services

Director of Health and Human Services Howard Himes made presentation.

Public Health Officer Dr. Karen Relucio made presentation.

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

Assistant County Executive Officer Leanne Link made presentation.

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

H. 1:30 PM

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

I. 2:00 PM

County Executive Officer/Director of Emergency Services to provide a report on the Valley Fire/Calistoga Shelter.

Risk and Emergency Services Manager Kerry Whitney made presentation.

State of California Governor's Office of Emergency Services Senior

Emergency Services Coordinator Memoree McIntire made presentation.

Emergency Services Coordinator Kevin Twohey made presentation.

Health and Human Services Public Health Manager Lisa Fletcher made presentation.

10. ADMINISTRATIVE ITEMS

None.

11. LEGISLATIVE ITEMS

Supervisors Diane Dillon and Mark Luce made presentation.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Chairman Alfredo Pedroza announced he will be in Sacramento tomorrow to attend the Assembly Subcommittee Hearing regarding Farm Worker Housing funding.

Supervisor Mark Luce stated he will also be in Sacramento tomorrow and will attend a Legislative visit at California State Association of Counties (CSAC) office.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Supervisor Diane Dillon requested staff bring back the Special Events Ordinance approved under Item 6R today and review references to relay races.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

County Executive Officer Nancy Watt reminded all of the 100th Anniversary of the Library celebration occurring today from 4:00 p.m. to 7:00 p.m. at the County Library.

15. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

1. Closed session not held.
2. Closed session held.

Motion moved by Mark Luce, seconded by Keith Caldwell to approve by unanimous vote a proposed settlement agreement regarding a dispute with George Burbano and Jerri Meltzer. The terms of the agreement are subject to approval by all parties and upon final approval will be made publicly available. Motion passed 5 - 0.

16. ADJOURNMENT

Adjourned to the Board of Supervisors regular meeting Tuesday, March 8, 2016 at 9:00 a.m.

ALFREDO PEDROZA, Chairman

ATTEST:

GLADYS I. COIL, Clerk of the Board