



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 1/14/2014

Agenda Placement: 7F

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

---

**TO:** Board of Supervisors

**FROM:** Lawrance Florin - Director  
Housing and Intergovernmental Affairs

**REPORT BY:** Nancy McDonnell, STAFF SERVICES ANALYST II - 707-253-4825

**SUBJECT:** Request approval of Budget Adjustment to increase appropriations for Housing and Intergovernmental Affairs and two contract amendments related to Napa Pipe

---

### RECOMMENDATION

Director of Housing and Intergovernmental Affairs requests approval of:

1. Budget Transfer No. CEO 005 appropriating \$210,895 in the Housing and Intergovernmental Affairs subdivision budget with offsetting revenues for Napa Pipe related consulting services; (4/5 vote required)
2. Amendment No. 7 to Revenue Agreement No. 7198 with Napa Redevelopment Partners, LLC increasing the amount by \$143,745, increasing the fiscal year total to \$410,895 for Napa Pipe related expenses; and
3. Amendment No. 1 to Agreement No. 7895 with Gibson, Dunn & Crutcher, LLP increasing the amount by \$50,000 for a new contract maximum of \$150,000 and adding service hours and an associate to the scope of services.

### EXECUTIVE SUMMARY

Today's action amends the revenue agreement with Napa Redevelopment Partners and adjusts the Housing and Intergovernmental Affairs (HIA) budget for consistency and to bring both to the appropriate level required to account for expenditures for the Napa Pipe project in Fiscal Year 2013-2014. In order to account for expenditures in the HIA budget an increase of \$210,895 is needed for both appropriations and revenues. An increase of \$143,745 from the previous amendment is necessary in order to account for the additional amount Napa Redevelopment Partners will owe the County of Napa for all Napa Pipe related responsibilities under it's revenue agreement. The action also increases the contract maximum for legal services provided by Gibson, Dunn and Crutcher, LLP by \$50,000 for a contract maximum of \$150,000.

**FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	This action increases appropriations in the amount of \$210,895 with offsetting revenues from Napa Development Partners. The revenue agreement with Napa Redevelopment Partners needs to increase by \$143,745 to meet the funding obligation to the County.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This item allows for payment of invoices pertaining to agreements necessary for the Napa Pipe project. If this item is not approved, work on the Napa Pipe project cannot continue.
Is the general fund affected?	Yes
Future fiscal impact:	None.
Consequences if not approved:	If this item is not approved, the County will not be able to cover committed expenses related to the Napa Pipe project nor seek appropriate reimbursement from the Napa Redevelopment Partners for services rendered.
Additional Information:	

**ENVIRONMENTAL IMPACT**

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.

**BACKGROUND AND DISCUSSION**

Housing and Intergovernmental Affairs (HIA) is asking for three approvals:

1. A budget adjustment, increasing appropriations by \$210,895 with matching offsetting revenues from Napa Redevelopment Partners for Napa Pipe related costs;
2. Amendment No. 7 to Revenue Agreement 7198 with Napa Redevelopment Partners, increasing the amount payable to Napa County by \$143,745 for expenses related to the Napa Pipe project; and
3. Amendment No. 1 to Agreement 7895 increasing the contract maximum for Gibson, Dunn & Crutcher, LLP by \$50,000 for additional legal services and to add an associate to the fee schedule.

The requested Budget Transfer will increase both revenues and expenditures in the HIA subdivision by approximately \$210,895. Originally, Staff budgeted \$200,000 for both revenues and expenditures for the following expenses related to Napa Pipe including legal services from Gibson, Dunn & Crutcher; internal staff time for County Counsel; Public Works and Planning, Building and Environmental Services and as a placeholder for anticipated Napa Pipe Costs.

As the Napa Pipe project has continued, there was a need for three additional contracts that the Board entered into

in previous actions. The total appropriations of \$410,895 is budgeted as follows:

- \$118,967 to Gibson, Dunn and Crutcher for legal services. While the total contract maximum for this agreement is increased to \$150,000 per this action, the contract is a multi-year agreement and it is estimated that the amount spent in Fiscal Year 2013-2014 will be \$118, 967.
- \$60,000 for County staff time including County Counsel, Planning Building and Environmental Services and Public Works
- \$36,000 to Seifel for an updated fiscal analysis of the Napa Pipe Project
- \$95,928 to SITELAB Urban Studio to develop guidelines for the Napa Pipe Comprehensive Development Application
- \$100,000 to Municipal Resources Group to provide facilitation and project management services to the County to reach agreement regarding jurisdictional oversight and address issues related to the project.

Today's action amends the revenue agreement with Napa Redevelopment Partners and adjusts the HIA budget for consistency and to bring both to the appropriate level required to account for expenditures in Fiscal Year 2013-2014. In order to account for expenditures in the HIA budget an increase of \$210,895 is needed for both appropriations and revenues and an increase of \$143,745 is necessary in order to account for the additional amount Napa Redevelopment Partners will owe the County of Napa for all Napa Pipe related responsibilities.

#### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan