



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday    October 21, 2014    9:00 A.M.**

Brad Wagenknecht  
District 1

Mark Luce  
District 2

Diane Dillon  
District 3

Bill Dodd  
District 4

Keith Caldwell  
District 5

Nancy Watt  
County Executive Officer

Gladys I. Coil, CCB  
Clerk of the Board

Minh Tran  
County Counsel

### GENERAL INFORMATION

The Board of Supervisors meets each Tuesday at 9:00 A.M. in special session at South County Campus, 2741 Napa Valley Corporate Drive, Building 2, South County Campus Large Conference Room, Napa, California 94558. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580.

**The agenda is divided into three sections:**

**CONSENT ITEMS** - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any item on the CONSENT CALENDAR will be discussed separately at the request of any person. CONSENT CALENDAR items are usually approved with a single motion.

**SET MATTERS - PUBLIC HEARINGS** - These items are noticed hearings, work sessions, and items with a previously set time.

**ADMINISTRATIVE ITEMS** - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the CONSENT CALENDAR, if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Board of Supervisors, 2741 Napa Valley Corporate Drive, Building 2, Napa, California 94558, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA** please proceed to the rostrum and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board.

**AGENDA AVAILABLE ONLINE AT [www.countyofnapa.org](http://www.countyofnapa.org)**

**1. CALL TO ORDER; ROLL CALL****2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES****A.** Clerk of the Board requests approval of minutes of the meetings held on:

1. September 16, 2014 Special 8:00 a.m. meeting (Supervisor Bill Dodd arrived during Item 15A); and
2. September 16, 2014 Special 9:00 a.m. meeting (All Supervisors were present);

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

**4. PRESENTATIONS AND COMMENDATIONS**

- A.** Presentation of a proclamation to Laura Van Waardenburg, Project Manager, Alcohol and Drug Programs, and Nancy Wynne de Rivera, Health Education Specialist, declaring October 23-31, 2014 as "National Red Ribbon Week" in Napa County.

**5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS****6. CONSENT ITEMS**Law & Justice

- A.** Director of Child Support Services requests authorization to sign a renewal of the Plan of Cooperation with the California Department of Child Support Services (DCSS) at no cost extending the term from October 1, 2014 through September 30, 2015.

Public Safety

- B.** Napa Special Investigations Bureau (NSIB) Governing Board requests approval of a distribution totaling \$46,565 from funds held in the Napa Special Investigations Bureau Asset Forfeiture Trust account and \$10,000 held in the Community Services Trust account.

Human Services

- C.** Director of Health and Human Services Agency requests approval of and authorization for the Chairman to sign Amendment No. 5 to Agreement No. 3851 with Family Service of the North Bay, Inc., increasing the maximum amount by \$4,413 for a new maximum of \$144,093, and incorporating an addendum to the Compensation section to include the revised program budget for Fiscal Year 2014-2015 services.

- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 3 to Agreement No. 7606 with GOES2ELEVEN,LLC, doing business as Napa School of Music, incorporating Addenda to the Scope of Work and Compensation exhibits to include additional music lesson services for clients in the Child Welfare Services program.
- E. Director of Health and Human Services requests approval and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 7956 with Stericycle, increasing the annual amount by \$2,775 for a new maximum of \$9,975 for medical waste pickup and disposal services.
- F. Director of Health and Human Services requests approval of and authorization for the Chairman to sign a revenue agreement with California Department of Public Health for a maximum of \$1,170,561 for the term July 1, 2014 through June 30, 2017 for the provision of public health emergency/disaster preparedness activities.
- G. Director of Health and Human Services requests approval of and authorization for the Chairman to sign a Memorandum of Understanding with Partnership HealthPlan of California (PHC) for the use of Intergovernmental Transfer (IGT) funds for Fiscal Year 2012-2013 for a total net amount of \$391,483, covering a 12 month period beginning on the date the payment is issued to County by PHC, to be used for health care services for Napa County residents.
- H. Director of Health and Human Services requests consideration of Napa State Hospital's request for the Board of Supervisors to nominate the following Napa County residents/employees for appointment by the Governor to the Napa State Hospital Advisory Board:

<u>Nominee</u>	<u>Current Position</u>
Mary Butler	Napa County Chief Probation Officer
Karen Smith	Napa County Public Health Officer
Keith Behlmer	Lieutenant, Napa County Sheriff's Department

#### Community Resources & Infrastructure

- I. Director of Library Services and Community Outreach requests authorization to accept a Federal Library Services and Technology Act (LSTA) grant in the amount of \$5,000 for the Community Spotlight project.
- J. Director of Planning, Building and Environmental Services requests authorization to extend Subdivision Agreement No. 4105 with Barrel Ten Quarter Circle Land Company to October 31, 2015 for required public roadway improvements that includes Devlin Road.

- K.** Director of Public Works requests adoption of a resolution temporarily closing a portion of Silverado Trail from 8:30 a.m. to 12:00 p.m. Sunday, November 9, 2014 for the Napa Valley Harvest Half Marathon.

General Admin & Finance

- L.** Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 8049 with Colliers Parrish International expanding the scope of work to include property acquisitions by the County.
- M.** Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign the following related to the County's contracted Federal legislative advocacy services:
1. A revenue agreement with Napa County Transportation & Planning Agency (NCTPA) for the term October 1, 2014 through June 30, 2015 for a maximum amount of \$18,000; and
  2. Budget Transfer No. CEO002 increasing appropriations in General Expenditures in the amount of \$20,000 with offsetting revenue. (4/5 vote required)
- N.** County Executive Officer requests approval of and authorization for the Chairman to sign agreements relating to Conflict Public Defender services for the term November 1, 2014 through June 30, 2016:
1. Amendment No. 1 to Agreement No. 6844-1 with Mervin Lernhart for a maximum of \$10,405 per month plus additional fees for providing legal representation for a homicide defendant;
  2. Amendment No. 1 to Agreement No. 6846-1 with Michael Keeley for a maximum of \$8,582 per month plus additional fees for providing legal representation for a homicide defendant;
  3. Amendment No. 1 to Agreement No. 6847-1 with Jim McEntee for a maximum of \$8,582 per month plus additional fees for providing legal representation for a homicide defendant or Sexually Violent Predator civil commitment;
  4. Amendment No. 1 to Agreement No. 6886-1 with Mark Henderson for a maximum of \$8,582 per month plus additional fees for providing legal representation for a homicide defendant; and
  5. A new agreement with Jess Raphael for a maximum of \$8,582 per month per month plus additional fees for providing legal representation for a homicide defendant.
- O.** County Executive Officer requests approval of the following actions effective January 1, 2015 regarding the administration and maintenance of the Dispute Resolution Programs Act (DRPA) in Napa County:
1. Adoption of a resolution authorizing the Auditor-Controller to create within the General Government Function a Non-Operating Special Revenue Fund pursuant to DRPA and delegating administration of DRPA funds to the Napa County Superior Court; and
  2. Approval and authorization for the Chairman to sign Amendment No. 2 to Agreement No. 4137 with the Napa County Superior Court expanding the Scope of Service to include the DRPA program.

- P. County Executive Officer and Clerk of the Board request acceptance of a revision to the 2015 Board of Supervisors meeting calendar.

## **7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**

## **8. PUBLIC COMMENT**

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

## **9. SET MATTERS OR PUBLIC HEARINGS**

### **A. 9:00 AM**

Recess to the Board of Equalization special meeting (See BOE Agenda).

### **B. 9:15 AM**

Recess to the Lake Berryessa Resort Improvement District (LBRID) special meeting (See LBRID Agenda).

### **C. 9:40 AM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by Patricia Simpson to a decision by the Planning Commission on November 6, 2013, to approve the Woolls Ranch Winery application for a use permit (P13-00187) to establish a new winery with an annual production capacity of 50,000 gallons including: (1) the construction of three new winery buildings with approximately 17,432 sq. ft. of floor area, including 13,060 sq. ft. for production uses and 4,372 for hospitality/administrative uses, including a commercial kitchen; (2) an approximately 7,454 sq. ft. of outdoor work area including a 3,450 sq. ft. covered crush pad; (3) on-site parking for 19 vehicles; (4) a Marketing Plan with four (4) events per month for a maximum of 30 guests at each event; two (2) events per month for a maximum of 100 guests at each event; four (4) events per year for a maximum of 200 guests at each event; and, participation in the wine auction; (5) tours and tastings, which may include food pairing(s), by appointment only for a maximum of 60 visitors per day; (6) hours of operation from 8:00 AM to 8:00 PM (10:00 AM to 5:00 PM tasting and 8:00 AM to 8:00 PM, non-harvest production), 7 days a week; (7) on premise consumption pursuant to the Evans Bill (AB2004); (8) employment of 10 or fewer full-time employees; (9) installation of a new on-site winery process and domestic wastewater treatment system; and, (10) new landscaping, driveway improvements and signage. The approval also includes an exception to the County's Road and Street Standards (RSS) to allow the use of an existing 14' wide access drive for a length of approximately 400-feet (of a 6,700-foot long access drive) with a proposed turnout meeting County standards. The remainder of the access drive will meet County standards. The 236.66 acre Project Site is located on the east side of Mt. Veeder Road,

**Item 9.C...Continued**

approximately 1,000 feet north of its intersection with Redwood Road within an Agricultural Watershed (AW) zoning district. APN: 035-010-054. (1032 Mt. Veeder Road, Napa).

**ENVIRONMENTAL DETERMINATION:** Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed Project would have potentially significant environmental impacts on: Biological Resources and Hydrology & Water Quality if mitigation measures were not included as part of the project. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**(CONTINUED FROM FEBRUARY 25, MAY 20 AND JUNE 10, 2014)**

**D. 11:00 AM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by Scott Greenwood-Meinart, 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 300 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. APN: 025-160-006. 3 Zinfandel Lane, St. Helena, Calif.

**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 SEPTEMBER 9, 2014)**

**E. 1:30 PM**

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

**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~~ 107; and
  2. Determine the need to continue, or alternatively terminate, each emergency public work action so ordered. (4/5 vote required)

General Admin & Finance

- B. County Executive Officer requests adoption of a Resolution, pursuant to Section 9314 and 9316 of the Public Resources Code, appointing three (3) Directors from five (5) applications received during the recruitment period to the Napa County Resource Conservation District (RCD) Board of Directors, as requested by the RCD Board of Directors, in lieu of holding an election, for positions whose terms of office commence immediately and expire at noon on November 30, 2018.
- C. County Executive Officer requests eight (8) reappointments and one (1) new appointment to serve on the Napa County Commission on Aging due to eight (8) term expirations and one (1) resignation representing District 1 with the terms of office to commence immediately. Eight (8) members are requesting reappointment. Three (3) new applications were received for one (1) vacancy representing District 1.

<u>Name</u>	<u>Representing</u>
Joann Busenbark*	Organization Concerned with Older Adults
Kristine Coryell*	Organization Concerned with Older Adults
Carroll C. Cotten*	District 3
Tom Kalbrener*	Organization Concerned with Older Adults
June Kirkpatrick*	Organization Concerned with Older Adults
Elizabeth Anne Payne*	District 5
Terri Restelli-Deits*	Organization Concerned with Older Adults
Betty Rhodes*	District 4

*\* Incumbents recommended by Commission on Aging for reappointment with terms to expire September 30, 2016*

<u>Name</u>	<u>Choose One (1) applicant to represent District 1</u>
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Christy Kling*	
Laurence Koross	
Marguerite Small	

*\*Recommended by Commission on Aging for appointment to District 1 vacancy with term to expire September 30, 2015*

**11. LEGISLATIVE ITEMS****12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS****13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS****14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS****15. CLOSED SESSION****A. CONFERENCE WITH LABOR NEGOTIATOR** (Government Code Section 54957.6)

Agency Designated Representatives: Suzanne Mason, Human Resources Director and Jack Hughes, Chief Negotiator

Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa); Deputy Sheriff's Association (DSA Unit and Supervisory Unit of the County of Napa)

Unrepresented Employees: Non-Classified Management, Classified Management and Confidential Employees of the County of Napa (Excluding Elected Officials)

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Government Code Section 54956.9(d)(1))

Name of case: Stop the Casino 101 Coalition, et al. v. Edmund G. Brown, Jr., Governor of the State of California (California Court of Appeal, First Appellate District Case No. A140203).

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, NOVEMBER 04, 2014 AT 9:00 A.M. AT THE SOUTH COUNTY CAMPUS, 2741 NAPA VALLEY CORPORATE DRIVE, BUILDING 2, SOUTH COUNTY CAMPUS LARGE CONFERENCE ROOM, NAPA, CALIFORNIA.**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON OCTOBER 17, 2014 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Gladys I. Coil (By e-signature)  
GLADYS I. COIL, Clerk of the Board