



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday November 25, 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 regular 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

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

1. October 7, 2014 - Special 8:00 a.m. meeting - (Supervisor Brad Wagenknecht arrived during Item 15B)*.
2. October 7, 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 Justin-Siena Head Coach Ray Graziani on behalf of the Justin-Siena High School Girls Golf team, which won the CIF North Coast Section Championship Division II title. (Supervisor Dodd)

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**6. CONSENT ITEMS**Public Safety

- A.**
- Director of Corrections requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 8054 with Securus Technologies, Inc. as a provision to provide video visitation between inmates incarcerated at the Napa County Jail and their minor children in the care of Child Welfare Services.

- B.**
- Sheriff requests approval of and authorization for the Chairman to sign an agreement with MorphoTrust USA (formally Identix Inc) for a maximum of \$4,310 for a maintenance and repair services for the LiveScan machine located at the Sheriff's Office for the term of November 14, 2014 through October 31, 2015.

- C.**
- Sheriff requests the following regarding the purchase of five video/audio cameras for patrol vehicles:
1. A waiver of competitive bidding requirements and sole source award to LEHR, Sacramento, CA for a total of \$34,047 pursuant to County Ordinance Code 2.36.090; and
 2. Approval of Budget Transfer No. SHE005 transferring \$34,047 from Law Enforcement Supplies to Equipment within the Sheriff's budget and establishing five fixed assets in the amount of \$6,809.40/each. (4/5 vote required)

- D. Sheriff requests the following actions related to the purchase of miscellaneous equipment for the refurbishment of a Lake Berryessa patrol vessel:
1. Approval of Budget Transfer No. SHE004 in the amount of \$80,000, increasing appropriations in the Sheriff's budget with offsetting revenue from the State of California Department of Boating and Waterways for the purchase of one 24' Rogue Jet boat (4/5 vote required); and
 2. Authorization for the Sheriff or his designee to sign a funding agreement with the Department of Boating and Waterways in the amount of \$80,000.

Human Services

- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 5 to Agreement No. 4317 with Staff Care, Inc., incorporating Addenda to the Scope of Work and Compensation sections for the contractor to provide recruitment services for permanent psychiatrist positions and for an increase in the rates for locum tenens psychiatric services in mental health programs.

Community Resources & Infrastructure

- F. Director of Library Services and Community Outreach requests approval of and authorization for the Chairman to sign an agreement with BMI Imaging Systems, Inc. for a maximum of \$125,000 for the term of November 25, 2014 through June 30, 2019 to digitize microfilm of the Napa Register, the Daily Calistogan and all earlier name variants, create searchable files and host for public availability.
- G. Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 1 to Lease Agreement No. 8203 with HPD Consolidation increasing the amount of space made available to lessee by 5,304 square feet, for a total of 30,304 square feet, and an increase in the rental fee by \$3,289 for a total of \$18,859 per month, with no change to the term of the lease.
- H. Director of Public Works requests the following actions pertaining to the "Napa River Rutherford Restoration Project, Reaches 5, 6, 7 & 9, Re-Vegetation Contract" PW 14-34:
1. Award the contract to Empire Landscaping of Davis, CA for their low base bid of \$509,167 and authorization for the Chairman to sign the construction contract;
 2. Approval of and authorization for the Chairman to sign Cooperative Agreement No. 04-2546 with California Department of Transportation (CALTRANS) to provide funding to the County in the amount of \$212,270 for providing offsite tree replacement as part of the revegetation effort to comply with the terms of the approved environmental documents for the replacement of the Troutdale Bridge located on State Route 29; and
 3. Approval of Budget Transfer No. DPW004 appropriating \$212,270 in the Public Works Projects Subdivision, Program 13028 budget with offsetting revenues from CALTRANS Cooperative Agreement No. 04-2546 for providing offsite planting services as outlined in item 2 above. (4/5 vote required)

- I. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Mead & Hunt, Inc. for a maximum of \$63,000 for the term November 25, 2014 through June 30, 2015 with an automatic extension provision, for specialized engineering services to conduct an Environmental Study [Environmental Technical Studies - Biological and Cultural for Runway 18R/36L rehabilitation].
- J. Director of Public Works requests the adoption of two resolutions authorizing filing an application, acceptance of allocation of funds, and execution of grant agreement by the Director of Public Works with the California Department of Transportation for Airport Improvement Program (AIP) 3-06-0162-031-2014 matching grant to conduct an Environmental Study [Environmental Technical Studies - Biological and Cultural for Runway 18/36L rehabilitation and (AIP) 3-06-0162-032-2014 matching grant for a Wildlife Hazard Assessment].
- K. Director of Public Works requests approval of plans and specifications for the HHSA-TI 650 Imperial Way Remodel Project, PW 15-400, 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.
- L. Director of Public Works requests approval of plans and specifications for the "Oakville Crossroad Bridge Replacement Project," RDS 05-05, 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.
- M. Director of Public Works requests acceptance of two donations in the amounts of \$1,630.00 and \$9,828.46 to the Animal Shelter and authorization for the Chairman to sign a letter of appreciation for Pet Food Express.
- N. Director of Public Works requests acceptance of a donation in the amount of \$3,490.99 to the Animal Shelter and authorization for the Chairman to sign a letter of appreciation for the Napa Valley Lutheran Church.
- O. Director of Public Works requests authorization to accept and approval for the Chairman to sign a letter of appreciation for a donation of a bathing tub for the Animal Shelter purchased in the amount of \$1,963.53.

General Admin & Finance

- P. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the Audit Reports for the Napa County District Attorney's Office Automobile Insurance Fraud and Workers' Compensation Fraud Grant Programs awarded by the California Department of Insurance for the fiscal year ended June 30, 2014.

- Q.** Chief Information Officer requests approval of an Enterprise Agreement with Microsoft Corporation for a maximum of \$757,000 for the term November 1, 2014 through October 31, 2017 for the County to enroll in the Microsoft Enterprise License.
- R.** Chief Information Officer requests approval of and authorization for the Chairman to sign a revenue Agreement with New Cingular Wireless PCS, LLC for a maximum of \$24,000 per year for the first five years, rate increasing 7 1/2 % every 5 years after that through the term of the agreement, for the term of November 25, 2014 through January 26, 2024 to lease a certain portion of the property at 1435 North Oak Street, Calistoga (the Napa County Fairgrounds) for the placement of a new cellular wireless communication facility.
- S.** Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign the following amendments related to the Napa Pipe Project:
1. Amendment No. 9 to Revenue Agreement No. 7198 with Napa Redevelopment Partners for an estimated reimbursement of County incurred expenses of \$277,140 for Fiscal Year 2014-2015; and
 2. Amendment No. 2 to Agreement No. 7994 with RC Design Collaborative, LLC, doing business as SITELAB, Urban Studio, increasing the amount by \$68,143, for a new contract maximum of \$246,000 to provide design guidelines;
 3. Amendment No. 4 to Agreement No. 7895 with Gibson, Dunn & Crutcher, increasing the amount by \$150,000 for a new contract maximum of \$405,920 to provide legal assistance with the Development Agreement and other legal services as necessary; and
 4. Amendment No. 3 to Agreement No. 8002 with Municipal Resources Group, increasing the amount by \$28,997, for a new contract maximum of \$145,000 to facilitate work between the City and the County.
- T.** Director of Human Resources requests approval of and authorization for the Chairman to sign Amendment No. 5 to Agreement No. 6937 with Delta Dental of California, increasing the monthly premium rate for the DeltaCare Dental Health Maintenance Organization (DHMO) services from \$42.62 to \$44.95 effective January 1, 2015 through December 31, 2016.
- U.** County Executive Officer and Director of Human Resources request adoption of a resolution establishing up to a \$1,000 Matching Employer Contribution for the benefit of all 401(a) Retirement Savings Plan participants during the 2015 calendar year.
- V.** County Executive Officer/Purchasing Agent and Sheriff report that a 2014 Yamaha Wave Runner and trailer were purchased from a vendor other than vendor who provided the lowest quote as authorized by Napa County Code Section 2.36.090.

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 (BOE) special meeting (See BOE Agenda).

B. 9:15 AM PUBLIC HEARING

First reading and intention to adopt various ordinances to approve a Development Agreement and a Development Plan and to adopt a resolution to approve a Tentative Map associated with development of the following ("the Napa Pipe Project" or "the Project"): (1) 700 dwelling units (up to 945 units with State required density bonus); (2) a 150-unit continuing care retirement center for seniors; (3) 40,000 square feet of neighborhood serving retail uses; (4) 10,000 square feet of office; (5) a 150-room hotel with supporting uses; (6) a 154,000 square foot membership warehouse store (such as a Costco) with a gas station; (7) publicly accessible and privately-maintained parks and open space; (8) community facilities/farm; (9) publicly accessible and privately-maintained roads; and (10) infrastructure. The Tentative Map would subdivide the site into 70 lots. The Development Agreement also vests development rights on portions of the site east of the railroad tracks zoned I:AC for 90,000 square feet of office and 75,000 square feet. of light industrial, R&D and warehouse uses, but provides that development shall be subject to subsequent discretionary approvals, if applicable, by the local agency including all applicable laws and regulations that are in effect at the time of issuance of applicable building permits. Also, adopt a resolution adopting CEQA findings for the Project. The Napa Pipe Project is proposed on a 154 acre site located at 1025 Kaiser Road, Napa, approximately ¼ mile west of State Highway 121 and ¼ mile north of State Highway 29 (APN's: 046-400-030 & 046-412-005). The Napa River adjoins the west side of the site. The site is bisected by railroad tracks running north-south.

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 ("Addendum") to 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 to recommend Board of Supervisors adoption of ordinances and resolutions regarding the actions requested below, the Planning Commission has made recommended CEQA findings to document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed actions and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to Board approval of the Development Agreement, Development Plan, and Tentative Map and City/County agreements.

C. 9:40 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.

D. 9:45 AM

Recess to the Lake Berryessa Resort Improvement District (LBRID) regular meeting.

E. 9:50 AM

Director of Health and Human Services requests direction and possible action(s) on the following regarding the Tobacco Master Settlement Agreement (MSA) Grant Awards:

1. Potential changes to the process for the fiscal year 2015-2016 and 2016-2017 grant cycles;
2. Total amount of funding to be made available for the fiscal year 2015-2016 and 2016-2017 grant cycles;
3. Status of the Children's Health Initiative Napa County in the 2015-2016 grant cycle; and
4. Initiation (solicitation and processing of applications) of the Fiscal Year 2015-2016 grant cycle.

F. 10:00 AM PUBLIC HEARING

First reading and intention to adopt an ordinance amending various sections of Chapter 17.46 (Lot Line Adjustments), Section 17.51.020 (Voluntary Mergers - Application Requirements) and various sections of Chapter 17.52 (Certificates of Compliance).

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action 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)].

G. 1:30 PM

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

10. ADMINISTRATIVE ITEMSCommunity 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)
- B. Community Facilities District 2012-1 (MST Recycled Water Line Project) Administrator requests adoption of a resolution reducing the Special Tax on Parcel 052-290-012-000 from \$2,000/year to \$0.00.

General Admin & Finance

- C. Director of Housing and Intergovernmental Affairs requests that the Board receive a report on the status of the Worker Proximity Housing Program and authorize an additional \$100,000 from the Affordable Housing fund for this program.
- D. County Executive Officer requests discussion and possible action to adopt a resolution giving the Chairman the authority to appoint the Independent Hearing Panel for Solid Waste Issues members.

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

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, DECEMBER 02, 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 NOVEMBER 21, 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