



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday December 15, 2015 9:00 A.M.**

Brad Wagenknecht  
District 1

Mark Luce  
District 2

Diane Dillon  
District 3

Alfredo Pedroza  
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 1195 Third Street, Suite 305, Napa, California 94559. 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, 1195 Third Street, Suite 305, Napa, California 94559, 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**
4. **PRESENTATIONS AND COMMENDATIONS**
  - A. Acting Director of Human Resources to introduce new County employees.
5. **DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS**

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chair to sign the following agreements for the term December 15, 2015 through June 30, 2017 totaling \$15,000 relating to the County's Community Recidivism Reduction Grant Funding:
  1. Amendment No. 1 to Agreement No. 8328 with Puertas Abiertas to receive an additional \$5,000 for services through the LEGACY Youth program; and
  2. Amendment No. 1 to Agreement No. 8314 with On the Move to receive an additional \$10,000 to support the VOICES Transition project and provide targeted support to Independent Living Program eligible youth transitioning from the probation system and/or currently in Juvenile Hall or the Napa County Jail.

Public Safety

- B. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Joaquin's Landscaping Service for a maximum of \$30,000 for the term November 1, 2015 through June 30, 2016, with an automatic renewal provision, to provide defensible space for properties that do not comply with the fire hazard abatement ordinance.
- C. Sheriff requests approval of and authorization to sign a grant agreement with the State of California, Department of Parks and Recreation, Division of Boating and Waterways, in the amount of \$62,700 for the term October 1, 2015 through September 30, 2017 for the Surrendered and Abandoned Vessel Exchange (SAVE) program for abandoned watercraft and navigational hazards within Napa County.

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 13 to Agreement No. 6361 with Willow Glen Care Center, Inc., increasing the contractor's daily rates for the provision of residential mental health services.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 7955 with the California Department of Health Care Services for Projects for Assistance in Transition from Homelessness (PATH) funds in the amount of \$50,420 for Fiscal Year 2015-2016.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Master Settlement Agreement No. 8368 with Catholic Charities of the Diocese of Santa Rosa, increasing the amount by \$12,131 for a new grant amount of \$67,131, incorporating unexpended funding from Fiscal Year 2014-2015 to the current program operating costs for Fiscal Year 2015-2016 for operation of the Positive Parenting Program.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Napa Valley College for a maximum of \$15,000 for the term December 15, 2015 through June 30, 2016, with a provision for annual renewal, to provide consultation to at-risk businesses in order to avert downsizing, layoffs or business closures.
- H. Director of Health and Human Services requests adoption of a resolution approving the Mental Health Services Act (MHSA) Fiscal Year 2015-2016 Annual Update to the Three Year Plan.
- I. Director of Health and Human Services requests approval to accept an anonymous donation of \$5,000 to be used for the benefit of the Children's Trust Fund.

#### Community Resources & Infrastructure

- J. Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign an agreement with Analytical Environmental Services (AES) for a maximum \$227,050 for the term December 16, 2015 through June 30, 2016 for purposes of assisting the County in conducting environmental review under the California Environmental Quality Act (CEQA) of an erosion control plan application (P15-00295-ECPA) for the Stagecoach North vineyard project.
- K. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 8058 with TLCD Architecture Inc. increasing the amount by \$109,765 for a new maximum of \$1,942,660 amending the scope of work to include additional architectural/engineering and associated services for the South Campus Improvements project.
- L. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Belfor Property Restoration for a maximum of \$51,049 for the term of August 24, 2014 through June 30, 2016 for the performance of property restoration work at various County buildings immediately following the 2014 South Napa Earthquake.

- M.** Director of Public Works requests acceptance of a donation in the amount of \$5,200 to the Animal Shelter and approval for the Chair to sign a letter of appreciation for Nancy McKenney, Chief Executive Officer of the Marin Humane Society.

General Admin & Finance

- N.** Auditor-Controller requests approval of and authorization for the Chair to sign an agreement with the Hyas Group LLC beginning January 1, 2016 for a term of three years, with a provision to extend two additional years, for financial advisory services for the County's Deferred Compensation Plan.
- O.** 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 September 30, 2015, including acceptance of donations totaling \$3,223.43 received by the Auditor-Controller on behalf of the Animal Shelter and Health and Human Services - Public Health Division.
- P.** Chief Information Officer requests approval of and authorization for the Chair to sign a Lease Purchase Agreement with Dell Financial Services L.L.C. for a maximum of \$102,065 for the term December 15, 2015 through December 14, 2017 (24 months).
- Q.** County Counsel requests authorization to close out an imprest cash fund in the amount of \$300.00.
- R.** County Counsel and County Executive Officer/Director of Emergency Services request the affirmation of Resolution No. 2015-36 extending the Proclamation of Local Emergency due to the South Napa County Earthquake ratified by the Board of Supervisors by Resolution No. 2014-100 on August 24, 2014.
- S.** Director of Housing and Intergovernmental Affairs requests the following regarding the Workforce Proximity Housing Program:
1. Approval of the revised Proximity Workforce Housing Program Guidelines; and
  2. Authorization of an additional \$500,000 from the Affordable Housing fund for loans.
- T.** Director of Housing and Intergovernmental Affairs and County Counsel request approval of and authorization for County Counsel to sign consent forms waiving potential conflicts of interest in connection with Goldfarb & Lipman LLP's representation of the County in drafting loan documents concerning the existing Silverado Creek affordable housing project.
- U.** Director of Housing and Intergovernmental Affairs requests authorization for Chair to sign a subordination agreement for BRIDGE Housing for the Silverado Creek Apartment project.

- V. County Executive Officer requests adoption of a resolution approving issuance of a Note on funds loaned to the Napa County Fair Association for the purpose of funding revenue shortfall caused by the Valley Fire emergency response.
- W. County Executive Officer requests that the Board:
1. Approve an increase of \$1,791,957 to the Designation for Fiscal Uncertainties in the General Fund;
  2. Approve an increase of \$4,453,205 to the General Reserve in the General Fund;
  3. Approve Budget Transfer No. CEO004, making certain adjustments to the FY 2015-2016 budget, including adjustments related to the FY 2014-2015 ending fund balances, including use of \$45,649 in available fund balance in the General Fund; and
  4. Approve the restriction of \$110,500 in fund balance within the Roads Fund (Fund 2040) for the Greenwood Incidental Take Permit as a security required by the California Department of Fish and Wildlife.

(4/5 vote required)

- X. County Executive Officer requests the reappointment of Joice Beatty to the Board of Directors of the Area Agency on Aging serving Napa and Solano Counties to represent District 3 with the term of office to commence immediately and expire July 1, 2017.
- Y. County Executive Officer requests five (5) reappointments to the Napa County Airport Advisory Commission with the terms of office to commence immediately and expire on December 31, 2018.
1. John Kempkey representing the Napa Chamber of Commerce;
  2. Jim Lyon representing the Napa Airport Pilots' Association;
  3. Ed Shenk representing the General Public;
  4. Todd Walker representing the General Public; and
  5. Mark Willey representing Commercial Aviation Operator Located at the Airport

## 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. 8:00 AM

Board of Supervisors (BOS) - Closed Session (See Special 8:00 AM BOS Agenda)

**B. 9:00 AM**

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

**C. 9:30 AM**

Recess to the Napa County Housing Authority (NCHA) meeting (See NCHA Agenda).

**D. 9:35 AM**

Director of Planning, Building and Environmental Services requests the following:

1. Receive the letter from the Napa County Regional Park and Open Space District dated November 30, 2015; and
2. Direct staff to work with the Napa County Regional Park and Open Space District to prepare draft ballot measure language for consideration by the Board of Supervisors for placement on the November 2016 General Election, to fund the purposes of the District through a one-quarter cent sales tax.

**E. 10:00 AM**

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County special meeting (See IHSS Agenda).

**F. 10:10 AM PUBLIC HEARING**

Presentation, first reading and intent to adopt an ordinance adding Electronic Smoking Devices to Section 8.08.020 in Chapter 8.08 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.

**G. 10:20 AM**

Director of Health and Human Services requests authorization for Local EMS Agency staff to implement the Napa County HeartSafe Community Program, use the Napa County HeartSafe logo, and designate communities meeting established criteria as a "HeartSafe Community."

**H. 10:30 AM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by Janice R. Russell, Trustee of the Frank J. Massa and Adra V. Massa Revocable Trust, and Michael Clark to a decision by the Planning Commission to approve a modification to **Bell Wine Cellars** Use Permits Nos. U-90-42 and #03315-MOD to allow the following: 1) Increase in the approved production capacity to a maximum of 60,000 gallons; 2) Interior remodeling of the existing 8,911± sq. ft. winery to construct an additional 1,048 sq.ft. storage mezzanine and to allocate space for a new 628 sq.ft. tasting room area, a 210 sq.ft. meeting room, and a new 150 sq.ft. commercial kitchen for on-site marketing event meals and food pairings and tastings, resulting in a total of 9,959± sq.ft. winery floor area plus a 1,450 sq.ft. exterior covered crush pad; 3) Increase existing visitation from 24-76 persons per week to a maximum of 100 persons per day subject to the following: Visitation shall not exceed 400 persons per week from May 1 to October 31; visitation shall not exceed 250 persons per week from November 1 to April 30; and the total annual visitation shall not exceed 13,780 persons including the 24 marketing events but excluding the four per year marketing events of up to 200 persons; weekend (Friday & Saturday) tasting appointments: 10:00 a.m. to 4:00 p.m. 4) Modify the existing Marketing Event Program to remove the prior programs and replace with the following new Marketing Event Program: a) Two marketing events per month of up to 40 persons. The persons will be included within the weekly, daily and annual maximums, with lunch or dinner; b) four Wine Auction-related and other major events such as the Napa Film Festival, accompanied by food and wine, sometimes with non-amplified musical program for a maximum of 200 guests; c) all marketing events shall be held in the various winery facilities, including the winery structure and patio area. The events may last approximately 4-5 hours between 10:00 a.m. and 9:00 p.m. depending on morning or evening schedule. Up to 80 overflow parking spaces in the vineyard along the side of the access road are available during large events; five spaces are available on the grass-crete hard surface adjacent to the winery (near the lawn area adjacent to the winery and driveway entrance); and nine spaces are available in the center area of the circular driveway near the residence; and d) on-premises wine consumption consistent with Business and Professions Code § 23358, 23390 and 23396.5 (also known as AB 2004 (Evans 2008) or the Picnic Bill) in the winery or on the patio or lawns adjacent to the bocce ball courts; 5) Employ maximum 15 persons; 6) Revise the annual limit on the number of buses (maximum 3 per year) permitted to visit the winery (Use Permit #U90-42, Condition #7) to exclude for-hire cars, vans and public transit; 7) Installation of a new subsurface drip wastewater system; and 8) Installation of a Transient Non-Community Water system and a water backflow prevention system located on a 7.8 acre parcel on the east side of the State Highway 29 frontage road, Washington Street, approximately 550 feet north of its intersection with Hoffman lane and 0.9 miles south of the Town of Yountville, within the AP (agricultural Preserve) Zoning District; 6200 Washington Street, Yountville, CA in an unincorporated area of Napa County, Assessor Parcel Number 036-110-030-000.

**ENVIRONMENTAL DETERMINATION:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

**(CONTINUED FROM AUGUST 25 AND NOVEMBER 24, 2015; STAFF REQUESTS CONTINUANCE TO FEBRUARY 2, 2016 AT 9:15 AM. APPELLANT AND APPLICANT HAVE NO OBJECTION TO THE CONTINUANCE)**

**I. 10:45 AM**

County Executive Officer requests the Board of Supervisors receives a report and provides direction to staff regarding a Project Labor Agreement for the Staff Secure Re-Entry Facility.

**J. 11:15 AM**

Director of Public Works to discuss special events and filming activities on public roadways and requests conceptual approval of proposed changes prior to preparation of ordinance update.

**K. 2:00 PM**

Presentation by Visit Napa Valley on the Fiscal Year 2014-15 NVTID Countywide marketing results, and overview of Fiscal Year 2015-2016.

**L. 2:20 PM PUBLIC HEARING**

Director of Planning, Building and Environmental Services requests adoption of a resolution confirming the \$40,873.34 proposed assessment for abatement costs for 1540 - 1542 Los Carneros Road, Napa County (Assessor's Parcel No. 047-212-001).

**10. ADMINISTRATIVE ITEMS****General Admin & Finance**

- A. Director Housing and Intergovernmental Affairs and Director of Public Works request the following:
1. Adoption of a resolution declaring the property at 933 Water Street surplus as for county needs; and
  2. Discussion and direction on the process for disposition of the property at Old Sonoma Road.

**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 LEGAL COUNSEL - EXISTING LITIGATION** (Government Code Section 54956.9(d) (1))

Name of case: Napa County vs. Caymus Vineyards, et al. Napa County Superior Court Case No. 26-62161



**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JANUARY 05, 2016 AT 9:00 A.M.**

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 DECEMBER 11, 2015 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