



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday March 08, 2016 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

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES**

A. Clerk of the Board requests approval of minutes from:

1. Special and Regular meetings of February 9, 2016 (All Supervisors were present); and
2. Special meeting of February 16, 2016 (Supervisor Diane Dillon was excused)*.

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

4. PRESENTATIONS AND COMMENDATIONS

- A. Presentation of a Proclamation to the Napa County Chapter of the California Grand Jurors' Association declaring March 2016 as Napa County Grand Jury Awareness Month.
- B. Director of Human Resources to introduce new County employees.

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

- A. Director of Corrections requests the Board accept and instruct the Clerk of the Board to file the letter of expenditures for the Inmate Welfare Fund for FY 2014-2015.
- B. Sheriff requests the following actions regarding the State Department of Boating Safety and Enforcement Financial Aid Program:
 1. Approval of and authorization for the Sheriff to sign Revenue Agreement No. 3446-8 with the State of California Department of Boating and Waterways for a maximum of \$308,150 for the term July 1, 2016 through June 30, 2017 for the provision of law enforcement services; and
 2. Approval for Sheriff or his designee to sign quarterly activity reports and other documents for the State Department of Boating and Waterways.
- C. Sheriff requests approval of and authorization for the Chairman to sign a revenue agreement with the Bureau of Reclamation (BOR) for a maximum of \$1,265,000 for the term April 1, 2016 through March 31, 2017 and up to three option years through March 31, 2020 to provide enhanced law enforcement services throughout the Federal lands located in Napa County at the Lake Berryessa Recreation Areas.

- D. Sheriff requests establishment of capital assets for three (3) vehicles financed through capital leases. (4/5 vote required)

Community Resources & Infrastructure

- E. Director of Library Services and Community Outreach requests authorization to accept a donation from the Napa County Library Foundation for \$50,000, and for the Chairman to sign a letter of appreciation to the Foundation in acceptance of the donation.
- F. Director of Library Services and Community Outreach requests authorization to waive fines for overdue library materials.
- G. Director of the Planning, Building and Environmental Services requests adoption of a resolution amending the Napa County Policy Manual in Part 1, effective as of March 8, 2016, to add Section 12A regarding administrative permit requirements for certain temporary construction staging areas.
- H. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with the Napa County Resource Conservation District (RCD), for a maximum of \$9,811 for the term March 8, 2016 through June 30, 2017, to present various lessons from a five-lesson curriculum package on waste reduction, composting, and recycling to school classrooms throughout Napa County over the remainder of the current school year and the entire 2016-2017 school year.
- I. Director of Public Works requests approval of and authorization for the Chairman to sign a Telecommunications Space License Agreement with Pacific Gas and Electric Company for the term July 1, 2015 through June 30, 2019, with an option to extend the space license for three (3) additional five-year (5 year) terms, with an annual amount of \$3,551, subject to an annual increase, to use the County's Atlas Peak Telecommunications Facility and Tower.
- J. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Schaaf & Wheeler, Inc. of Santa Clara, California for a maximum of \$61,970 for the term March 8, 2016 through June 30, 2016, with an automatic extension provision to provide services to prepare and submit a Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) for the Oakville Crossroad Bridge Project, RDS 05-05.
- K. Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Howard Siegel for a maximum of \$40,000 for the term of March 8, 2016 through June 30, 2016 with a provision for automatic renewal for services pertaining to the MST Recycled Water Project Expansion.

- L.** Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with TLCD Architecture Inc. for a maximum of \$15,860 for the term January 14, 2016 through June 30, 2016 for Architectural services required for the preliminary planning of a Crisis Stabilization Unit for the Health and Human Services Agency.
- M.** Director of Public Works requests approval of and authorization for the Chairman to sign an agreement with Trope Group, for a maximum of \$165,479 for the term March 8, 2016 through June 30, 2016, with an automatic extension provision to provide installation and reconfiguration services for new and existing Systems furniture at County South Campus buildings.
- N.** Director of Public Works requests the following actions related to the "Jail Security System Maintenance and Upgrades Phase II Project," PW 11-04B:
1. Award of the contract to Status Electrical Corporation, doing business as Status Automation, of Abbotsford, British Columbia, Canada, for their low base bid of \$1,794,500, and authorization for the Chairman to sign the construction contract; and
 2. Approval of Budget Transfer No. DPW008 increasing appropriation by \$816,591 in the Jail Security System Program budget transferring \$795,406 from the Accumulated Capital Outlay Fund with an offsetting reduction in appropriations from the "Jail Valve Replacement" and "Jail Kitchen Hood" projects totaling \$603,000, reflecting a net increase to the Accumulated Capital Outlay Fund of \$192,406. (4/5 vote required)
- O.** Director of Public Works requests adoption of change order authorizing a construction contract change for the "South Campus Improvements Project," PW 15-200, in accordance with Public Contract Code Section 20136(c) for an amount not to exceed \$312,000 for door access control installations and for the Director of Public Works to execute the change documents. (2/3 vote required)
- P.** Director of Public Works requests authorization for the Chairman to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Napa One LLC (Assessor's Parcel No. 057-210-066).
- Q.** Director of Public Works requests authorization for the Chairman to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Donald Rickard and Kathy Glass (Assessor's Parcel No. 057-152-007-000).
- R.** Director of Public Works requests adoption of a resolution authorizing the Director of Public Works and the Deputy Director of Public Works for Flood Control and Water Resources to file a Financial Assistance Application with the State Water Resources Control Board related to the Milliken-Sarco-Tulocay (MST) Recycled Water Expansion Project.

- S.** Director of Public Works requests adoption of a resolution authorizing the filing of an application for \$1,260 of funding from the Bicycle Rack Voucher Program, in order to purchase bicycle racks to be installed at the South Campus Project in Napa.
- T.** Director of Public Works requests adoption of a resolution temporarily closing a portion of Berryessa Knoxville Road on Saturday, April 9, 2016 from 7:00 A.M. to Midnight and on Sunday, April 10, 2016 from 7:00 A.M. to 2:00 P.M. for the HITS Triathlon Series - Napa Valley.

General Admin & Finance

- U.** 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.
- V.** Director of Human Resources and Director of Public Works request the adoption of a resolution amending the Departmental Allocation List for the Public Works Department as follows, effective March 12, 2016, with no net increase in full-time equivalents:
1. Delete one 1.0 FTE Senior Account Clerk; and
 2. Add one 1.0 FTE Public Works Accounting Assistant.
- W.** Registrar of Voters requests adoption of a resolution calling a special election of the San Francisco Bay Restoration Authority for Measure "AA" to impose a parcel tax of \$12 per year for twenty years; consolidating that special election with the statewide primary election to be held on June 7, 2016 and directing the Registrar of Voters to conduct the election.
- X.** Treasurer-Tax Collector requests the following actions regarding the County's investments:
1. Adoption of a resolution renewing the delegation of investment/reinvestment authority to the Treasurer-Tax Collector for an additional one-year period beginning April 1, 2016 pursuant to California Government Code Sections 53607 and 27000.1; and
 2. Approve the Napa County Statement of Investment Policy in accordance with California Government Code Section 53646(a)(1).
- Y.** County Executive Officer/Purchasing Agent and Chief Information Officer request the following:
1. Declare certain items of personal property as surplus and no longer required for public use; and
 2. Authorize the Purchasing Agent to dispose of these items of personal property by donating them to Vintage and Middletown High Schools.

- Z. County Executive Officer requests reappointment of Debbie Peralez, to serve as a Member on the First 5 Napa County Children and Families Commission with the term of office to commence immediately and expire January 1, 2020.
- AA. County Executive Officer requests four (4) reappointments and one (1) new appointment to the Napa County Advisory Board on Alcohol and Drug Programs with the terms of office to commence immediately.

<u>Name (Residing District)</u>	<u>Representing</u>	<u>Term Expires</u>
Mario Bazan* (4)	Business Community	Jan 1 2019
Susan Bohrer-Todd* (5)	Interested Citizen	Jan 1 2019
Daniel Courtney-Lynch* (3)	Alcohol Industry	Jan 1 2019
Thomas Holstein* (2)	Interested Citizen	Jan 1 2019
Verenice Tapia (2)	Student Member (Shared)	Jan 1 2018

*Incumbent

- BB. County Executive Officer requests appointment of Jean DeLuca to represent the City of Calistoga on the Napa County Library Commission with the term of office to commence immediately and expire January 31, 2019.
- CC. County Executive Officer requests seven appointments to the Napa County Tobacco Advisory Board with the terms of office to commence immediately.

<u>Applicants (Residing District)</u>	<u>Representing</u>
Donald Hitchcock, MD* (4)	Health Care Organization (Term expires Jan 31, 2018)
David Kerns, MD* (2)	Health Care Organization (Term expires Jan 31, 2018)
Paul Laskar, PhD* (5)	Community Representative (Term expires Jan 31, 2018)
Barbara Anne Monnette* (3)	Community Representative (Term expires Jan 31, 2018)
Johana Guzman Navarro (1)	Educational Institution (Term expires Jan 31, 2017)
Danica "Loralyn" Taylor (5)	Agency Concerned with Tobacco Related Diseases (Term expires Jan 31, 2017)
James Tennant* (2)	Community Representative (Term expires Jan 31, 2018)

*Incumbent

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**

Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 3 to Agreement No. 7682 with American Medical Response West, extending the term through January 1, 2022, incorporating additional terms, making certain technical changes and revising the patient charges for provision of exclusive emergency ambulance and non-emergency advanced life support transport services.

B. 9:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Scott Greenwood-Meinert, Esq. on behalf of Vintage Wine Estates dba **Girard Winery** to a tie-vote of the Napa County Planning Commission on October 21, 2015, which resulted in denial of the Girard Winery Use Permit No. P14-00053-UP request for a new winery with an annual production capacity of 200,000 gallons as follows: 1) A new winery building, totaling 32,771 sq. ft. in area to include 28,955 sq. ft. production area (crush area, fermentation and barrel storage, restrooms) and $\pm 3,816$ sq. ft. of accessory use area (offices, tasting rooms, retail storage, catered food prep area, and visitor restrooms), maximum building height 33.5 ft. with two 15 ft. tall decorative cupolas to 45 ft. In addition, a $\pm 2,560$ sq. ft. covered veranda and a $\pm 2,871$ sq. ft. covered work area; 2) Hosted daily tours and tastings for wine trade personnel and consumers by appointment only for a maximum of 75 persons per weekday (Monday-Friday); maximum of 90 persons per weekend day (Saturday-Sunday); 3) Hours of operation: 8:00 AM to 6:00 PM (production hours, except during harvest) and 10:00 AM to 6:00 PM (visitation hours), seven days a week; 4) Eleven employees (8 full-time; 3 part-time) non harvest; 19 additional employees (12 full-time and 7 part-time) during harvest, for a total maximum of 30; 5) Employee hours: production, 7:00 AM to 3:00 PM; hospitality/tasting room, 9:30 AM to 6:30 PM; 6) Construction of twenty-two parking spaces; 7) Installation of landscaping, an entry gate and a winery sign; 8) A Marketing Program as follows: a) Four events per year with a maximum of 75 guests; b) Four events per year with a maximum of 200 guests; c) One Harvest event per year with a maximum of 500 guests; d) All food to be catered utilizing a ± 184 sq. ft. small prep/staging area; 9) On-premises consumption of the wines produced on-site, consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as the Picnic Bill) within the tasting rooms, covered veranda, and within a 4,000 sq. ft. portion of the front entry landscaped winery garden; 10) Construct a new 24-ft. wide access driveway from Dunaweal Lane to the winery; 11) Construction of additional piping and service connections to the existing Clos Pegase water system on the site, and update the existing Clos Pegase Transient Non-Community Water System contract to include the Girard Winery; 12) Installation of on-site sanitary disposal improvements and installation of connections into the existing on-site winery wastewater processing ponds serving the Clos Pegase Winery (APN: 020-150-012); and, 13) Installation of a $\pm 45,000$ gallon water storage tank (± 30 ft. diameter; ± 12 ft. height) (the "Winery Project" or "Project"). The Project is located on a 26.53 acre parcel on the east side of Dunaweal Lane, approximately 1000 ft. south of its intersection with Silverado Trail, within the AP (Agricultural Preserve) Zoning District; 1077 Dunaweal Lane; Calistoga, CA 94515, APN: 020-150-017 (the "Property").

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Revised Negative Declaration. According to the proposed Revised 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 JANUARY 26, 2016)

C. 1:30 PM

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

D. 2:00 PM 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 Permit 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; 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 with lunch or dinner. The number of persons at the events shall be included within the daily, weekly, and annual visitation maximums; b) four Wine Auction-related and other major events such as the Napa Film Festival, accompanied by food and wine, sometimes with a 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 the Picnic Bill) in the winery or on the patio or lawns adjacent to the bocce ball courts; 5) Employ a maximum of 15 persons; 6) Revise Condition #7 of Use Permit No. U90-42, 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. The Project is 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, Assessors Parcel Number 036-110-030-000.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Noise. 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, NOVEMBER 24, DECEMBER 15, 2015 AND FEBRUARY 2, 2016)

10. ADMINISTRATIVE ITEMSGeneral Admin & Finance

- A. Director of Housing and Intergovernmental Affairs requests direction on a future hearing regarding Lake Berryessa and the Bureau of Reclamation's concessionaire program.

- B. County Executive Officer requests one (1) appointment to the Napa County Wildlife Conservation Commission with the term of office to commence immediately and expire February 1, 2018.

Name (residing district): Choose One

Haley Kara (1)

Mateo Vanderbilt Rios (3)

11. LEGISLATIVE ITEMS

- A. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to communicate to Marin Clean Energy (MCE) support for its effort to ensure a fair and open process for Pacific Gas & Electric (PG&E) to calculate and bill its former ratepayers (who are now MCE ratepayers) for the cost of power contracts that PG&E had already purchased for projected future energy needs.

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: Minh C. Tran v. Sara Cakebread, Joelle Gallagher, Napa County Superior Court Case No. 26-68313

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MARCH 22, 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 MARCH 4, 2016 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