



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday June 02, 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 Amendment No. 2 to Agreement No. 4776 with Aldea Children and Family Services to amend the scope of work to remove Functional Family Therapy services and include additional services related to the provision of therapeutic services to minors on probation for a new contract maximum of \$380,760 in FY 2015-2016.
- B. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with MorphoTrust USA for a maximum of \$6,331 for maintenance and repair services for the LiveScan machine located at Juvenile Hall for the term July 1, 2015 through March 31, 2016.
- C. Chief Probation Officer requests approval of and authorization for the Chair to sign the an agreement with Puertas Abiertas to receive Community Recidivism Reduction Grant funding for the term of March 15, 2015 through June 30, 2016 in the amount of \$10,000 for services through the LEGACY Youth program.

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following agreements with the Regents of the University of California, on behalf of UC Davis Extension, each for the term July 1, 2015 through June 30, 2016:
1. Renewal of Agreement No. 2131 for a maximum of \$28,440 to provide training to Self Sufficiency Services staff; and
  2. Renewal of Agreement No. 7420 for a maximum of \$8,888 to provide training to Child Welfare Services staff.

- E.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 2556 with Community Action of Napa Valley, Inc., for a maximum of \$295,816 per fiscal year for the term July 1, 2015 through June 30, 2018 for the operation of the Samaritan Family Center and South Napa Shelter.
- F.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 3579 with the California Department of Health Care Services increasing the amount by \$81,331 for a new maximum of \$3,165,139 to provide additional funding for outpatient treatment, residential treatment, and prevention services for Drug Medi-Cal and non-Drug Medi-Cal clients.
- G.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 7787 with Mendocino Private Industry Council, Inc., decreasing the amount by \$176,060 for a new maximum of \$770,334 and revising the Scope of Work and Compensation sections for the contractor to function as the One-Stop Operator in Lake County to provide core, intensive and training services for adult and dislocated workers and youth training and employment services.

#### Community Resources & Infrastructure

- H.** Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 7448 with the California Department of Food and Agriculture (CDFA) for a maximum of \$1,506,012 for the term January 1, 2015 through December 31, 2015 for activities related to European Grapevine Moth detection program.
- I.** Agricultural Commissioner requests adoption of a resolution providing for the following:
1. Acceptance of the Engineer's Report for the Napa County Winegrape Pest and Disease Control District for Fiscal Year 2015-2016 and the proposed levy of assessment for the district;
  2. Set a Public Hearing for June 16, 2015 at 9:00 A.M. to hear protests to the establishment of the proposed assessment;
  3. Direct the Clerk of the Board to comply with the requirements of Article XIII D of the California Constitution with respect to notice requirements for the proposed assessment; and
  4. Designate County Counsel to answer questions regarding the assessments and protest proceedings.
- J.** Director of Planning, Building and Environmental Services requests adoption of a resolution authorizing the following:
1. Submittal of an application to the Department of Resources Recycling and Recovery for a solid waste Local Enforcement Agency Grant in the amount of \$18,724 for Fiscal Year 2015-2016; and
  2. Execution of the necessary grant documents by the Director or Assistant Director for Planning, Building, and Environmental Services Department.

- K.** Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Richard Battaini (APN 017-210-014) for the acquisition of a Temporary Construction and Roadway Easement on the aforementioned parcel to provide temporary vehicular access for residents of Greenwood Avenue until that portion of Greenwood Avenue over the Napa River can be re-opened through the completion of the Greenwood Avenue Culvert Replacement Project, RDS 14-21.
- L.** Director of Public Works requests the following actions regarding the "Carithers Earthquake Repairs - Phase 2 Project", PW 15-10B:
1. Find the bid in the amount of \$1,642,000 submitted by Evra Construction of Brisbane, California non-responsive for failure to submit Disadvantaged Business Enterprise (DBE) forms with the bid proposal as required; and
  2. Award of the contract to S&H Construction of Fremont, California, for their low base bid of \$1,698,000 and authorization for the Chair to sign the construction contract.
- M.** Director of Public Works requests adoption of a resolution temporarily closing a portion of Silverado Trail from Oakville Crossroad to Oak Knoll Avenue in Napa from 7:00 A.M. to 10:00 A.M. on Sunday, July 12, 2015, for the Napa Valley Inline Marathon and Half Marathon skating event.

#### General Admin & Finance

- N.** Chief Information Officer requests approval of and authorization for the Purchasing Agent to issue a purchase order for annual PeopleSoft software license fee from Oracle USA, Inc. of Palatine, Illinois, for a total of \$384,412 plus applicable tax for the term July 1, 2015 through June 30, 2016.
- O.** Director of Housing and Intergovernmental Affairs and Director of Public Works request approval of and authorization for the Chair to sign a revenue lease with Double Barrel Express, LLC beginning June 2, 2015 with a one year option at the rate \$7,789.50 per month for 10,386 square feet of warehouse space at the County owned facility at 2741 Napa Valley Corporate Park Drive.
- P.** Director of Housing and Intergovernmental Affairs requests adoption of a resolution designating the Arts Council of Napa Valley (ACNV) as the County's local art agency partner and authorizes ACNV to prepare an application for grant funds for art-related programs from the California Arts Council's State-Local Partnership Program, should funds become available in Fiscal Year 2015-16.
- Q.** Director of Housing and Intergovernmental Affairs requests adoption of a resolution approving a property tax revenue sharing agreement with the City of American Canyon and the American Canyon Fire Protection District, and authorization for the Chair to sign the agreement in connection with the proposed annexation of approximately 38.2 acres of real property, commonly known as the Canyon Estates Property, to the City of American Canyon.

**R. 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 Computers for Classrooms (CFC).

**S. County Executive Officer requests approval of the following:**

1. Accept and file the 2014-15 Grand Jury Final Reports on "Are Napa County Wineries Following the Rules?" and "Napa County Fire Department Career and Volunteer Firefighters Working Together to Protect Napa County"; and
2. Direct the Director of Planning, Building and Environmental Services and the Napa County Fire Chief to prepare responses to their respective Grand Jury Reports as prescribed by law.

**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. 9:15 AM**

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

**B. 9:30 AM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by Eric Titus – Lee E. Titus and Sons Vineyard (Titus Appeal) and an appeal filed by Ginny Simms (Simms Appeal) to a decision by the Planning Commission on March 4, 2015 to approve the Melka Winery application for a use permit (P14-00208-UP) and variance (P14-00209-VAR) to establish a new 10,000 gallons per year winery with 1) daily tours and tastings for five persons maximum per weekday and seven persons maximum per weekend and a maximum of 30 persons per week by appointment only; 2) conversion of an existing 2,309 square foot barn to winery uses; 3) construction of a new 2,675 square foot building with a 500 square foot open breezeway; 4) construction of an 875 square foot covered crush pad; 5) on premise consumption in the hospitality building of wines produced on site in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (also known as AB 2004 (Evans Bill)); 6) two 30 person marketing events annually; 7) one 100 person auction event annually; 8) connection to an existing domestic wastewater treatment and disposal system 9) a hold and haul system for process wastewater; 10) a 20,000 gallon water storage tank and pump house; 11) an

**Item 9B...Continued**

improved 20 foot driveway access in accordance with Napa County Road and Street Standards; 12) construction of seven parking spaces; and 13) five or fewer employees. A Variance was also approved to encroach 435 feet into the required 600 foot setback from Silverado Trail. The 10.68 acre project site is located approximately 200 feet north of Deer Park Road and within the Agricultural Watershed (AW) Zoning District at 2900 Silverado Trail, St. Helena (APN: 021-352-041).

**ENVIRONMENTAL DETERMINATION:** Consideration and possible adoption of a Categorical Exemption. Pursuant to the California Environmental Quality Act, Section 15301 [See Class 1 ("Existing Facilities")]; Section 15303 [See Class 3 ("New Construction or Conversion of Small Structures")]; and Section 15304 [See Class 4 ("Minor Alterations to Land")], which may be found in the guidelines for the implementation of the California Environmental Quality Act. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**C. 1:30 PM**

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

**10. ADMINISTRATIVE ITEMS**Community Resources & Infrastructure

- A. Director of Library Services and Community Outreach presents the launch of Explore Napa, a virtual history tour website and app for mobile devices.
- B. Director of Public Works requests adoption of a resolution related to the Milliken-Sarco-Tulocay (MST) Recycled Water Project in the groundwater deficient area;
  - 1. Adopting findings, a statement of overriding considerations, and a mitigation monitoring and reporting program pursuant to the California Environmental Quality Act (CEQA);
  - 2. Approving the "MST Phase 1 Projects" as described in the Final Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) regarding the North Bay Water Recycling Program prepared by the North Bay Water Reuse Authority (NBWRA).

**11. LEGISLATIVE ITEMS**

- A. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chair to communicate to the Legislature and pertinent parties support for SB 593 (McGuire), a bill that would grant local governments more authority over regulating residential units for tourist or transient use. (Unanimous vote required)

- B. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chair to communicate to the Legislature and pertinent parties support for AB 43 (Stone, Dodd, et. al.), a bill that would institute an Earned Income Tax Credit (EITC) for California taxpayers to be applied to state taxes. (Unanimous vote required)
- C. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chair to communicate to the Legislature and pertinent parties support for AB 514 (Williams), a bill that would give local governments the authority to impose appropriate and proportional fines for those who violate county land use ordinances. (Unanimous vote required)
- D. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chair to communicate to the Legislature and pertinent parties support for AB 1103 (Dodd), a bill that would create a statewide definition of "food waste" to ensure that this material is being recycled safely, effectively and efficiently. (Unanimous vote required)

## 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 - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (Two cases)

### B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 1423 Greenwood Avenue, Calistoga, CA 94515 (APN 017-210-014)

Agency Negotiator: Steve Lederer, Director of Public Works

Negotiating Parties: Richard Battaini

Under Negotiation:  Price  Terms of Payment

## 16. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JUNE 09, 2015 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 MAY 29, 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