

**MINUTES OF THE
NAPA COUNTY TECHNICAL ADVISORY PANEL
REGULAR MEETING**

❖
Wednesday, January 31, 2007
5:30 p.m.

I. Roll Call; Call to Order.

The Napa County Technical Advisory Panel met during regular session on January 31, 2007 with the following members present: Chairperson Dennis Scherzinger; Phill Blake; Dennis Rinehart; Vice-Chairperson Barbara Stafford; Larry Bahr; and Rolf Ohlemutz. Bill Bennett and Jo Ann Busenbark were excused.

II. Election of Officers.

Member Rinehart nominated Vice-Chairperson Stafford for the position of Chairperson. Member Blake seconded. The motion carried.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

Member Blake nominated Member Bennett for the position of Vice-Chairperson. Member Rinehart seconded. The motion carried.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

III. Approval of Meeting Calendar.

The Panel reviewed the meeting calendar for 2007. Member Bahr motioned for approval. Member Ohlemutz seconded. The motion carried.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

IV. Public Comment.

Muriel Fagiani requested that larger versions of the maps contained in the agenda packet should be made available to the public as well as to the Panel members for their review. She also questioned how the Napa Valley Wine Train was allowed to build a new parking lot in a floodway before the Flood Project was finished. Julie Lucido, Civil Engineer, replied that the District obtained the required permits through the City of Napa.

V. Approve Minutes of the October 25, 2006 Regular Meeting and December 6, 2006 Special Meeting.

Minutes for both meetings were approved.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

VI. Review of Copia Greenhouse Waiver Request.

Julie Lucido, Civil Engineer, opened the item by briefly describing the greenhouse and outdoor demonstration kitchen project and stated the main concern was that the project would not infringe on the elevation needed for flood protection. Ms. Lucido also explained the existing ground is sufficient to form the line of protection, and no floodwall is proposed at this side of the Copia property. She then turned the item over to Art Ferretti, Facilities Manager of Copia and Chris Tibbits, Project Engineer of Riechers Spence & Associates. The item was opened for discussion. Member Bahr motioned for a finding of consistency for the Copia Greenhouse waiver request to include the conditions recommended by staff, which are as follows: 1) Site grading shall not remove the existing top of berm below elevation 20.6 feet NGVD, which is the elevation required for the Flood Project 100-year water surface elevation of 17.9 feet NGVD and necessary freeboard at this location. As-builts stamped by a registered Professional Civil Engineer or Land Surveyor shall be submitted to the District within one month of construction completion; 2) The dedication of land in fee and easement interests to the Flood District to accommodate the Flood Project is required. Exhibit A showing the approximate area measurements, interests, and locations of the required land is attached; and 3) No improvements within the land acquisition areas removed during Flood Project construction will be compensated by the District, but existing parking including the northerly and westerly stalls and existing access routes compliant with the Americans with Disabilities Act (ADA) will be maintained in the final Flood Project design. Member Rinehart seconded. The motion carried.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

VII. Review Oxbow Market Annex Waiver Request.

Julie Lucido, Civil Engineer, opened the item stating the project involved changing the use of an existing structure located on the corner of McKinstry and First Street, which used to be the Valley Tire and Break shop. The proposed use would be for commercial and retail use. The item was turned over to Steve Carlin, Developer, Oxbow Market LLC and Chris Tibbits, Project Engineer, Riechers Spence & Associates. Also present was Ray Bowman, the owner of the subject property and Kevin Teague, the development's attorney from Dickenson Peatman and Fogarty. Ms. Lucido distributed a modification of one of the conditions stated in the staff report, which was as follows: Temporary Work Area Easement (TWAE) to the Flood Project is for a duration of 60 days. Said period to commence with first entry on the TWAE area by the District's agents or contractors. At least 48 hours advanced written notice will be given before any entry on the TWAE. Property owner(s), developer, and tenants waive any and all potential claims for loss of business for the sixty (60) days of TWAE for the Flood Project improvements which have been disclosed to property owner and developer during the waiver process coordination which specifically includes the occupation and demolition/reconstruction of a portion of the driveway and parking lot within the TWAE area on the Oxbow Market Annex property. Developer and property owner acknowledge that Flood Project construction immediately adjacent to the subject

Item VII...Continued

parcel and in the general area will be active prior to and after the 60-day TWAE period. Ms. Lucido went over plans in the agenda packet and pointed out Flood Project improvements on the parcel. The item was opened for discussion. Member Ohlemutz motioned for a finding of consistency for the waiver request to include the modified condition and the other conditions stated in the agenda packet, which are as follows: 1) The dedication of land in fee and easement interests to the Flood District to accommodate the Flood Project is required by the owner(s) of the property of this development property. Plat maps showing the required area measurements, interests, and locations of necessary land are attached as Exhibits A and B. In exchange, the Flood District will deed in fee the District's excess property, which is a portion of the northern half of Clay Street as shown in Exhibit C to the owner of this development property; 2) No improvements are permitted in the TCE area except striping and wheel stops for parking; and 3) The driveway entrance in relation to the location of the future floodwall as the District has provided to the developer must satisfy City of Napa requirements. The Flood District will not be responsible nor compensate development parties and property owner(s) if the configuration is found to be unacceptable for sight distance or other reasons by the permitting agency. Member Bahr seconded. The motion carried.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

VIII. Hatt to First Southern Walkway Conform and Southern Bank Stability Analysis. Julie Lucido, Civil Engineer, reiterated the two issues that Harry Price, property owner, brought to the Panel's attention during the October 25, 2006 meeting. Will Hall, Lead Designer with the U.S. Army Corps of Engineers, was present to answer questions pertaining to the revised walkway that eliminates ADA handrails yet retains the requirements and the reinforcement of an existing retaining wall that will replace the method 2 bank stabilization as previously designated in the General Design Memorandum. Ms. Lucido distributed a written response from Harry Price, Principal of Napa Mill LLC, noting Mr. Price's concerns with the bottom of the new extended wall's footing that supports the river trail to be lowered from 8' to 6' and for the Corps to work with his engineers to keep the face of the last portion of the old river wall exposed and meet the Corps' criteria for stability. Ms. Lucido also went over the plans in the agenda packet. The item was opened for discussion. Member Bahr motioned for a finding of consistency to change the bank treatment per staff recommendation in the agenda documents. Member Blake seconded. The motion carried.

LB	BB	PB	JB	RO	DR	DS	BS
	X		X				

IX. Agenda Items for Future Meetings.

- Further discussion of the two items mentioned in Harry Price's letter of January 31, 2007.

- X. General Comments from the Panel. (This is an opportunity for Panel members to informally discuss items and ask questions.)
Member Rinehart inquired about the trail access near the Napa Sanitation District property. Member Bahr voiced his appreciation for outgoing Chairperson Scherzinger's and outgoing Vice-Chairperson/newly-elected Chairperson Stafford's efforts.
- XI. Confirm Next Meeting Date of February 28, 2007.
Meeting date confirmed.
- XII. Adjourn.
Adjourned to the next Regular Meeting of the Technical Advisory Panel on Wednesday, February 28, 2007, at 5:30 p.m. The meeting will be held at the Flood Control District Conference Room.

BARBARA STAFFORD
Chairperson

ATTEST:

JULIE LUCIDO
Secretary

By:

GREG MORGAN
Supervising Office Assistant

KEY

Vote: LB = Larry Bahr; BB = Bill Bennett; PB = Phill Blake; JB = Jo Ann Busenbark; RO = Rolf Ohlemutz;
DR = Dennis Rinehart; DS = Dennis Scherzinger; BS = Barbara Stafford

Notations under Vote: N = No; X = Excused; A = Abstained