

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



Wednesday, December 12, 2012
5:30 p.m.

I. Call to Order; Roll Call.

The Napa County Technical Advisory Panel met during regular session on Wednesday, December 12, 2012 at 5:30 p.m. with the following members present: Tony Norris; Chip Bouril; Vice-Chairperson Rolf Ohlemutz; Chris Craiker; Bill Bennett; Barbara Stafford; and Chairperson Dennis Rinehart. Dennis Scherzinger and Bob Zlomke were excused.

II. Public Comment.

Bernhard Krevet, Friends of the Napa River, wanted to bring two items to the attention of the TAP to be addressed in the future: 1) the removal of rocks in the Napa River left behind from Flood Project terracing, which presents hazards to boaters (Mr. Krevet distributed two subject photos), and 2) the Supreme Court's expected ruling on a Los Angeles lawsuit seeking accountability for filthy stormwater runoff. It would be helpful to understand what the ramifications may be and what the process would be for keeping stormwater runoff to the detention pond constructed northwest of the Maxwell Bridge and potentially pump "interior flooding" into the river. Jim Hench added that the Supreme Court is looking at whether the Los Angeles Flood Control District would be responsible for cleaning the Los Angeles ditch at the river after flood events. The Supreme Court's decision is expected in June 2013, which would mean that any culvert or drain could be considered a point source, and once stormwater is in the flood control channel, it would become the Flood Control District's responsibility to clean it up. Steve Hastie stated he has a development project at the old Riverside Garage on First Street. He is requesting from the City of Napa to open up the south wall of the building, which is on the property line and is very similar to what will be discussed during Item IV. The City of Napa owns the parking lot, and the Flood Control District has an easement that is undefined and was created in the beginning of the flood control process for a walkway. Now that those improvements have been built, Mr. Hastie hopes this can be agendized so the location of the easement can be solidified and how it gets from Main Street to the River Walk, which would help facilitate his request with the City.

III. Approve Minutes of the September 26, 2012 Regular Meeting.
Minutes approved.

BB	CB	CC	TN	RO	DR	DS	BS	BZ
A						X		X

IV. Review and Possible Approval of Borreo Building Waiver Request.

Julie Lucido, Project Manager, provided a brief background on the activities related to the sale and proposed restoration of the Borreo Building located at the northwest corner of Third Street and Soscol Avenue. The City of Napa is in the process of selling the Borreo Building to the Land Trust of Napa County, which has plans to redevelop the site. The Flood Control District (District) owns property west of the Borreo Building up to the building's property line. The District and City will enter into an agreement to exchange easements that will be binding on the Land Trust. Joel Tranner, Land Trust of Napa County, spoke of the plans for the building, including restoring the second floor that would house the Land Trust offices and the first floor for a tenant (Andy Erickson, Favia Winery). Steve Cuddy, Steve Cuddy Associates, explained the three original sides of the building facing the public would be restored. The west side would have new openings for windows and doors with awnings subject to Flood Project construction. An entrance from Soscol Avenue would be added. Mr. Erickson discussed plans for having his winery on the first floor and a 10' x 16' mechanical building being separate from the main building. The location of the mechanical building straddles the permanent and temporary easements, but Mr. Erickson wanted to discuss moving it more into the temporary easement and said it could be placed there at his risk and disassembled when the U.S. Army Corps of Engineers would need to use the area for construction. Ryan Gregory, Riechers Spence & Associates, added that they will raise the grade of the parking lot and move the handicap space over to achieve ADA accessibility. There may be more underground utilities added for the tenant. Mr. Gregory referred to a plan that was distributed wherein it shows the building could be 10' from the future floodwall rather than 15' and reiterated Mr. Erickson's willingness to accept the risk for the mechanical building. Mr. Gregory noted under condition #8 of the staff report that the hold and haul tank could end up being an underground tank with pre-treat methods that wouldn't compromise access for construction staging. Ms. Lucido stated the Corps requires strict standards of having 15' clear space for the operations and maintenance of floodwalls. The District could commit to the City a permanent 5' easement and a 5' temporary easement with the possibility of extending the permanent easement back if the floodwall is constructed further away from the main building. Ms. Lucido read the eight conditions to the Waiver Request listed in the staff report. Staff expressed concern about the mechanical building and wanted it moved further east out of the permanent easement and questioned if its contents could be easily relocated. Mr. Erickson responded affirmatively. Ms. Lucido stated there weren't enough details about the mechanical building and the location of utilities, but staff could recommend the Panel approve the Waiver Request with the added condition that staff is provided more details about the location of the utilities and the mechanical building and to have it moved further east out of the permanent easement and switched with the location of the trash. Upon staff review, they would approve these elements in writing if they can ascertain the Flood Project would not be adversely affected under all conditions including at the tenant's risk. The item was opened for discussion. Member Bennett motioned to approve the Waiver Request with the eight conditions noted in the staff report. Chair Rinehart amended the motion to include the condition to direct staff to review subsequent documentation from the applicant indicating satisfactory access and constructability of the mechanical

Item IV...Continued

building and trash area in which District staff would have the ability to approve in writing. Member Norris seconded the amended motion. The motion carried.

BB	CB	CC	TN	RO	DR	DS	BS	BZ
	A	A				X		X

V. Discussion of Meeting Cancellation Procedures.

Julie Lucido, Project Manager, referred to a discussion during the last meeting regarding having fewer TAP meetings due to lack of business. Staff researched the TAP's Guidelines, which state, "TAP shall meet at least quarterly and such meetings shall be open to the public and subject to the Ralph M. Brown Act (Government Code section 54950 *et seq.*)." It has been staff's practice to not cancel more than two meetings in a row so the TAP could stay informed of the Flood Project's status. However, there may be longer gaps between meetings in the future if there is less business to discuss on a regular basis. Ms. Lucido suggested the TAP could request their Guidelines be amended to require the TAP meet at least two times per year. If there is business to discuss, the TAP could meet more frequently as appropriate. The TAP concurred, and there will be an item on the January 30, 2013 TAP agenda requesting amendment of the Guidelines, which would then go before the Flood Board for adoption.

VI. Agenda Items for Future Meetings.

- **Review of BurgerFi Waiver Request;**
- **Amendment of Guidelines.**

Julie Lucido, Project Manager and Rick Thomasser, Watershed and Flood Control Operations Manager, stated that staff would review any information received related to the two items suggested under Public Comment and would determine if they fall under the TAP's purview.

VI. General Comments from the Panel. (This is an opportunity for Panel members to informally discuss items and ask questions.)

Julie Lucido, Project Manager, announced this was her last TAP meeting as staff, as she has taken a position with the City of Napa as a Senior Civil Engineer and will be working on special projects. Ms. Lucido introduced Phil Miller, District Engineer, who will be the new staff contact and will attend the TAP meetings. Ms. Lucido said it was a great pleasure working with the TAP and thanked them for their dedication. The TAP congratulated Ms. Lucido.

VII. Confirm Next Meeting Date of January 30, 2013.
Meeting date confirmed.

VIII. Adjourn.

Adjourned to the next Regular Meeting of the Technical Advisory Panel on Wednesday, January 30, 2013, at 5:30 p.m. The meeting will be held at the Flood District Conference Room.

DENNIS RINEHART
Chairperson

ATTEST:

PHIL MILLER
Secretary

By: GREG MORGAN
Supervising Office Assistant

KEY

Vote: BB = Bill Bennett; CB = Chip Bouril; CC = Chris Craiker; TN = Tony Norris; RO = Rolf Ohlemutz;
DR = Dennis Rinehart; DS = Dennis Scherzinger; BS = Barbara Stafford; BZ = Bob Zlomke
Notations under Vote: N = No; X = Excused; A = Abstained