



**Napa County Regional Park
and Open Space District**

Harold Kelly
Director Ward One

Tony Norris
Director Ward Two

Guy Kay
Director Ward Three

Dave Finigan
Director Ward Four

Myrna Abramowicz
Director Ward Five

AGENDA

BOARD OF DIRECTORS SPECIAL MEETING

Monday October 12, 2009 2:00 P.M.
1195 Third Street, Third Floor, Napa, CA 94559

GENERAL INFORMATION

Agenda items will generally be considered in the order indicated below, except for Set Matters, which will be considered at the time indicated. Agenda items may from time to time be taken out of order at the discretion of the President.

The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the District Secretary. Requests for disability related modifications or accommodations, aids, or services may be made to the Secretary's office no less than than 48 hours prior to the meeting date by contacting (707) 259-8603.

Any member of the audience desiring to address the District on a matter on the Agenda, please proceed to the rostrum and, after receiving recognition from the President, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit you comments to the specific subject under discussion. Time limitations shall be at the discretion of the President.

State law requires agency officers (Directors and Officers) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

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, on and after at the time of such distribution, in the Conservation, Development and Planning Department Office at 1195 Third Street, Suite 210, 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.

1. Call to Order and Roll Call

2. Public Comment

In this time period, anyone may address the Board of Directors 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 President. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

3. Set Matters

4. Administrative Items

- A. Consideration of and potential approval of Minutes of Board of Directors' meeting of September 14, 2009.
- B. Consideration of and potential direction to staff regarding proposed amendment to the Bay Area Ridge Trail alignment in Napa County (oral report).
- C. Discussion of and potential direction to staff regarding planning and improvements for the District's Moore Creek property (oral report).
- D. Discussion of and potential direction to staff regarding the Napa River and Bay Trail (oral report).
- E. Consideration of and potential approval of Amendment No. 1 to Professional Services Agreement 07-01 with CJ Yip and Associates, and Amendment No. 1 to Professional Services Agreement 08-14 with Land Conservation Associates.
- F. Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager.
- G. Review of the District Projects Status Report.
- H. Training on the Ralph M. Brown Act (Public Meeting Act) presented by District Counsel Chris Apallas.

5. Announcements by Board and Staff

In this time period, members of the Board of Directors and staff will announce meetings, events and other matters of interest. No action will be taken by the Board on any announcements.

6. Agenda Planning

In this time period, members of the Board of Directors and staff will discuss matters for possible consideration at future meetings. No action will be taken by the Board other than whether and when to agendize such matters, unless specifically noted otherwise.

7. Closed Session. Conference with Real Property Negotiator (Government Code Section 54956.8)

Property: APN Nos. 057-030-004, 057-020-069, and 045-360-007

Agency Negotiator: John Woodbury, NCRPOSD General Manager

Negotiating Parties: NCRPOSD and Suscol Mountain Vineyards, LLC

Under Negotiation: Instructions to Negotiator will concern price and terms of payment.

8. Adjournment



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MINUTES

BOARD OF DIRECTORS SPECIAL MEETING

Monday September 14, 2009 2:00 P.M.
1195 Third Street, Third Floor, Napa, CA 94559

1. Call to Order and Roll Call

Meeting was called to order by Vice President Myrna Abramowicz.
Directors Myrna Abramowicz, Harold Kelly, Tony Norris, Guy Kay.
Director Dave Finigan was excused.

2. Public Comment

None

3. Set Matters

2:10 pm - Presentation by Keene Simmonds, Executive Director of the Napa County Local Agency Formation Commission on the District's Municipal Service Review.
Keene Simmonds gave the report.

4. Administrative Items

- A. Consideration of and potential approval of Minutes of Board of Directors' meeting of August 10, 2009.
Minutes were approved as presented.
TN-HK-MA-GK
- B. Consideration of and potential approval of Amendment No. One to Agreement 09-01, extending the term of the agreement with Questa to prepare a feasibility study for Camp Berryessa.
Directors Voted to grant authorization to the General Manger to Sign Amendment No.

**One to Agreement No. 09-01, extending the term of the agreement to December 30, 2009.
GK-TN-HK-MA**

- C. Update on possible State Park closures in Napa County, and potential direction to staff on possible District efforts to prevent State Park closures. (oral report)
John Woodbury gave the report with discussion on the Robert Lewis Stevenson State Park, Bale Grist Mill State Park and the Napa State Park.
- D. Update on Moore Creek Park planning and improvements. (oral report)
John Woodbury gave the report with discussions on basic things to do prior to obtaining the Use Permit including drilling of two wells, shed removal, and general cleanup/maintenance on a monthly basis.
- E. Discussion and guidance on potential changes to the District By-Laws related to the District Budget and Revenue/Expenditure authority.
Directors authorized staff to change budget controls and revenue/expenditures.
- F. Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager, and standing approval for payment of regular District web services fees.
John Woodbury gave the report.
- G. Review of the District Projects Status Report.
John Woodbury gave the report with discussions on Bay River Trail, Blue Ridge Berryessa Peak Trail, Camp Berryessa, Lake Hennessey, Milliken Reservoir, South Napa Wetlands.

5. Announcements by Board and Staff

Director Abramowicz noted there was a greenhouse available from Copia, and asked whether it might be of use to the District.

6. Agenda Planning

- A. September 22, 2009: County Board of Supervisors consideration of the 2009 Omnibus Zoning Ordinance amendment for Parks and Recreation.
- B. November 3, 2009: Presentation to City of Napa City County regarding recreational trail proposals for Hennessey and Milliken Reservoir watersheds.

7. Adjournment

Meeting was adjourned to the Regular Park & Open Space District Meeting on October 12, 2009.

MYRNA ABRAMOWICZ, Board Vice-President

ATTEST:

MELISSA GRAY
District Secretary

Key

Vote: HK = Harold Kelly; TN = Tony Norris; GK = Guy Kay; DF = David Finigan; MA = Myrna Abramowicz

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused



Napa County Regional Park
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STAFF REPORT

Date: October 12, 2009

Agenda Item: 4.E

Subject: Consideration of and potential approval of Amendment No. 1 to Professional Services Agreement 07-01 with CJ Yip and Associates, and Amendment No. 1 to Professional Services Agreement 08-14 with Land Conservation Associates

Recommendation

Approve Amendment No. 1 to Agreement 07-01 and Amendment No. 07-01 to Agreement No.08-14

Background

Agreement 07-01 with CJ Yip and Associates was approved by the District Board on November 8, 2007 to provide on-going volunteer organizing, outreach and field work. Agreement 08-14 was approved by the District Board on December 8, 2008 with Land Conservation Associates to provide project management services. Both agreements were initially for the remainder of the fiscal year in which they were approved, but both also contain clauses automatically extending the agreements for subsequent fiscal years unless terminated by either party. Both agreements have been extended pursuant to these clauses and continue in force, although the rate of compensation has remained unchanged.

Staff recommends that Agreement 07-01 be amended to increase the rate of compensation from \$45 per hour to \$50 per hour, with an annual maximum of \$47,000 for services and \$2,000 for expenses. This approximately equals the effects of inflation since the agreement was executed. Staff further recommends that Agreement 08-14 be amended to increase the rate of compensation from \$45 per hour to \$60 per hour, with an annual maximum of \$55,800 for services and \$1,000 for expenses. This adjustment is needed to make the compensation rate competitive for the type of work being performed.

The recommended adjustments can be accommodated within the District budget for FY 2009-2010. The adjustments are important for enabling the District to retain high quality professional services; even with the adjustments, the agreements continue to allow the District to obtain services at very favorable rates for the District.



Napa County Regional Park
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STAFF REPORT

Date: October 12, 2009

Agenda Item: 4.F.

Subject: Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager

Recommendation

Receive the report.

Background

Section III.A (7) authorizes the General Manager to bind the district for supplies, materials, labor and other valuable consideration, in accordance with board policy and the adopted District budget, up to \$10,000 for non-construction purposes and up to \$25,000 for construction purposes, provided that all such expenditures are subsequently reported to the Board of Directors. Section III.A(8) of the By-Laws authorizes the General Manager to apply for grants and receive donations, subject to reporting such actions to the Board of Directors.

Pursuant to this authorization, the following information is provided to the Board.

| <u>Date</u> | <u>Purpose</u> | <u>Source / Recipient</u> | <u>Amount</u> |
|-------------|--|----------------------------|---------------------------|
| 9/9/2009 | General Liability Insurance | ALLIANT INSURANCE SERVICES | \$1,428.79 |
| 8/5/2009 | Moore Creek Insurance | ALLIANT INSURANCE SERVICES | \$621.09 |
| 10/6/2009 | Moore Creek supplies reimbursement | JOHN WOODBURY | \$45.10 |
| 8/20/2009 | Contract for Gate House Well Drilling | HUCKFELDT WELL DRILLING | Not to exceed \$24,999.00 |
| TBD | Contract for Ranch House Well Drilling | HUCKFELDT WELL DRILLING | Not to exceed \$24,999.00 |
| 8/28/2009 | Moore Creek supplies reimbursement | JOHN WOODBURY | \$23.10 |

Plan of Projects

Status Report for October 12, 2009

| <u>Name of Project</u> | <u>Description</u> | <u>Status</u> |
|--|---|---|
| Bay Area Ridge Trail Realignment | Amendment to the proposed alignment of the Bay Area Ridge Trail extend north to the Oat Hill Mine Trail | <u>Ridge Trail Board has approved evaluating the amended alignment. District staff is working with the Ridge Trail and other partners to prepare the evaluation.</u> |
| Bay/River Trail -- American Canyon to Napa | An 8+ mile recreational trail between the cities of American Canyon and Napa generally following the Napa River and interior levees of associated wetlands. | Feasibility study completed. CEQA review done, and a Use Permit obtained, for phase one (American Canyon to Green Island Rd). The District has a \$1,032,300 grant from the California River Parkway Grant Program; this grant was frozen in Dec 2008 due to the State budget crisis, it was unfrozen on 7/1/09, but the funding agreement has not yet been finalized. The City of American Canyon and the Waste Management Authority are scheduled in <u>November</u> to approve an agreement for the trail around the closed landfill; the District's agreement with the City for this section of trail will be completed immediately thereafter. The District-DFG MOU for the phase one trail has received its initial review by DFG, and is now with DFG legal staff for review. Questa is preparing the PUC permit application for a public crossing of the SMART tracks. DFG has agreed, subject to the findings of further environmental review, to allow the trail to run along the eastern edge of Fagan Marsh. Staff is continuing to work on permits for the section of trail between the Napa Pipe project and Napa Sanitation District property. |
| Berryessa Estates | Acquire 160 acres next to Berryessa Estates from BLM at no fee through their Recreation and Public Purpose Act procedure. Would serve as a wilderness park for local residents eventually be the northern trailhead for a trail between Berryess Estates and Pope Canyon. | CDF and the Pope Valley Volunteer Fire Department have added a proposal to construct a fire substation on a corner of the property. CDF has indicated its crews will most likely be available to clear brush for a combined firebreak and trail. A community meeting with about two dozen attendees was held March 10, 2009 at the Pope Valley Farm Center to get input from and determine level of support in the community. The draft R&PP application to BLM has been submitted. The District has completed the donation to the District of a small, 0.2 acre property that provides critical access to the northeast corner of the property. |
| Berryessa Vista | Planning and stewardship of this 224 acre wilderness park. | Volunteers working with the District have completed detailed GIS mapping showing all existing roads, creek crossings, vista points and potential campsites. Continuing damage by off-road vehicles trespassing on the property was noted. No further work is anticipated until Lake Berryessa Trail planning is completed by Berryessa Trails and Conservation. |
| Blue Ridge/Berryess Peak Trail | Obtain right of way and construct trail to provide public access to extensive federal lands on Blue Ridge and to Berryessa Peak | Obtained donated trail easement from the Ahmann family to close gaps between existing public lands on Blue Ridge. Undertook a reconnaissance of the trail route in December 2008. Based on this reconnaissance, a revised easement description was drafted, approved by the landowner and recorded. Botanical surveys field work needed for CEQA review is complete, and a draft proposed negative declaration has been prepared and will be released for public comment in the near future. |
| Camp Berryessa | Redevelopment of former Boy Scout Camp into a group/environmental education camp. | MOU with Bureau of Reclamation has been approved by BOR and by the District granting District an 18 month period to develop a plan for the camp. BOR has completed its cultural survey of the site, and Questa has finished soil testing field work and the preliminary draft feasibility report, which has been reviewed by the District and BOR. The final feasibility study and preliminary engineering report should be completed before the end of 2009. |
| District Non-profit Foundation | Organize a non-profit foundation to raise funds for District projects | The District Board has approved the goals, objectives and basic structure for a non-profit foundation to assist the District with fundraising. Board members are contacting potential future members of the foundation governing board. |
| Lake Hennessey North Shore Trails | Would open up several miles of existing dirt access road, and construct approximately 1 mile of new single track trail, into a loop trail system on the north side of Lake Hennessey, and connecting to the planned Moore Creek Open Space Park trail system. | This project is being combined with the Milliken Ridge Trail project for purposes of seeking City of Napa approvals to construct and operate trails on their property. A presentation before the Napa City Council is scheduled for November. |
| Milliken Reservoir Trails and Picnic Area | Would construct approximately 3 miles of Bay Area Ridge Trail plus additional feeder and loop trails, along with a staging and picnic area | The feasibility study has been completed, and accepted by the Board of Directors. After review by City of Napa staff, the proposal has been modified, and a presentation before the Napa City Council is scheduled for November. Staff is continuing to meet with property owners to the north of the Milliken property to discuss potential extensions of the trail to the north and northwest. |

Moore Creek Open Space Park Development

Development of open space park on 673 acres acquired by the District adjacent to City of Napa watershed lands at Lake Hennessey to protect habitat, provide recreational trails, and overnight camping facilities.

Escrow closed on December 24, 2008. An initial planning charette with community experts was held February 28 and 41 people attended. Improvements to the rental house and main ranch house on the property are in process. A joint V-O-CAL volunteer weekend took place May 15-17; over 90 volunteers rerouted most of a section of the existing road/trail to remove it from the streambed. V-O-CAL held a two day crew leader training session at the ranch house in March with about 20 volunteers. The County Road Crew has provided some excess gravelly soil to fill a low spot in the existing access road, and will do more in the future. The gatehouse well has been drilled; the ranch house well will be drilled in mid-October. An agreement for surveying the boundary between the District property and adjacent private property to the east has been signed, and the surveying is underway. Volunteers demolished a large old shed in early September, and in mid-October are scheduled to construct a new boundary/pool fence at the ranch house.

Napa River Ecological Reserve Restoration

Remove invasive plants and restore native vegetation in the entryway meadow, replace damaged signage and information panels, restore the interior trail and interpretive elements, and if feasible install a seasonal bridge.

The Coastal Conservancy has approved a \$100,000 grant for restoration, environmental education and signage; this grant was frozen in December 2008 due to the State budget crisis, and despite a Governor's announcement to the contrary continues to be frozen. CEQA review is complete, and the grant contract has been signed and the District's partners on the project have met to review approaches and roles. The District is continuing to work with the RCD on contract documents. One of the District's proposed partners, Acorn Soupe, closed its doors due to financial difficulties; the Center for Land-Based Learning is now planned to work with the RCD to provide the student environmental education responsibilities which Acorn Soupe had been slated to provide. Audubon has obtained a small grant which will help the District work with volunteers to do some invasive plant removal on the northeast side of the river.

Oat Hill Mine Trail

Grand opening to the Oat Hill Mine Trail with weekend of signage installation, brush removal and erosion control

A major volunteer work party weekend took place May 16-18, 2008, and the trail was then formally opened. A second group of 18 volunteers in November 2008 spent a day doing additional erosion control work. The judge hearing the legal challenge to the trail in December 2008 denied the substance of the issues raised by the plaintiff. The plaintiff in late April 2009 selected new legal counsel to represent him; this is now the third legal counsel he has used on this case. The court case is now scheduled for November of 2009. The District in 2008 applied to BLM for a non-fee transfer to the District of a 40 acre parcel at Maple Springs on the Oat Hill Mine Trail.

Rector Ridge/Stags Leap Ridge Trail

Construction of staging area and 6+ miles of Ridge Trail climbing east from Silverado Trail near Rector Creek.

CEQA on this project was completed several years ago--though minor updating will be required due to the passage of time. The project concept has been approved by the District Board, and is being positively viewed by the Veterans Home administration. District and Veterans Home staff met on June 30, 2009 to develop a strategy to allow the project to go forward, and are now working to implement this strategy.

River to Ridge Trail

Lot line adjustment to legalize River to Ridge Trail as constructed (it currently encroaches on private property in two locations), and improvements to the Highway 221 entrance to the trail.

Lot line adjustment approved by Syar Properties. However, the California Department of General Services decided it cannot do a lot line adjustment without legislative authorization; County-sponsored legislation carried by Assemblymember Evans to grant the necessary authority was approved by the legislature but vetoed by the Governor. A new information kiosk was installed at the entrance in December 2008 as part of a Boy Scout project. Several Live Oak seedlings have been planted at the entrance to improve its appearance. A volunteer team to do trail work here and elsewhere has been jointly formed by District and Skyline Park Association staff.

Skyline Park Protection

Permanent Protection for Skyline Park

Three past legislative efforts to authorize sale to the County failed due to unrelated disagreements between the state legislature and administration. Separately, the County is pursuing development of a park overlay zone to protect public lands such as Skyline Park. New language has been included in the new draft General Plan to allow development of a park overlay zone. An amendment to the Zoning Ordinance to accomplish this was approved by the Board of Supervisors in September 2009. The Board of Supervisors at the same meeting also approved a Master Plan for Skyline Park.

Skyline Park Improvements

Partner-sponsored improvement include a second greenhouse and a covered equestrian arena.

The proposals for a second greenhouse and a covered arena were approved by the Department of General Services and by the County Board of Supervisors. The sponsors of these projects are now raising funds for implementation. County staff and the Association Board are beginning discussions regarding the next five year plan of capital improvements at the park.

South Napa Wetlands Habitat Area

Transfer to the District those wetlands owned by the Napa County flood control district between the Napa River, Highway 29 and Newport Drive for use as habitat and nature-based recreation.

Transfer approved in concept by the flood control district. Staff led a tour of the property on May 22, 2008 in conjunction with the Napa County Watershed Symposium to discuss options and constraints at the site related to public use and environmental education. The District sponsored a workshop with high school science teachers in October to discuss ways to use the site for educational purposes. Park District staff has prepared the first draft of a transfer agreement, and is now reviewing Flood District files to identify any restrictions and commitments that will pass of to the Park District along with the property transfer. Flood District and Park District staff met with the President of the Yacht Club in early May to discuss access issues and future possible uses for the property.

| | | |
|-----------------|--|--|
| Vallejo Lakes | Possible purchase of 1100 acres of surplus Vallejo Water District lands, of which 200 acres are located in Napa County | Staff-level discussions between the District, the Land Trust of Napa County, the County of Solano and the Solano Land Trust indicate a common desire to work together to purchase this property adjacent to Skyline Park. The City Council of the City of Vallejo has officially authorized staff to pursue surplusing of the property. District staff and our partners are continuing to research issues related to the property, including potential public access locations, potential trail alignments, and easements and other encumbrances which affect the property. The State Coastal Conservancy has indicated an interest in assisting with the funding necessary to purchase the property. We are now waiting for the City to complete title research for the property so that an appraisal can be prepared. The surplusing process has slowed down due to new discussions between the City and residents of Green Valley over overall water supply arrangements. |
| Vine Trail | A Class I bicycle/pedestrian path extending from Calistoga to the Vallejo Ferry Terminal | The District has entered into an MOU with the Vine Trail Coalition to provide assistance as requested by the Coalition in receiving funds, preparing plans and environmental documents, constructing and operating the trail. The District on May 1st submitted a request to Congressman Thompson to include the Vine Trail as an authorized project within the next federal surface transportation program. A similar request was submitted to Senators Feinstein and Boxer in July 2009. |
| Wild Lake Ranch | Possible joint management of trails, camping and picnic areas through agreement between the Land Trust, the District and State Parks | The District is participating in the development of a strategic plan for the property, together with other public lands in the area, that is being led by the Land Trust of Napa County. The advisory committee has met once, and completed a field trip to inspect the property. The planning process was put on hold due to the freeze in the state bond-funded grant; however, the freeze was mostly lifted in August and the planning process is restarting. |

Completed Projects**Berryessa Vista Acquisition**

Purchase of 224 acres from the Land Trust of Napa County for use as a public park completed in early 2008 using State Prop 12 funds.

Connolly Ranch

Construction of patio, restrooms and cooking facilities completed in 2008 using State Prop 12 funds.

Linda Falls

Conservation easement accepted in spring 2008 from Land Trust of Napa County to provide additional protection for this 39 acre property, which is owned by the land trust

Master Plan Development

The Master Plan for 2008-2013 was approved in January 2009

Moore Creek Open Space Park

Acquisition of 673 acres in the Moore Creek Watershed completed in December 2008. Trail reroute to remove two stream crossings mostly completed in May 2009. New heater installed in gatehouse in

Napa River Ecological Reserve

Parking area paved, and rock barrier installed to control vehicular access in 2007. Trash enclosure constructed and entry signs restored by volunteers in 2008. Deteriorated kiosk removed in 2008. The District in July 2008 assumed the County's role in managing the preserve under the joint management agreement with DFG. A new maintenance contract with the non-profit organization Options 3 was started in January 2009. The old deteriorated information kiosk, which had become a serious eyesore, was removed in November 2008.

Napa River Flood Control Easement

Conservation easement accepted by District in 2007 to facilitate Flood District project and grant funding

Newell Preserve Improvements

Provide on-site water supply for group campground and so cattle can be restricted from access to riparian areas.

As part of the arrangement with the land trust on the District's purchase of Berryessa Vista, the land trust was willing to use some of the proceeds from the transaction to fund a well pump and distribution system at the Preserve. However, the first well drilled by the City of American Canyon came up dry. The City has dropped plans for digging any more test wells.

River to Ridge Trail Enhancements

Installation of animal silhouettes along the entryway fence illustrating the types of birds and mammals that can be found in the area completed by Eagle Scout candidate in 2008. In November 2008 five Valley Oak trees were planted at the Highway 221 entrance to the trail with the assistance of a volunteer from CNPS.

Skyline Park Improvements Phase I

Erosion control work on Lake Marie Road, and paving of campground loop road, completed in 2007 using State Prop 12 funds.