



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 2/3/2015

Agenda Placement: 6G

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Lawrance Florin - Director  
Housing and Intergovernmental Affairs  
**REPORT BY:** Molly Rattigan, PRINCIPAL MANAGEMENT ANALYST - 253-4112  
**SUBJECT:** Contract Amendment Related to Napa Pipe

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### **RECOMMENDATION**

Director of Housing and Intergovernmental Affairs requests the following related to Napa Pipe:

1. Approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 7895 with Gibson, Dunn & Crutcher, increasing the amount by \$120,000 for a new contract maximum of \$525,920 to provide legal assistance with the Development Agreement, City-County agreements and other legal services as necessary; and
2. Approval of Budget Transfer No. HIA003, increasing appropriations in the amount of \$120,000 in the Housing and Intergovernmental Affairs budget with offsetting revenue from the Napa Pipe Project. (4/5 vote required)

### **EXECUTIVE SUMMARY**

This item increases the County's agreement with Gibson, Dunn and Crutcher related to the Napa Pipe project. Napa Redevelopment Partners will reimburse the County of Napa for all expenses actually incurred up to a contract maximum of \$525,920, an increase of \$120,000.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	HIA with revenue from Napa Redevelopment Partners

Is it Mandatory or Discretionary? Discretionary

Discretionary Justification: This item allows for payment of necessary costs for the Napa Pipe project.

Is the general fund affected? No

Future fiscal impact: There will be no additional costs beyond the FY 2014-15.

Consequences if not approved: If this item is not approved, the County will not be able to obtain services necessary for the Napa Pipe project proposal process.

Additional Information:

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

The proposed contract amendment is for expenses associated with the review of the Napa Pipe development project. The amendment presented today is necessary to complete work to prepare the proposal for possible action by the Board of Supervisors. The Napa Redevelopment Partners will reimburse the County for costs incurred including County staff time.

The Board previously approved the retention of Gibson, Dunn & Crutcher, a legal firm with expertise in land use, to make sure the County's interests are adequately protected. The agreement has been amended four times to update the fee schedule and increase the maximum compensation amount for additional work. Amendment No. 5 will increase the contract by \$120,000 for a total contract maximum of \$525,920. This increase will cover requested work in Fiscal Year 2014-2015, particularly related to the development of a number of agreements between the County and City of Napa.

The County's agreement with Napa Redevelopment Partners, provides for the reimbursement of these expenses. The proposed budget transfer increases appropriations with offsetting revenue related to the project.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan