



A Tradition of Stewardship
A Commitment to Service

MINUTES OF THE
NAPA COUNTY - BOARD OF SUPERVISORS MEETING
COUNTY OF NAPA

June 12, 2018

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in regular session on Tuesday, June 12, 2018, at 9:00 a.m. with the following supervisors present: Chair Brad Wagenknecht, Supervisors Ryan Gregory, Diane Dillon, Alfredo Pedroza and Belia Ramos. The meeting was called to order by Chair Brad Wagenknecht.

2. PLEDGE OF ALLEGIANCE

Chair Brad Wagenknecht led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

None.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Registrar of Voters John Tuteur presented update on elections.

Deputy County Executive Officer Molly Rattigan presented update on the proposed increase of the Transient Occupancy Tax (TOT) by 1% countywide to be dedicated to workforce and affordable housing.

6. CONSENT ITEMS

Law & Justice

- A. District Attorney requests approval of and authorization for the Chair to sign an agreement with Aldea Children and Family Services for operation of the County's Child Advocacy Center, with maximum compensation in the amount of \$187,920, for the term June 1, 2018 through March 31, 2019, with two automatic one-year renewals, funded by a Victims of Crime Act grant subaward administered by the California Office of Emergency Services.

A-180348B

Supervisor Ryan Gregory was recused due to his previous association with the project.

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Agreement No. 160020B with Pamela Dodson for a maximum of \$38,000 for the term July 1, 2018 through June 30, 2019 to coordinate various aspects of Napa County's specialty care systems (cardiac arrest, ST Elevation Myocardial Infarction "STEMI", stroke and trauma).

A-160020B

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 160054B with Bright Path Therapists, Inc. for an annual maximum of \$25,000 for the term July 1, 2018 through June 30, 2024 for licensed occupational and physical therapists with pediatric experience.

A-160054B

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 170145B with The Regents of the University of California, a California public corporation, on behalf of the Institute for Social Behavioral and Economic Research at its Santa Barbara campus for a maximum of \$500 for the term July 1, 2018 through June 30, 2019 for technical assistance and upgrades related to use of the Automated Vital Statistics System.

A-180049B

Supervisor Belia Ramos was recused due to her previous association with the project.

The correct Agreement Number is A-180049B.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 7 to Agreement No. 170287B with Barbara McCarroll, Ph.D. increasing the amount by \$550 for a new maximum of \$91,150, amending the Scope of Work Exhibit A, the Compensation Exhibit B, and the Terms of Service for Fiscal Year 2017-2018 and establishing a maximum of \$90,600 for Fiscal Year 2018-2019 and each subsequent renewal thereof to provide Infant/Child Mental Health Specialist services for the Therapeutic Child Care Center.

A-170287B (Amend. 7)

- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Revenue Agreement No. 180002B with Child Start Incorporated/Napa Solano Head Start for a maximum of \$33,192 for the term July 1, 2018 through June 30, 2019 for meals provided to children and teachers at the Therapeutic Child Care Center.

A-180002B

- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign the California Integrated Vital Records System (Cal-IVERS) Data Privacy and Security Agreement with the California Department of Public Health for a five year term which shall expire after the latest signature date in the agreement unless terminated earlier by either party to protect the privacy and provide for the security of Cal-IVERS data.

A-8556

- H. Director of Health and Human Services requests approval of and authorization for the Chair to sign the Acceptance of Real-Time Allotment with the California Department of Public Health Tuberculosis Control Branch for a maximum of \$9,789 for the term July 1, 2017 through June 30, 2018 to fund tuberculosis prevention and control activities.

A-180347B

Community Resources & Infrastructure

- I. Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign an agreement with West Coast Code Consultants for the term of July 1, 2018 through June 30, 2019 for a maximum amount of \$100,000 to assist with Engineering review of fire related permits.

A-190004B

- J. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4102, the Joint Powers Agreement (JPA) related to the use and equitable distribution of flood protection sales tax revenues (commonly known as Measure A).

A-4102 (Amend. 1)

- K. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement 170714B with Universal Security & Fire, Inc., revising the Scope of Work and Compensation with no change to the annual maximum compensation for monitoring, testing, inspection and maintenance of fire alarms located in County owned or operated buildings.

A-170714B (Amend. 1)

- L. Director of Public Works requests the following actions related to the Runway 18R/36L and Runway 6/24 Rehabilitation Project:

1. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 180167B with the Federal Aviation Administration (FAA) in the amount of \$143,179 for the term beginning October 24, 2017 and terminating upon final payment made to the FAA, not extending beyond five years of its effective date, for FAA Site Survey and Preliminary engineering, technical consultation (flight checks), and construction oversight associated with the Runway 18R/36L and Runway 6/24 Rehabilitation Project; and
2. Approval of Budget Transfer No. AIR005 for the following (4/5 vote required):

- a. Increase appropriations by \$143,179 in the Airport Operations budget (Subdivision 5010000) offset by the use of Airport Operations available fund balance; and
- b. Increase revenue and appropriations by \$143,179 in the RWY 18R Rehab RA project (Program 18014) offset by the transfer from the Airport Operations budget.

A-180167B (Amend. 1); BT-AIR005

- M. Director of Public Works requests approval of Budget Transfer No. DPW069 increasing appropriations by \$50,000 in the Fleet Management Operations (Fund 4100, Sub-Division 4100000) budget offset by the use of its available fund balance to provide sufficient appropriation authority for equipment repairs through the end of the Fiscal Year 2017-18. (4/5 vote required)

BT-DPW069

General Admin & Finance

- N. County Counsel requests approval of and authorization for the Chair to sign the following amendments to agreements increasing the monthly base compensation amounts for each attorney by \$2,342.12 effective June 1, 2018 to provide conflict public defender services on an interim basis through August 31, 2018 due to increased caseloads:

1. Amendment No. 5 to Agreement No. 170055B with Mervin C. Lernhart Jr.;
2. Amendment No. 5 to Agreement No. 170053B with Michael Keeley;
3. Amendment No. 5 to Agreement No. 170054B with James McEntee; and
4. Amendment No. 1 to Agreement No. 170830B with Douglas Pharr.

A-170055B (Amend. 5); A-170053B (Amend. 5); A-170054B (Amend. 5); A-170830B (Amend. 1)

- O. County Executive Officer and Auditor-Controller requests the following:

1. Establish a Special Revenue Fund for the remaining Measure A unincorporated funds for capital improvements and maintenance by June 30, 2018; and
2. Authorize the Auditor-Controller to increase appropriations in order to transfer the balance of Measure A funds allocated to the County of Napa into the Special Revenue Fund.

- P. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 170664B with Ragatz Realty increasing the amount by \$15,000 for a new maximum of \$150,000, and amending the scope of work to include a financial analysis of potential revenues as part of the Lake Berryessa Concessions Management analysis.

A-170664B (Amend. 2)

- Q. County Executive Officer requests authorization for out-of-state travel for Supervisor Diane Dillon to attend the National Association of Counties (NACo)

Annual Conference in Nashville, Tennessee regarding various matters related to Napa County from July 11 to July 18, 2018.

- R. County Executive Officer requests appointment of the following applicant to the Napa County Advisory Board on Alcohol and Drug Programs with the term of office to commence immediately and expire on January 1, 2020:

<u>Name</u>	<u>District</u>	<u>Representing</u>
Maria del Rosario C. Biddenback	2	Education

Motion moved by Ryan Gregory, seconded by Belia Ramos, to approve consent items as amended. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 6A:

Motion moved by Alfredo Pedroza, seconded by Belia Ramos, to approve requested action. Motion passed 4 - 0, with Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes / Ryan Gregory recused.

Item 6D:

Motion moved by Alfredo Pedroza, seconded by Diane Dillon, to approve requested action. Motion passed 4 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, and Brad Wagenknecht voting yes / Belia Ramos recused.

8. PUBLIC COMMENT

James Hinton spoke during public comment.

9. SET MATTERS OR PUBLIC HEARINGS

A. 9:00 AM PUBLIC HEARING

Continuation of Fiscal Year 2018-2019 Recommended Budget Hearings in accordance with the Fiscal Year 2018-2019 Recommended Budget Hearing Schedule.

Deputy County Executive Officer Molly Rattigan stated the budget hearings were completed yesterday and would return on June 19, 2018 for final adoption.

B. 9:00 AM PUBLIC HEARING

Director of Public Works requests the following actions relating to County Service Area No. 3 (CSA No. 3) - Fire Protection and Street Maintenance Assessment District:

1. Open Public Hearing to consider any objections or protests with respect to the assessments for adoption;

2. Close Public Hearing and adopt a resolution authorizing and levying assessments for Fiscal Year 2018-2019;
3. Open Public Hearing to accept testimony on the Fiscal Year 2018-2019 budget for a total appropriation of \$546,313; and
4. Continue for consideration to June 19, 2018 at 9:00 a.m. for adoption of the recommended budget.

R-2018-79

Items 1 and 2

Opened public hearing.

County Executive Office Principal Management Analyst Bret Prebula made presentation.

No written protests received.

No testimony presented.

Closed public hearing.

Motion moved by Belia Ramos, seconded by Diane Dillon, to approve requested actions. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

Items 3 and 4

Opened public hearing.

County Executive Office Principal Management Analyst Bret Prebula made presentation.

No testimony presented.

Motion moved by Ryan Gregory, seconded by Alfredo Pedroza, to tentatively approve the recommended total appropriations for Fiscal Year 2018-2019 and continue the public hearing to June 19, 2018 at 9:00 a.m. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

C. 9:00 AM PUBLIC HEARING

County Executive Officer and Auditor-Controller requests the following relating to County Service Area No. 4 (CSA No. 4) - Farmworker Housing Assessment District:

1. Open Public Hearing to accept testimony on the proposed Fiscal Year 2018-2019 budget for a total appropriation of \$441,115 in Budget Division 28100; and
2. Continue for consideration to June 19, 2018 at 9:00 a.m. for adoption of the recommended budget.

Opened public hearing.

Deputy County Executive Officer Molly Rattigan made presentation.

Held discussion.

Testimony presented.

Motion moved by Alfredo Pedroza, seconded by Belia Ramos, to tentatively approve the recommended total appropriations for Fiscal Year 2018-2019 and continue the public hearing to June 19, 2018 at 9:00 a.m. Motion passed 5 - 0,

with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

D. 9:00 AM PUBLIC HEARING

County Executive Officer and Auditor-Controller request the following relating to the Fiscal Year 2018-2019 Napa Valley Tourism Improvement District budget:

1. Open Public Hearing to accept public testimony on the Fiscal Year 2018-2019 budget for a total appropriation of \$6,452,000 in Budget Division 28300; and
2. Continue for consideration to June 19, 2018 at 9:00 a.m. for adoption of the recommended budget.

Opened public hearing.

Deputy County Executive Officer Molly Rattigan made presentation.

Supervisor Diane Dillon recused herself due to her membership on the Napa Valley Tourism Corporation Board of Directors.

Testimony presented.

Held discussion.

Motion moved by Alfredo Pedroza, seconded by Ryan Gregory, to tentatively approve the recommended total appropriations for Fiscal Year 2018-2019 and continue the public hearing to June 19, 2018 at 9:00 a.m. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

E. 9:00 AM PUBLIC HEARING

Director of Public Works and the Auditor-Controller request the following relating to Napa County Community Facilities District-MST (Milliken-Sarco-Tulocay):

1. Open the Public Hearing to accept testimony on the Fiscal Year 2018-2019 budget for a total appropriation of \$395,726 in Budget Division 28700; and
2. Continue for consideration to June 19, 2018 at 9:00 a.m. for adoption of the recommended budget.

Opened public hearing.

County Executive Office Principal Management Analyst Bret Prebula made presentation.

No testimony presented.

Motion moved by Ryan Gregory, seconded by Diane Dillon, to tentatively approve the recommended total appropriations for Fiscal Year 2018-2019 and continue the public hearing to June 19, 2018 at 9:00 a.m. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

F. 9:00 AM

Recess to the Silverado Community Services District (SCSD) meeting (**see SCSD Minutes**).

G. 9:00 AM

Recess to the Monticello Public Cemetery District (MPCD) meeting (**see MPCD Minutes**).

H. 9:15 AM

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County meeting (**see IHSS Minutes**).

I. 9:15 AM

Recess to the Lake Berryessa Resort Improvement District (LBRID) meeting (**see LBRID Minutes**).

J. 9:20 AM

Recess to the Napa Berryessa Resort Improvement District (NBRID) meeting (**see NBRID Minutes**).

K. 9:30 AM

Recess to the Napa County Housing Authority (NCHA) meeting (**see NCHA Minutes**).

L. 9:30 AM

Recess to the Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA) special meeting (**see NCFPWIA Minutes**).

M. 9:35 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Oakville Winery, LLC to a decision by the Napa County Planning Commission on April 18, 2018 to deny a Use Permit, Variance and request for continuance of the public hearing on Use Permit No. P17-00343-UP and Variance No. P17-00345-VAR. The project requested a Use Permit and Variance for a 30,000 gallon per year winery on a 55.50-acre parcel located at the northern end of Mt. Veeder Road and its intersection with Dry Creek Road, Napa, California 94558 (Assessor's Parcel No. 027-310-039). In denying the project, the Planning Commission also denied the applicant/appellant's request for a continuance to further address Commissioners concerns that arose during the hearing.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: biological resources, geology and soils, noise, transportation/traffic, and tribal cultural resources. This project site is not on any of the lists of hazardous waste sites enumerated under Government code Section 65962.5. (The Mitigated Negative Declaration was prepared and circulated for public review and comment but was

not adopted.) State CEQA Guidelines Section 15270 provides: CEQA does not apply to projects which a public agency rejects or disapproves. A denial is not subject to CEQA review.

(APPELLANT AND STAFF REQUEST CONTINUANCE TO AUGUST 14, 2018 AT 9:25 AM)

Motion moved by Diane Dillon, seconded by Ryan Gregory, to continue the public hearing to August 14, 2018 at 9:25 a.m. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

N. 10:30 AM

County Executive Officer requests the following:

1. Receive an Annual Report from Arts Council Napa Valley; and
2. Discussion and possible direction on Arts Council Napa Valley's proposal for \$68,956 in Special Projects Funds in Fiscal Year 2018-2019.

Motion moved by Ryan Gregory, seconded by Diane Dillon, to continue the item to July 10, 2018 at 9:30 a.m. Motion passed 5 - 0, with Ryan Gregory, Diane Dillon, Alfredo Pedroza, Belia Ramos, and Brad Wagenknecht voting yes.

10. ADMINISTRATIVE ITEMS

None.

11. LEGISLATIVE ITEMS

None.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

None.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

None.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

15. CLOSED SESSION

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: Director of Planning, Building and Environmental Services

Closed session held. No reportable action.

B.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8)

Property: Napa County Fairgrounds, Calistoga, California (APNs 011-140-006, 011-140-007, 011-140-056, 011-140-009, and 011-140-055)

Agency Negotiator: Minh C. Tran, County Executive Officer

Negotiating Parties: Napa County and City of Calistoga

Under Negotiation: ☐ Price ☒ Terms of Payment

Closed session held. No reportable action.

16. ADJOURNMENT

Adjourned to the Board of Supervisors regular meeting Tuesday, June 19, 2018 at 9:00 a.m.

BRAD WAGENKNECHT, Chair

ATTEST:

JOSE LUIS VALDEZ, Clerk of the Board