MINUTES OF THE
NAPA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING – 9:00 AM
January 14, 2020
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, January 14, 2020 at 9:00 a.m. with the following supervisors present:
   Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory,
   Belia Ramos and Brad Wagenknecht. Chair Diane Dillon called the meeting to
   order.

2. PLEDGE OF ALLEGIANCE

   Barbara Pahre, President of the Golden Gate Bridge District from Napa County,
   led the pledge of allegiance.

3. APPROVAL OF MINUTES

   None.

4. PRESENTATIONS AND COMMENDATIONS

   A. Presentation by Barbara Pahre, President of Golden Gate Bridge District

      Barbara Pahre, President of the Golden Gate Bridge District from Napa
      County, made presentation.

      Golden Gate Bridge District General Manager Dennis Mulligan also
      made presentation.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

   Planning, Building and Environmental Services Director David Morrison presented
   report.

   Public Defender Ronald Abernathy presented report.
6. CONSENT ITEMS

**Public Safety**

A. Director of Corrections requests approval of and authorization for the Chair to sign the following amendments with Securus Technologies, Inc. to extend each term through June 30, 2022 with an automatic rollover of two (2) additional one (1) year terms:

1. Amendment No. 3 to Agreement No. 190215B to provide video visitation between Corrections' inmates and their minor children in the care of Child Welfare Services; and
2. Amendment No. 4 to Agreement No. 170629B to provide telephone services to Corrections' inmates and Juvenile Hall youth.

**A-190215B (Amend. 3); A-170629B (Amend. 4)**

B. County Fire Chief requests approval of Budget Transfer No. NCF002 transferring $16,983 from Fire Supplies account to the Equipment account within the Fire budget unit and establishment of a fixed asset for the purchase of radio console communication equipment updating two positions located at the CAL FIRE Emergency Command Center (ECC). (4/5 vote required)

**BT-NCF002**

**Human Services**

C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 7 to Agreement No. 170252B with Alternatives for Better Living, Inc., with no change to the term, increasing the amount by $15,000 for a new maximum amount of $30,000 for the remainder of this fiscal year and each automatic renewal thereafter, for the provision of counseling services to clients referred by the County’s Child Welfare Services programs.

**A-170252B (Amend. 7)**

D. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the California Department of Social Services for the term July 1, 2019 through June 30, 2022 for access to confidential quarterly Employment Development Department base wage data for the sole purpose of evaluating labor market participation of Self Sufficiency Services Division employment services clients.

**A-200224B**
E. Director of Health and Human Services requests approval of and authorization for the Chair to sign a Revenue Regranting Agreement with the Public Health Accreditation Board for a maximum of $150,000 for the term January 1, 2020 through December 31, 2021 for the development of a data sharing and evaluation plan as part of the Cross-Sector Innovation Initiative.

A-200225B

Community Resources & Infrastructure

F. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewal of Revenue Agreement No. 170682B with the California Department of Food & Agriculture (CDFA) for a maximum of $354,800 for reimbursement of expenditures associated with placing and inspecting traps for the detection of exotic pests.

A-170682B

G. Interim Director of Library Services and Community Outreach requests the following:

1. Acceptance of a $25,000 donation from the Winiarski Family Foundation to support guest speakers, projects and programs;
2. Authorization for the Chair to sign a letter of appreciation in acceptance of the donation; and
3. Accept, and instruct the Clerk of the Board to file a report of donations in the amount of $2,000 or less gifted to the Library for the period of July 1, 2019 thru December 31, 2019.

H. Director of Public Works requests the following actions related to Agreement No. 200210 with the law firm Renne Public Law Group, LLP:

1. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 200210 effective January 14, 2020 for specialized legal services to advise and represent the County on lease and contract issues and litigation relating to Napa County Airport, and increasing the maximum compensation payable from $33,000 to $200,000; and
2. Approval of Budget Transfer No. AIR003 increasing appropriation by $393,000 in the legal services account in the Airport Operations budget (Fund 5010, Sub-Division 50100000) with the use of its available fund balance for the outside legal counsel agreement and internal legal counsel cost (4/5 vote required).

A-200210 (Amend. 1); BT-AIR003
I. Director of Public Works and Registrar of Voters request approval of and authorization for the Chair to sign a no-cost license agreement with Best/American Canyon Partners for a ballot dropbox at the northwest corner of American Canyon Road and Broadway.

A-8609

J. Director of Public Works requests the Board receive and instruct the Clerk of the Board to file reports required by Government Code Section 66006 (b) for the Traffic Mitigation Fee program in the Napa Valley Business Park Area (formerly Airport Industrial Area Specific Plan).

K. Director of Public Works requests the Board accept a report on Space License Agreements and Lease Agreements executed by the County Executive Officer during the period July 1, 2019 through December 31, 2019 pursuant to Resolution No. 2018-36.

General Admin & Finance

L. Auditor-Controller and Director of Public Works request the following actions related to the 2014 Earthquake and 2017 Storms road repair projects in order to return funds to the California Governor's Office of Emergency Services (CalOES):

1. Release General Fund restriction of $71,346 in Subdivision 1058001, Program E9999;
2. Approve Budget Transfer No.AC0004 to increase appropriations by $71,346 in Subdivision 1058001, Program E9999; Release General Fund restriction of $141,740 in Subdivision 1058000, Program 17S01; Approve Budget Transfer No.AC0005 to increase appropriations by $141,740 in Subdivision 1058000, Program 17S01;
3. Release General Fund restriction of $27,434 in Subdivision 1058000, Program 17S08; and
4. Approve Budget Transfer No.AC0006 to increase appropriations by $27,434 in Subdivision 1058000, Program 17S08. (4/5 vote required)

BT-AC0004; BT-AC0005; BT-AC0006

M. Auditor-Controller requests acceptance of the Audit Report for the Napa County Local Transportation Fund for the fiscal year ended June 30, 2019 issued by Brown Armstrong, LLP.

N. Auditor-Controller to request acceptance of the Agreed-upon Procedure Reports for the appropriation limit calculations for fiscal years 2015-16 through 2018-19.
O. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 190157B with the Renne Public Law Group to increase the maximum compensation by $160,000, for a new maximum compensation of $310,000, to serve as trial counsel in the trial ordered by the federal court in an ongoing challenge to the constitutionality of Measure D with all other terms of the Agreement remaining unchanged.

\[A-190157B\text{ (Amend. 1)}\]

P. County Counsel requests adoption of a resolution directing the Registrar of Voters to conduct an all-mail ballot election for the voters of the Lake Berryessa Resort Improvement District to be held May 19, 2020, in order to approve the District's appropriations limit at $430,000 for Fiscal Years 2020-2021 through 2023-2024, together with constitutionally mandated annual adjustments for Fiscal Years 2021-2022 through 2023-2024.

\[R-2020-02\]

Q. Director of Human Resources and Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation Lists for multiple divisions within the Health and Human Services Agency, as outlined in "Exhibit A," with a net increase of two full-time equivalents, and no increase to the County General Fund.

\[R-2020-03\]

R. Director of Human Resources requests adoption of a resolution amending the Table and Index of Classes to adjust salaries for multiple classifications in the Library to the correct compaction between library classifications, effective January 25, 2020, with no increase to full-time equivalents, and no impact to the County General Fund.

\[R-2020-04\]

S. Director of Human Resources and Director of Planning, Building and Environmental Services request the adoption of a resolution amending the Departmental Allocation List for the Environmental Health Division of the Planning, Building, and Environmental Services Department, as follows, effective January 25, 2020, with no net increase in full-time equivalents and a slight increase to the General Fund:

1. Delete one 1.0 FTE Office Assistant II.
2. Add one 1.0 FTE Senior Office Assistant.

\[R-2020-05\]
T. Director of Human Resources and Director of Public Works request adoption of a resolution amending the Departmental Allocation List for the Calistoga Fairgrounds Division of the Public Works Department, as follows, effective January 25, 2020 with a net increase of two full-time equivalents and no increase to the General Fund:

1. Extend one 1.0 FTE Park Steward*;
2. Extend one 1.0 FTE Maintenance Worker I*; and
3. Add two 1.0 FTE Maintenance Worker I*.* Limited Term through December 31, 2020.

R-2020-06

U. County Executive Officer and Chief Information Officer request the following:

1. Declare certain items of personal property as surplus and no longer required for public use; and
2. Authorize the Purchasing Agent to dispose of these items of personal property by donating them to Computers for Classrooms.

V. Second reading and adoption of an ordinance of the Napa County Board of Supervisors, State of California, adding Chapter 2.106 of the Napa County Code Title 2 (ADMINISTRATION AND PERSONNEL) establishing the New Horizons Academy, a juvenile treatment facility located in the County Juvenile Hall, as Juvenile Camp Facility for purposes of state funding.

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.

O-1452

W. County Executive Officer requests the following actions regarding the Napa County Mental Health Board:

Reappointment of the following applicants for three-year terms:

<table>
<thead>
<tr>
<th>Name</th>
<th>Representing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kathleen Chance</td>
<td>Family Member of Consumer</td>
</tr>
<tr>
<td>Zachariah Geyer</td>
<td>Consumer</td>
</tr>
<tr>
<td>Beth Nelson</td>
<td>Interested and Concerned Citizen</td>
</tr>
</tbody>
</table>

Appointment of the following applicants for three-year terms:
Name                           Representing
Robert Palmer               Interested and Concerned Citizen
Francis Dolan               Family Member of Consumer

Motion by Brad Wagenknecht, Second by Ryan Gregory, to approve consent items as presented. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

7. DISCUSSION OF ITEMS PULLED FROM THE CONSENT CALENDAR
None.

8. PUBLIC COMMENT
Four (4) people spoke during public comment.

9. SET MATTERS OR PUBLIC HEARINGS
A.  9:00 AM
Recess to the Monticello Public Cemetery District (MPCD) special meeting (please see MPCD Meeting Minutes).

B.  9:00 AM
Director of Planning, Building, and Environmental Services (PBES) requests the first reading and intention to adopt an ordinance amending section 18.10.020 of Chapter 18.10 (Zoning Administrator) Section 18.124.080 and Section 18.124.131 of Chapter 18.124 (Use Permits) and Section 18.126.030 and adding a new section 18.126.065 to Chapter 18.126 (Administrative Permits) of Title 18 (Zoning) of the Napa County Code regarding issuance of small winery use permits and modifications to winery use permits.

Environmental Determination: Consideration and possible adoption of Categorical Exemptions Class 1, Class 3, Class 4, and the General Rule. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Categorical Exemption Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301]; Categorical Exemption Class 3 (“New Construction or Conversion of Small Structures”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15303]; Categorical Exemption Class 4 (“Minor Alterations to Land”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15304; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act,
Appendix B]; and General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the CEQA 14 CCR 15061(b)(3)]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Planning, Building and Environmental Services Director David Morrison made presentation.

Deputy County Counsel Jason Dooley also addressed the Board.

Held discussion.

Seven (7) people spoke during public comment.

Suggested additions, deletions and changes to the proposed ordinance were presented by members of the public and members of the Board.

Motion by Brad Wagenknecht, Second by Diane Dillon, to continue this item to the Tuesday, January 28, 2020 Regular Meeting of the Board of Supervisors at 9:00 a.m.

9:15 AM

Director of Health and Human Services requests direction and possible action(s) regarding the Tobacco Master Settlement Agreement (MSA) Grant Awards as follows: Make changes to the MSA process proposed by staff; Confirm that the total amount of funding available for the Fiscal Year 2020-2021 grant cycle will be $1.1 million; Confirm the continuation of the Community Health Initiative, Inc. contract for a period of one year; and Initiate the Fiscal Year 2020-2021 grant cycle.

Assistant Director of Health and Human Services for Administration James Diel made presentation.

Held discussion.

One (1) person spoke during public comment.

Motion by Ryan Gregory, Second by Brad Wagenknecht, to approve the requested actions. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

9:30 AM

Consideration and possible action regarding an appeal filed by Andrea Matarazzo, Pioneer Law Group, LLP on behalf of Cain Vineyard & Winery to
a decision by the Director of Planning, Building and Environmental Services on July 23, 2019 regarding Status Determination No. P19-00114-SD which recognized certain operational entitlements for the Cain Vineyard & Winery located at 3800 Langtry Road, St Helena; (Assessor's Parcel No. 027-010-030). (CONTINUED FROM NOVEMBER 19, 2019. APPELLANT AND STAFF REQUEST A CONTINUANCE TO MARCH 10, 2020 AT 9:40 A.M.)

ENVIRONMENTAL DETERMINATION: The Director's issuance of a Status Determination is a ministerial action which is exempt from CEQA (14 CCR Section 15268).

Motion by Brad Wagenknecht, Second by Alfredo Pedroza, to approve the requested continuance to March 10, 2020 at 9:40 A.M. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

E. 9:50 AM PUBLIC HEARING

First reading and intention to adopt an ordinance amending the Napa County Code Chapter 5.60 (Permits for Elder and/or Dependent Adult Caregivers) to transfer responsibility for managing the registration and background check process of individual caregivers from the County, except in special circumstances, to the California Department of Social Services (CDSS) via their Home Care Aide Registry.

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.

Health and Human Services Agency Deputy Director, Comprehensive Services for Older Adults, Kris Brown, made presentation.

Held discussion.

Motion by Brad Wagenknecht, Second by Ryan Gregory, to waive the balance of the reading of the proposed ordinance. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

Motion by Brad Wagenknecht, Second by Ryan Gregory, to waive the balance of the reading of the proposed ordinance. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

F. 10:00 AM

Napa County Commission on Aging to present its annual report and work plan for 2020.

Held discussion.
Information only, no formal action taken by the Board.

10. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

A. Director of Planning, Building and Environmental Services (PBES) requests the following related to formation of the Napa Subregion Housing Allocation Committee (NSHAC):

1. Adoption of a resolution authorizing Napa County to become a member of the Napa Sub-Region Housing Allocation Committee (NSHAC) for the 2022-2030 Housing Element update; and
2. Appoint two members of the Board of Supervisors to the NSHAC to represent Napa County in the sub-region housing allocation process.

Correction Memo submitted.

Planning Building and Environmental Services Director David Morrison made presentation.

Held discussion.

Motion by Alfredo Pedroza, Second by Brad Wagenknecht, to adopt the resolution as presented. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

Motion by Alfredo Pedroza, Second by Brad Wagenknecht, to appoint Supervisors Ryan Gregory and Brad Wagenknecht to the NSHAC to represent Napa County in the sub-region housing allocation process. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza and Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

11. LEGISLATIVE ITEMS

Chair Diane Dillon reported that the Legislative Subcommittee held a meeting on Monday, January 13, 2020 and adopted amendments and updates to the state and federal legislative platform. Chair Dillon also announced that Governor Gavin
Newsome had released next year’s fiscal year budget during a three-hour press conference.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Supervisor Brad Wagenknecht reported on:

1. Future attendance at Legislative Day on behalf of the Bay Area Air Quality Management District.

Vice Chair Pedroza reported on:

1. Climate Action Committee Meeting held in the Board of Supervisors Chambers on Wednesday, January 8, 2020.

Chair Diane Dillon reported on:

1. Attendance at the All Red Meeting last week in Yountville;
2. Discussion of Public Safety Power Shutoff (PSPS) issues with representatives of the California Utilities Commission.

Supervisor Ryan Gregory reported on:

1. Attendance at the Napa County Mental Health Board Meeting last week. Mr. Gregory announced he would be participating in site visits funded by Napa County to get a better idea of how the community benefits from county budgetary investments.
2. Attendance at the Napa Sanitation District Meeting last week.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Chair Dillon requested that staff prepare an agenda item for discussion dealing with PG&E Gas Line Project that runs from Calistoga to Napa.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

15. CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

County Counsel Jeffrey M. Brax read the following closed session into the record:

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

Adjourn to the Board of Supervisors Regular Meeting, Tuesday, January 28, 2020 at 9:00 A.M.

DIANE DILLON, Chair

ATTEST:

JOSE LUIS VALDEZ, Clerk of the Board