



A Tradition of Stewardship
A Commitment to Service

**MINUTES OF THE
NAPA COUNTY – BOARD OF SUPERVISORS MEETING**

March 12, 2019

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, March 12, 2019, at 9:00 a.m. with the following supervisors present: Chair Ryan Gregory, Supervisors Brad Wagenknecht, Diane Dillon, Alfredo Pedroza and Belia Ramos. The meeting was called to order by Chair Ryan Gregory.

2. PLEDGE OF ALLEGIANCE

Chair Gregory led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

Director of Human Resources Nikki Salas introduced new employees.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Public Works Director Steve Lederer presented report.

6. CONSENT ITEMS

Human Services

- A. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 8 to Agreement No. 170225B with Cerner Corporation effective December 10, 2018 to clarify the "Application Services" provision under the "Term and Termination" section of the "Cerner System Schedule" incorporated

previously pursuant to Amendment No. 7, for Behavioral Health Information System Software License and services and Billing System for Mental Health and Alcohol and Drug Services.

A-170225B (Amend. 8)

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 170565B with Susana Cinelli, LCSW for the term January 1, 2019 through June 30, 2019 and each automatic renewal thereof to incorporate Addendum No. 1 to the Compensation to include revised hourly rates with no change to the contract maximum to provide counseling to clients referred by the Child Welfare Services Division.

A-170565B (Amend. 1)

- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170870B with Abode Services, Inc. reducing the amount by \$278,036 for a new annual maximum of \$2,780,351 commencing in Fiscal Year 2018-2019, incorporating Addendum 2 to Exhibit A to remove incentive and outcome payments and responsibility for the operation of the Family Shelter, incorporating Addendum 3 to Exhibit B to revise the Compensation provisions and incorporate a new budget for operation of the Napa County homeless shelter and supportive housing system.

A-170870B (Amend. 3)

- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the following Agreements with the County of Plumas for the term July 1, 2018 through June 30, 2019 for:
 - 1. A maximum of \$25,100 for participation fees for Local Governmental Agency (LGA) Host Entity duties for County-Based Medi-Cal Administrative Activities (CMAA) and/or Targeted Case Management (TCM) programs; and
 - 2. A maximum of \$400 for participation fees for LGA Host Entity duties for Mental Health Medi-Cal Administrative Activities (MH MAA) program.

A-190250B; A-190251B

Community Resources & Infrastructure

- E. Director of Library Services and Community Outreach requests authorization to accept a grant from the California Coastal Commission in the amount of \$25,390 for the H2O Superhero program.
- F. Director of Library Services and Community Outreach requests the following:
 - 1. Acceptance of the Fiscal Year 2018-2019 California Library Literacy Services (CLLS) additional funding in the amount of \$26,519 for the Adult Literacy Program; and
 - 2. Acceptance of the Fiscal Year 2018-2019 California Library Literacy Services (CLLS) funding in the amount of \$80,000 for the Family Literacy Program.
- G. Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170358B (formerly Agreement No. 8385) with Ascent Environmental, Inc. increasing the amount by \$36,510 for a new maximum of \$466,455, extending the term through June 30, 2020 and revising the scope of work to include additional analysis and revisions for the preparation of the Climate Action Plan that were not originally anticipated.

A-170358B (Amend. 4)

- H. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 180153B with Napa Valley Petroleum, Inc., increasing maximum compensation by \$50,000 for a new maximum of \$375,000 with all other terms remaining the same, to provide Unleaded and Diesel Fuel services.

A-180153B (Amend. 1)

Chair Gregory was recused from this item.

Item removed for separate discussion. See item 7.

- I. Director of Public Works requests approval of and authorization for the Chair to sign a Measure A Memorandum of Understanding (MOU) with Howell Mountain Mutual Water Company with a maximum reimbursement of \$468,000 for the term March 12, 2019 through 60 days following notification to the County that the Sunset Drive / Viewridge Drive / Howell Mountain Road water main replacement project has been completed for the purpose of improved water quantity, quality, and reliability.

A-190252B

- J. Director of Public Works requests the following related to the Napa Valley Drought Contingency Plan:
1. Approve and authorize the Chair to sign a Memorandum of Understanding with the City of Napa in an amount not to exceed \$25,000; and
 2. Approve Budget Transfer No. DPW030 appropriating \$25,000 in the Public Works Groundwater Sustainability and Watershed Program budget (Fund 1000, Sub-Division 1220003) offset by a decrease in General Fund Appropriation for Contingency (Fund 1000, Sub-Division 1059000). (4/5 vote required)

A-190253B; BT-DPW030

- K. Director of Public Works requests adoption of a resolution temporarily closing portions of Coombsville Road and Third Avenue from 7:00 A.M. to 9:30 A.M. on Sunday, March 24, 2019 for the first Napa Women's Half Marathon and 5K.

R-2019-35

- L. Director of Public Works requests adoption of a resolution temporarily closing a portion of Silverado Trail, from the Calistoga Mineral Water Works to 3479 Silverado Trail (south of the intersection of Crystal Springs Road), from 7:00 A.M. to 11:00 A.M. on Sunday, April 7, 2019 for the Napa Valley Silverado Half Marathon.

R-2019-36

General Admin & Finance

- M. Director of Human Resources and Director of Health and Human Services Agency request adoption of a resolution amending the Departmental Allocation List for the Alcohol and Drug Services Division of the Health and Human Services Agency, as follows, effective March 12, 2019, with no net increase to full-time equivalents and no increase to the County General Fund:
1. Deleting one 1.0 FTE Supervising Mental Health Counselor II; and
 2. Adding one 1.0 FTE Supervising Mental Health Counselor II - Licensed.

R-2019-37

- N. Director of Human Resources requests the adoption of a resolution correcting Exhibit A to Resolution No. 2019-32 which adjusted salaries for the Eligibility Specialist II and III classifications, effective February 23, 2019.

R-2019-38

- O. Treasurer-Tax Collector requests the following actions regarding the County's investments:
1. Adoption of a resolution renewing the delegation of investment/reinvestment authority to the Treasurer-Tax Collector for an additional one-year period beginning April 1, 2019 pursuant to California Government Code Sections 53607 and 27000.1; and
 2. Approval of the Napa County Statement of Investment Policy in accordance with California Government Code Section 53646(a)(1).

R-2019-39

- P. County Executive Officer/Director of Emergency Services requests adoption of a resolution notifying Pacific Gas and Electric Company (PG&E) and the California Public Utilities Commission (CPUC) as to information and communications required and other steps to be taken prior to a Public Safety Power Shutdown (PSPS) and as to other wildfire mitigation measures.

R-2019-40

- Q. County Executive Officer, acting as the Director of Emergency Services, requests adoption of:
1. Resolution ratifying the Proclamation of Local Emergency related to the storms that began on February 26, 2019; and
 2. Resolution requesting the Governor to provide state aid under the California Disaster Assistance Act.

R-2019-41; R-2019-42

Correction memo submitted.

Motion by Alfredo Pedroza, Second by Brad Wagenknecht, to approve the consent Items with the exception of Item 6H from which Chair Ryan Gregory is recused. Chair Gregory announced that the listed vendor is a current client of his on an unrelated project. Motion passed 5 – 0 with Chair Gregory and Supervisors Diane Dillon, Alfredo Pedroza, Belia Ramos and Brad Wagenknecht voting yes.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 6H:

Chair Ryan Gregory was recused from this item and he exited the Board Chambers prior to its discussion.

Vice Chair Diane Dillon assumed the Chair in Supervisor Gregory's absence as presiding officer.

Motion by Brad Wagenknecht, Second by Alfredo Pedroza, to approve the requested action. Motion passed 4 – 0 with Vice Chair Diane Dillon and Supervisors Alfredo Pedroza, Belia Ramos and Brad Wagenknecht voting yes. Chair Ryan Gregory was recused.

8. PUBLIC COMMENT

Three (3) people spoke during public comment.

9. SET MATTERS OR PUBLIC HEARINGS

A. 8:00 AM Board of Supervisors (BOS) - Closed Session
(see Special 8:00 AM BOS Agenda).

B. 9:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Caldwell Vineyards Winery to a decision by the Napa County Planning Commission on October 17, 2018 to deny a modification (P17-00074-MOD) to the Caldwell Vineyards Winery Use Permit No.00318-UP to allow the following: 1) increase the winery production capacity from 25,000 gallons to 35,000 gallons per year; 2) increase the existing area of the winery caves; 3) increase the number of daily by-appointment visitation from eight to thirty-five; 4) increase the number of employees from two full-time and one part-time to six full-time and six part-time; 5) modify by-appointment tasting hours; 6) modify the Marketing Plan; 7) allow for on-site consumption of wines; 8) construct a trellis shade structure and crush pad cover; 9) increase the width of portions of the existing roadway; 10) install traffic calming measures on the private portion of Kreuzer Lane; and 11) an Exception to the Napa County Road and Street Standards. The project is located on a ±42.96 acre parcel at the terminus of Kreuzer Lane within an Agricultural Watershed (AW) Zoning District. (Assessor's Parcel Nos. 045-310-056 and 045-310-055) 270 Kreuzer Lane, Napa, CA.

ENVIRONMENTAL DETERMINATION: Revised Negative Declaration prepared and circulated but not adopted. According to the proposed Revised Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of

hazardous materials sites compiled pursuant to Government Code Section 65962.5. Public Resources Code Section 20180(b)(5) and State CEQA Guidelines Section 152870 provide that CEQA does not apply to projects that a public agency rejects or disapproves.

(CONTINUED FROM JANUARY 29 AND FEBRUARY 26, 2019)

Chair Gregory opened the public hearing.

Deputy County Counsel Laura Anderson introduced the item.

Planning, Building and Environmental Services Supervising Planner Charlene Gallina made presentation.

Planning, Building and Environmental Services Director David Morrison and Planner II Wyntress Balcher provided testimony.

Appellants John and Joy Caldwell presented testimony.

Appellant's representative Tom Adams (Esq.) made presentation.

A total of thirty-one (31) people spoke during public comment with two persons speaking prior to the item's continuance to the afternoon session.

After the lunch recess, the Board returned to discuss this item at approximately 1:30 p.m.

Chair Gregory recognized General Counsel for the Appellants, Dr. Patricia Grey, who made a presentation to the Board.

Chair Gregory closed the public hearing.

The Board announced disclosures regarding contact with the appellants and interested neighborhood representatives.

Held discussion.

Diane Dillon made a motion to deny the appeal but the motion died for lack of a second.

Motion by Belia Ramos, Second by Alfredo Pedroza, to remand the pending appeal to the Planning Commission with direction to consider the revised application that uses a seasonality approach to add a weekly maximum to visitation numbers, to consider a traffic monitoring program to work in conjunction with a visitor log monitoring program, to consider a phased-in approach to the requested volumes and to give consideration to the appropriateness of the scope of events in that

visitation during what has been historically considered high fire season and to consider greater notification to neighbors and surrounding parcels for events including feedback and direction provided by all Board members to consider the project's latest revision in a site-specific manner.

Motion passed 4 – 1 with Chair Ryan Gregory and Supervisors Alfredo Pedroza, Belia Ramos and Brad Wagenknecht voting yes. Supervisor Diane Dillon voted no.

10. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

- A. Director of Public Works requests approval of a form easement agreement with private property owners in support of the Napa Valley Vine Trail segments from Calistoga to Yountville, which includes a provision for the County to pay \$75,000 per year, with annual adjustments based upon consumer price index (CPI), for thirty years to the Vine Trail Coalition (Coalition) for the Coalition to purchase additional insurance coverage on behalf of the Coalition, County, and all easement grantors.

Public Works Director Steve Lederer made presentation.

Two (2) people spoke during public comment.

Held discussion.

After a short morning discussion, the item was continued to 1:30 p.m. to provide additional time for public comment.

The Board took the item back up for discussion during the afternoon session at 1:30 p.m.

County Counsel Jeffrey M. Brax presented report on correspondence received regarding agenda item.

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

General Admin & Finance

- B. County Executive Officer requests appointment of one of the following applicants to represent the General Public on the Napa County Airport Land Use Commission (ALUC) with the 4-year term of office to commence immediately, and expire on December 17, 2022:

Name

Kirsten Bartok Touw*

Thomas Benvenuto

Michael Harms

Charles Koch

Stephen Kreps

Bruce McLean

*Yuki Anita Moore

*Christian Palmaz

Michael Rupprecht

Alan Shepp

David Timm

* Recommended by the Airport Advisory Commission

Assistant County Executive Officer Mary Booher made presentation.

Held discussion.

Motion by Diane Dillon, Second by Brad Wagenknecht to appoint Kirsten Bartok Touw to the Airport Land Use Commission. Motion passed 5 – 0 with Chair Ryan Gregory and Supervisors Diane Dillon, Alfredo Pedroza, Belia Ramos and Wagenknecht voting yes.

- C. Appointment of a member of the Board of Supervisors to serve on the CASA Legislative Task Force.

Deputy County Executive Officer Molly Rattigan made presentation.

Held discussion.

Motion by Diane Dillon, Second by Brad Wagenknecht, to appoint Chair Ryan Gregory to the CASA Legislative Task Force. Motion passed 5 – 0 with Chair Ryan Gregory and Supervisors Diane Dillon, Alfredo Pedroza, Belia Ramos and Brad Wagenknecht voting yes.

(PLEASE NOTE: THIS ITEM WAS ADDED AS A SUPPLEMENTAL AGENDA ITEM ON FRIDAY, MARCH 8, 2019 AT 5:14 PM).

11. LEGISLATIVE ITEMS

None.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Supervisor Brad Wagenknecht reported on the California Medical Services Program.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

None.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

15. CLOSED SESSION

A. 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

Adjourn to the Board of Supervisors Regular Meeting, Tuesday, March 19, 2019 at 9:00 a.m.

RYAN GREGORY, Chair

ATTEST:

JOSE LUIS VALDEZ, Clerk of the Board