

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS



A Tradition of Stewardship
A Commitment to Service

Napa County Public Improvement Corporation
Silverado Community Services District
Monticello Public Cemetery District
In-Home Support Services Public Authority of Napa County
Lake Berryessa Resort Improvement District
Napa Berryessa Resort Improvement District
Napa County Housing Authority
Napa County Groundwater Sustainability Agency

Tuesday January 26, 2021 9:00 A.M.

Brad Wagenknecht
District 1

Ryan Gregory
District 2

Diane Dillon
District 3

Alfredo Pedroza
District 4

Belia Ramos
District 5

Minh C. Tran
County Executive Officer

Jose Luis Valdez
Clerk of the Board

Jeffrey M. Brax
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets as specified in its adopted annual calendar on Tuesdays at 9:00 A.M. in regular session at 1195 Third Street, Suite 305, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580.

The agenda is divided into three sections:

CONSENT ITEMS - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any item on the CONSENT CALENDAR will be discussed separately at the request of any person. CONSENT CALENDAR items are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the CONSENT CALENDAR, if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

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, at the time of such distribution, in the office of the Clerk of the Board of Supervisors, 1195 Third Street, Suite 305, 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.

AGENDA AVAILABLE ONLINE AT www.countyofnapa.org

This is a simultaneous meeting of the Board of Supervisors of Napa County, the Napa County Public Improvement Corporation, the Silverado Community Services District, the Monticello Public Cemetery District, the In-Home Support Services Public Authority of Napa County, the Lake Berryessa Resort Improvement District, the Napa Berryessa Resort Improvement District, the Napa County Housing Authority and the Napa County Groundwater Sustainability Agency.

The five District Supervisors also serve as the Board of Directors of the Napa County Public Improvement Corporation, Board of Trustees of the Silverado Community Services District, the Board of Trustees of the Monticello Public Cemetery District, the Members of the Board of the In-Home Support Services Public Authority of Napa County, the Members of the Board of the Lake Berryessa Resort Improvement District, the Members of the Board of the Napa Berryessa Resort Improvement District, the Board of Commissioners of the Napa County Housing Authority, and the Board of Directors of the Napa County Groundwater Sustainability Agency. Each of the foregoing entities is a separate and distinct legal entity. The Board welcomes you to attend its meetings that are generally scheduled on Tuesdays at 9:00 a.m. Your interest is encouraged and appreciated.

PLEASE NOTE: IN ACCORDANCE WITH NEW COVID-19 GUIDANCE FROM THE STATE OF CALIFORNIA AS OF 12/03/2020, IN-PERSON ATTENDANCE AT BOARD OF SUPERVISORS MEETINGS IS TEMPORARILY NOT PERMITTED. PLEASE SEE INSTRUCTIONS BELOW FOR VIRTUAL/TELEPHONIC ATTENDANCE.

How to Watch or Listen to Napa County Board of Supervisors Meetings

The Board realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Please watch or listen to the Board of Supervisors meeting in one of the following ways:

1. **Watch on your TV** - Napa Valley TV Channel 28 (programming subject to local pre-emption rules and schedules).
2. **Listen on your cell phone via Zoom** at 1-669-900-6833 then enter Meeting ID **842-343-169** once you have joined the meeting.
3. **Watch via the Internet** – view the Live Stream
 - a. via Zoom at the following link: <https://www.zoom.us/join>
then enter Meeting ID **842-343-169**.
 - b. via Granicus by clicking on the following link:
http://napa.granicus.com/ViewPublisher.php?view_id=2

4. You may submit public comment for any item that appears on the agenda, or general public comment for any item or issue that does not appear on the agenda, as follows:

Via email: send your comment to the following email address:

publiccomment@countyofnapa.org. **EMAILS WILL NOT BE READ ALOUD.**

Emails received by 8:00 AM on Tuesdays will be posted online. Emails received during board meetings will be posted *after* the meeting. All emails become part of the permanent record.

Via telephone: please call the Board of Supervisors Public Comment Line at **(707)-299-1776**.

Please mute all audio devices and do no use the speakerphone to prevent echoing.

Please provide your name and the agenda item on which you are commenting. Calls will be placed on hold and heard in the order received. These measures exceed all legal requirements for participation and public comment, including requirements imposed by the Ralph M. Brown Act and Executive Order N-29-20 and N-33-20.

1. **CALL TO ORDER; ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
4. **PRESENTATIONS AND COMMENDATIONS**
5. **DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS - SPECIAL DISTRICTS**
7. **CONSENT ITEMS**

Community Resources & Infrastructure

A. Director of Public Works requests the following:

1. Approval and authorization for the Chair to sign Amendment No. 1 to Professional Services Agreement No. 200160B with TLCD Architecture increasing the amount by \$144,980 for a new maximum amount of \$408,020 to provide continued construction support and management for the South Campus Bldgs 1A & 3 Reroofing Project, PW 20-13, 2731, 2747 Napa Valley Corporate Drive; and
2. Approval of Budget Transfer No. DPW 036 for the following (4/5 vote required):
 - a. Increase appropriations by \$308,546 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Subdivision 300000) with the use of its available fund balance to be transferred to South Campus Bldg. A, 1A & 3 Reroof Project (Fund 3000, Subdivision 3000504, Program 20023; and
 - b. Increase appropriations by \$308,546 in Program 20023 budget offset by an increase in revenue from the transfer from the ACO.

B. Director of Public Works requests approval of Budget Transfer No. DPW033 for the following (4/5 vote required):

1. Increase revenue and appropriations by \$67,301 in the Roads Operations Budget (Fund 2040, Subdivision 2040000) offset by a reimbursement from Upper Valley Waste Management Authority (UVWMA) for the purchase of four (4) midsized matrix message boards/changeable message signs; and
2. Revision of the Schedule of Approved Capital Assets in the Final Budget for Fiscal Year 2020-2021 for the establishment of four (4) new capital assets in the amount of \$67,301 for the purchase of four (4) midsized matrix message boards/changeable message signs.

C. Director of Public Works request the following:

1. Creation of a new Capital Improvement Project (CIP) within the Roads Capital Improvement Program budget (Fund 2040, Sub-Division 2040500) for the SB1- Silverado Trail Bridge over Bell Canyon Creek (Program 21031); and
2. Approval of Budget Transfer No. DPW 034 for the following (4/5 vote required):

- a. Increase appropriations by \$124,000 in the SB-1 Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Sub-Division 1220052) to transfer to Program 21031 offset by use of its available fund balance; and
- b. Increase appropriations by \$124,000 in Program 21031 budget offset by an increase in revenue from the transfer from the SB1 SRF budget.

D. Director of Public Works requests approval of the following actions related to the 2020 LNU Complex Fire at the Roads' Spanish Flat Corporation Yard (4/5 vote required):

1. Approval of Budget Transfer No. DPW035 for the purchase of replacement equipment and the design of a carport structure, that were destroyed by the 2020 LNU Complex Fire at the Roads' Spanish Flat Corporation Yard:
 - a. Increase appropriation by \$35,000 in the 2020 Napa Lightning Fires (Fund: 1000, Sub-Division: 1058006) Transfer Out Account by reclassifying Other Professional Services Account by the same amount to be transferred for seed money to fund the preliminary evaluation, design and engineering of the project at this time;
 - b. Increase appropriations by \$35,000 in Public Works Capital Improvement Program budget (Fund 3000, Sub-Division 3000550) program 21062 budget with offsetting revenue from the transfer from the 2020 Napa Lightning Fires. Increase appropriations in the 2020 Napa Lightning Fires (Fund: 1000, Sub-Division: 1058006) budget by \$250,000 with offsetting increase to the revenue by \$250,000 from partial insurance settlement and remaining \$177,080 to be reclassified from Other Professional Services Account to Transfer Out Account to be transferred to Equipment Replacement-Roads (Fund: 4100, Sub-Division: 4101000) budget;
 - c. Increase appropriations in the Equipment Replacement-Roads budget by \$427,080 with offsetting revenues from the 2020 Napa Lightning Fires budget and establishment of fixed assets in the amount of \$427,080 for the following:
 - i. John Deere Backhoe (\$135,729)
 - ii. Freightliner 114SD (\$196,099)
 - iii. Caterpillar CB34B (\$69,355)
 - iv. TrailKing TKT16U (\$17,354)
 - v. Snoway 32 Plow (\$8,543)
2. Declare certain capital asset equipment as surplus and no longer required for public use, authorize the Auditor-Controller to remove these surplus assets from the capital asset listing and authorize equipment damaged in the 2020 LNU Complex Fire, not eligible for public auction, to be disposed of accordingly at a local scrap yard;
3. Authorize Fleet Operations Manager to prepare, sign and submit all the necessary documents to Department of Motor Vehicles for the surplus-scraping and new equipment; and
4. Creation of a new Capital Improvement Project (CIP) within the Public Works Capital Improvement Program budget (Fund 3000, Sub-Division 3000550) for 2020 LNU Spanish Flat Yard (Program 21062).

- E.** Director of Public Works requests the following:
1. Approval of plans and specifications for "2020 Glass Fire Stockpiled Tree Debris Removal Project," RDS 20-45B, authorization to advertise for sealed bids, and opening of the bids at a time, date and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code; and
 2. Approval of plans and specifications for "2020 Glass Fire Tree Debris Removal Project," RDS 20-45C, authorization to advertise for sealed bids, and opening of the bids at a time, date and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.
- F.** 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, 2020 through December 31, 2020 pursuant to Resolution No. 2018-36.
- G.** Director of Public Works and County Executive Officer request the following:
1. Declare certain capital asset vehicles and equipment as surplus and no longer required for public use;
 2. Authorize the Auditor-Controller to remove these surplus assets from the capital asset listing; and
 3. Authorize the sale of capital asset surplus vehicles and equipment at public auction (4/5 vote required).

General Admin & Finance

- H.** Chief Information Officer requests approval of and authorization for the Chair to sign an Agreement with Pictometry International Corporation for a maximum of \$182,355 for the term January 26, 2020 through December 31, 2022 to provide aerial photography services.
- I.** 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.
- J.** Interim Director of Human Resources and Director of Health and Human Services Agency request the adoption of a resolution amending the Departmental Allocation List for the Public Health Division of the Health and Human Services Agency, as follows, effective January 26, 2021 with terms expiring October 31, 2022, no net increase in full-time equivalents, and no increase to the County General Fund:
1. Deleting one 1.0 FTE Public Health Nurse (Limited Term);
 2. Deleting one 1.0 FTE Licensed Vocational Nurse (Limited Term);

- 3. Adding one 1.0 FTE Epidemiologist (Limited Term); and
- 4. Adding one 1.0 FTE Staff Services Analyst I/II (Limited Term).

K. Interim Director of Human Resources and Napa County Sheriff request adoption of a resolution amending the Departmental Allocation List for the Sheriff's Office by deleting one 1.0 FTE Administrative Secretary I*, and adding on 1.0 FTE Administrative Secretary II - Confidential, effective February 6, 2021, with no net increase in full-time equivalents, and a slight impact to the County General Fund.

*Subsequent deletion after a competitive internal selection process to fill the requested position.

L. Interim Director of Human Resources requests adoption of a resolution amending Napa County Policy Manual Part I: Section 37, retroactive to October 1, 2020 implementing prior agreements as a result of the 2019 negotiations which included an Education Incentive Program for Deputy Sheriff's Association (DSA) bargaining unit members.

M. Treasurer-Tax Collector requests the Board adopt of a resolution amending the makeup of the Treasury Oversight Committee (TOC), last amended by Napa County Resolution 2014-121, and direct the Treasurer-Tax Collector to include a cross reference in the TOC bylaws.

N. County Executive Officer requests consideration of the following applicant for reappointment on the Napa County Law Library Board of Trustees with the terms of office to commence immediately and expire December 31, 2021.

<u>Name</u>	<u>District</u>	<u>Representing</u>
James V. Jones	4	Trustee for the Board of Supervisors

O. County Executive Officer requests reappointment of the following applicant to serve on the Napa County Library Commission with terms to commence immediately and expire January 31, 2024:

<u>Name</u>	<u>Representing</u>
Halley Lauer	Napa County

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS

9. PUBLIC COMMENT

10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS

11. ADMINISTRATIVE ITEMSGeneral Admin & Finance

- A. Auditor-Controller to present and request acceptance of the Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2020.

- B. County Executive Officer and Auditor-Controller requests the following actions regarding the COVID-19 pandemic, the Hennessey Fire, and the Glass Fire:
 - 1. Staff will provide an update on the impacts on County revenue and expenses; and
 - 2. Approval of Budget Transfer No. CEO016 increasing appropriations by \$3,000,000, offset by a transfer from General Reserves for the 2020 COVID-19 budget. (4/5 vote required)

- C. County Executive Officer will provide a report on a possible campaign contribution limits ordinance and seek direction from the Board.

12. SET MATTERS OR PUBLIC HEARINGS - SPECIAL DISTRICTS**13. SET MATTERS OR PUBLIC HEARINGS****A. 9:00 AM**

Presentation by Dr. Karen Relucio, the County's Public Health Officer and discussion regarding the Coronavirus (COVID-19) situation, for Board direction and possible action.

B. 11:30 PM

County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal regarding an appeal filed by Robert Barbarick on behalf of Balloons Above The Valley to a decision by the Napa County Planning Commission to deny Use Permit No.P19-00303 regarding a hot air balloon launching and related activities on the property located at 5360 Washington Street, Napa, California, APN: 036-130-029.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

(CONTINUED FROM JANUARY 12, 2021)

C. 1:30 PM PUBLIC HEARING

The hearing for this matter was originally scheduled for May 19, 2020 to satisfy the ninety day scheduling deadline in the appeals ordinance, and continued to September 1, 2020. At the September 1, 2020 hearing, the matter was continued, at the applicant's request, to November 10, 2020 because of the LNU Fire Complex and ongoing challenges presented by the COVID-19 pandemic. Due to a scheduling conflict, the item was continued from November 10, 2020 to January 26, 2021, at the request of staff.

Consideration and possible direction regarding appeals filed by Patricia Damery, c/o Kathy Felch (Appellant Damery), and George and Jeff Atlas and Paul Rowe, c/o Kevin Block (Appellant Atlas and Rowe), to a decision by the Planning Commission on February 5, 2020 to approve (5:0– AYES: Gallagher, Whitmer, Hansen, Mazotti, Cottrell) an application submitted by Anthem Winery and Vineyards, c/o Justin H. Arbuckle and Julie A. Arbuckle, Trustees of the Arbuckle Family Trust May 5, 2006 (Applicant) for approval of a Use Permit Major Modification (P14-00320-MOD) for an existing 30,000 gallon winery permit to allow the following: (a) the construction of a new 10,388 sq. ft. winery facility that includes a 1,508 sq. ft. tasting room, a 1,724 sq. ft. office, catering and conference room, and approximately 4,600 sq. ft. of outdoor marketing areas; (b) the development of 29,053 sq. ft. of caves including the on-site placement and storage of spoils; (c) an increase in on-site parking from two spaces to 22 spaces; (d) the development of winery support facilities (water tanks, septic system, and rainwater harvesting and winery process water recycling and reuse systems); (e) an increase in the number of employees from one part-time employee to seven full-time and five part-time employees; (f) a change in the winery's hours of operation from 9:00 AM to 5:00 PM Monday through Sunday to 8:00 AM to 8:00 PM Monday through Sunday (production hours) and 10:00 AM to 6:00 PM Monday through Sunday (visitation hours), and marketing events 11:00 AM to 10:00 PM Monday through Sunday; (g) a marketing plan that includes daily tours and tastings by appointment with a maximum of 170 visitors per week during the Summer/Fall Season (April 1 through November 15) and a maximum of 120 visitors per week during the Winter/Spring Season (November 16 through March 31), and 23 annual marketing events (20 30-person events, two 50-person events, and one 100-person event) resulting in a maximum of 7,623 annual visitors, and on-site consumption of wine produced on-site; and (h) the reconfiguration of an existing access driveway including the construction of a clear span bridge and approximately 650 feet of new driveway to provide adequate access to the winery (hereafter referred to as the Project). The Project also includes an Exception to the Napa County Road and Street Standards (RSS) for reduced commercial driveway widths and for road grades exceeding 18%, a viewshed request and an Agricultural Erosion Control Plan (ECPA) for the installation and maintenance of approximately 1.19 acres of new vineyard. The Project would be completed in three phases: Phase I includes construction of the driveway, parking, septic system, production structures (Fermentation Buildings and Bottling Room), outdoor tasting area, and the cave water storage tanks; Phase II includes construction of the remainder of the caves; and Phase III includes construction of the tasting room and the office/catering/conference room building. The Project is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: i) the "Winery Parcel" (3454 Redwood Road, APN 035-470-046), an approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the "Access Parcel" (3123 Dry Creek Road, APN 035-460-038), an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road (or approximately 0.4 miles north of its intersection with Linda Vista Avenue). Access to the winery is proposed from Dry Creek Road.

(CONTINUED FROM MAY 19, SEPTEMBER 1, AND NOVEMBER 10, 2020).

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed Project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area(s) Biological Resources, Geology and Soils, and Noise. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

14. LEGISLATIVE ITEMS

15. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

16. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

17. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

18. CLOSED SESSION

19. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, FEBRUARY 2, 2021 AT 9:00 A.M.

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON FRIDAY, JANUARY 22, 2021 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Jose Luis Valdez (By e-signature)

JOSE LUIS VALDEZ, Clerk of the Board