



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday October 30, 2018 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.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the rostrum and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board.

AGENDA AVAILABLE ONLINE AT www.countyofnapa.org

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**

Human Services

- A. Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 7 to Agreement No. 170374B with The Center for Common Concerns, Inc., increasing the amount by \$87,838 for a new maximum of \$186,632, incorporating Addenda to the Scope of Work and Compensation exhibits to provide consultation services and assistance in the development of grant applications for submission to the U.S. Department of Housing and Urban Development.
- B. Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Catholic Charities of the Diocese of Santa Rosa, for a maximum of \$155,250 for the term October 30, 2018 through December 31, 2020 to provide medical respite care for homeless clients of County's Whole Person Care Pilot Program.
- C. Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign certification statements for the California Children's Services (CCS) program and the Child Health and Disability Prevention (CHDP) program, confirming the County's agreement to comply with all applicable provisions of state and federal laws governing these programs.
- D. Interim Director of Health and Human Services requests adoption of a resolution authorizing application for the 2018 California Emergency Solutions and Housing grant program.
- E. Interim Director of Health and Human Services requests adoption of the proposed resolution and Board approval of Napa County's Mental Health Services Act (MHSA) Fiscal Year 2018-2019 Annual Update to the Three Year Plan for Fiscal Year 2017-2018 to Fiscal Year 2019-2020, which is necessary prior to submission to the California Mental Health Oversight and Accountability Commission.

Community Resources & Infrastructure

- F. Director of Planning, Building, and Environmental Services requests authorization to extend Subdivision Agreement No. 4105 with Barrel Ten Quarter Circle Land Company to October 31, 2019 for required public roadway improvements.
- G. Director of Public Works requests approval of Budget Transfer No. DPW011 appropriating \$8,306,926 in the Measure A-Unincorporated Special Revenue Fund budget (Fund 2440, Subdivision 1220060) from available fund balance to be transferred to various previously approved projects in the Public Works Projects Budget (Fund 1000, Subdivision 1220500). (4/5 vote required)
- H. Director of Public Works requests the following:
1. Approval of a Contract Change Order to the Milton Road Flapgate Project, PW 18-21 construction contract with Harbor Offshore, Inc. for a maximum not to exceed amount of \$188,598 for fabrication and installation of a sleeve insert to facilitate replacement of the existing culvert flapgates and repair of a scour hole, and authorization for the Director of Public Works to sign the change order;
 2. Board adoption of the findings that changed conditions exist and public bidding would not produce an advantage and would be inappropriate, impractical, and not in the County's best interest due to the specific circumstances; and
 3. Approval of Budget Transfer No. DPW012 for the following (4/5 vote required):
 - a. Increasing appropriation by \$220,000 in the Roads Operations Budget (Fund 2040, Sub-Division 2040000) offset by the use of its available fund balance; and
 - b. Increase appropriation by \$220,000 in the Program 18026 budget within the Road Capital Improvement Project budget (Fund 2040, Sub-Division 2040500) with offsetting revenues from the Roads Operations budget.
- I. Director of Public Works requests adoption of the following resolutions authorizing the Public Works Director or designee to sign California Department of Transportation (Caltrans) Program Supplement Agreements administering Agency-State Agreement No 04-5921F15 for the 2017 Storm Repairs projects:
1. Resolution authorizing No. 045-F - Berryessa Knoxville Road MPM 4.4, RDS 17-27- Retaining Wall, DAF # PMP-NAPCO-006-0, Federal Aid Project Number: EO ER 17-2-32L0(348);
 2. Resolution authorizing No. 046-F Silverado Trail MPM 18.04, RDS 18-17 – Retaining Wall, DAF # PMP-NAPCO- 001-0, Federal Aid Project Number: EO ER 17-2-32L0(347);
 3. Resolution authorizing No. 047-F Wooden Valley Road MPM 2.75, RDS 17-26 – Retaining Wall, DAF # PMP-NAPCO-005-0, Federal Aid Project Number: EO ER 17-2-32L0(423);
 4. Resolution authorizing No. 048-F Howell Mountain Road MPM 3.62, RDS 17-25 – Retaining Wall, DAF # PMP-NAPCO-002-0, Federal Aid Project Number: EO ER 17-2-32L0(422);
 5. Resolution authorizing No. 049-F Wooden Valley Road MPM 3.1, RDS 17-37 – Guardrail, DAF # PMP-NAPCO-008-0, Federal Aid Project Number: EO ER 17-2-32L0(349);
 6. Resolution authorizing No. 050-F Pope Canyon Road MPM 7.2, RDS 18-18 – Retaining Wall, DAF #PMP-NAPCO-003-0, Federal Project Number: EO ER 17-2-32L0(419);
 7. Resolution authorizing No. 051-F Wooden Valley Road MPM 3.0, RDS 17-35 – Bank Repair, DAF # PMP-NAPCO-004-0, Federal Aid Project Number: EO ER 17-2-32L0(420); and
 8. Resolution authorizing No. 052-F Wooden Valley Road MPM 2.5, RDS 17-36– Pavement Repair, DAF # PMP-NAPCO-007-0, Federal Aid Project Number: EO ER 17-2-32L0(421).

General Admin & Finance

- J. Auditor-Controller requests authorization to process an Assessor Division reduction in assessed value in excess of the \$10,000,000 limit set forth in Resolution No. 2013-137 pursuant to Revenue and Taxation Code Section 4831.5 for APN 995-133-915 in the amount of \$14,250,000 for structural improvements with a corresponding increase for the same amount to the new owner, and the net effect will be revenue neutral.
- K. County Counsel requests approval of and authorization for the Chair to sign an agreement with the Renne Public Law Group ("Attorneys") for the term of October 18, 2018 through June 30, 2019, subject to two additional years of automatic renewals if required for further services until resolution of the litigation, for a maximum of \$150,000 to provide specialized litigation services in two related lawsuits brought in state and federal court to challenge the constitutionality of Measure D.
- L. Director of Human Resources requests the adoption of a resolution allowing Napa County to enter into an agreement with the California Public Employees' Retirement System (CalPERS) to provide medical benefits to NonPERS elected officers effective January 1, 2019.
- M. County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170115B-17 with Shred-it, Inc. increasing the annual amount by \$30,000 for a new maximum of \$65,000 for confidential material shredding and disposal.
- N. County Executive Officer requests adoption of a resolution, pursuant to Section 9314 of the Public Resources Code, appointing Gretchen Stranzl McCann, Jim Lincoln, and Beth Painter to the Napa County Resource Conservation District (RCD) Board of Directors in lieu of holding an election, with the terms of office to commence on November 30, 2018 and expire at noon on Friday, November 25, 2022 (Resolution attached).
- O. County Executive Officer requests adoption of a resolution amending the Junior Accessory Dwelling Unit Loan Program guidelines to include existing secondary structures that can be converted to accessory dwelling units as eligible for the loan program.

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**8. PUBLIC COMMENT**

In this time period, anyone may address the Board of Supervisors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

9. SET MATTERS OR PUBLIC HEARINGS**A. 9:05 AM PUBLIC HEARING**

Interim Director of Health and Human Services requests the Board conduct a public hearing and consider adoption of a resolution establishing a revised Emergency Medical Agency Services fee schedule for Fiscal Year 2018-2019 and amend Part III: Fees, Part 120, Section 120.050 of the Napa County Policy Manual, "Fees for Services Provided by County Departments and Agencies."

B. 9:15 AM PUBLIC HEARING

Director of Planning, Building and Environmental Services and County Counsel request that the Board take public comment and provide direction to staff on the proposed terms of a proposed Development Agreement between the County and GF Carneros Inn, LLC, GF Carneros Tenant, LLC, and Carneros Inn Mutual Water Company (Applicant). The Development Agreement is being processed concurrently with the Applicant's pending request to modify the Carneros Inn Resort's Use Permit. The Applicant has proposed connecting the Carneros Inn Mutual Water Supply Company to the Congress Valley Water District's municipal water system, to provide water for the Resort, so that the Resort can fully comply with the water supply permit issued by the Environmental Health Division to secure a reliable source for potable water.

The project site is located at 4048 Sonoma Highway, Napa, California on approximately 23.83 acres, exclusive of the 24 home sites. The project site is located on the north side of Sonoma Highway approximately opposite Los Carneros Avenue, within the Commercial Limited and Agricultural Watershed Zoning Districts (APN's: 047-110-003, 047-110-027, 047-110-028, and 047-110-062).

C. 9:30 AM

Recess to the Napa County Housing Authority (NCHA) special meeting (see NCHA Agenda).

10. ADMINISTRATIVE ITEMS**Community Resources & Infrastructure**

- A.** Director of Planning, Building, and Environmental Services requests discussion and direction regarding commencing potential zoning ordinance changes to the Viewshed Protection Program and limiting total development area for residential development within agricultural zoning districts.
- B.** Director of Planning, Building and Environmental Services requests adoption of a resolution providing direction to County staff regarding the County code compliance program; annual winery production and grape source reports; and regulation and permitting of temporary events.

General Admin & Finance

- C. County Executive Officer requests discussion and possible direction to staff regarding proposed updates to the Local Agency Formation Commission's (LAFCO) Sphere of Influence (SOI) Policy.
- D. County Executive Officer and Clerk of the Board request acceptance of the 2019 Board of Supervisors meeting calendar.
- E. County Executive Officer requests that the Board
1. Receive an annual report on the unfunded liability associated with Other Post-Employment Benefits (OPEB);
 2. Receive an update on the unfunded liability associated with California Public Employees' Retirement System (CalPERS) pensions;
 3. Adopt a Resolution establishing a Pension Trust administered by Public Agency Retirement Services (PARS) and appointing the County Executive Officer as the Plan Administrator;
 4. Authorize the cancellation of the General Fund Assignment for future pension contributions of \$4,271,020 (4/5 vote required);
 5. Approve a Budget Transfer No. CE0003 increasing appropriations in the General Expenditure Budget (10510) Retirement (51600), by \$4,271,020, offset by available fund balance (4/5 vote required);
 6. Direct staff to initiate process to move OPEB funds, currently with the CalPERS California Employers' Retiree Benefit Trust (CERBT) plan to the PARS plan; and
 7. Adopt Napa County Policy for 115 Trust administration.
- F. County Executive Officer will provide a report on pending future agenda items and seek direction from the Board for each item.

11. LEGISLATIVE ITEMS**12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS****13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS****14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS**

15. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9)

Name of case: Napa County v. John Alex Bremer and Laura Joyce Bremer, Trustees of the Bremer Family 1995 Living Trust, Bremer Group, LLC, Napa County Superior Court #17CV000884.

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

16. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, NOVEMBER 13, 2018
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, OCTOBER 26, 2018 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