



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday November 10, 2020 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](http://www.countyofnapa.org)**

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

**IN-PERSON ATTENDEES MUST WEAR A FACE MASK COVERING THE NOSE AND MOUTH INSIDE THE BOARD CHAMBERS AT ALL TIMES.**

The Napa County Board of Supervisors will continue to meet pursuant to the adopted 2020 calendar available at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/16790/2020-Board-of-Supervisors-Calendar-PDF>

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](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](mailto: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. Hold time is limited to 20 minutes per caller.

The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order N-29-20 and N-33-20. For more information, please call at (707)-253-4421 or email [clerkoftheboard@countyofnapa.org](mailto:clerkoftheboard@countyofnapa.org).

**1. CALL TO ORDER; ROLL CALL****2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES****A.** Clerk of the Board requests approval of minutes from the following meetings:

1. Regular Meeting of Tuesday, April 7, 2020;
2. Regular Meeting of Tuesday, April 14, 2020;
3. Regular Meeting of Tuesday, April 21, 2020;
4. Regular Meeting of Tuesday, May 5, 2020;
5. Regular Meeting of Tuesday, May 12, 2020;
6. Special Meeting of Tuesday, May 14, 2020; and
7. Regular Meeting of Tuesday, May 19, 2020.

**4. PRESENTATIONS AND COMMENDATIONS****5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS****6. CONSENT ITEMS**Law & Justice

- A.** District Attorney and Auditor-Controller request the Board accept and instruct the Clerk of the Board to file the Audit Reports for the Napa County District Attorney's Office Automobile Insurance Fraud and Workers' Compensation Insurance Fraud Grant Programs awarded by the California Department of Insurance for the fiscal year ended June 30, 2020.
- B.** District Attorney requests authorization for the Chair to sign Amendment No. 4 to Agreement 170972B with NEWS to increase maximum compensation to \$94,000 and to extend the term of the agreement to December 31, 2021 for administration of victim assistance flexible funding provided under a Victim Services Program grant subaward with the California Office of Emergency Services.
- C.** District Attorney requests approval of and authorization for the Chair to sign:
  1. Amendment No. 1 to Agreement 190340B with Aldea Children and Family Services for provision of space, staffing and operations of the County's Monarch Resource Community, to increase the maximum compensation to the amount of \$230,000 and to extend the term June 1, 2019 through March 31, 2021, when the agreement will expire; and
  2. Amendment No. 1 to Agreement 200069B with NEWS for the provision of consultants, advocates and operations of the County's Monarch Resource Community, to decrease the maximum compensation to the amount of \$102,000 and to extend the term July 1, 2019 through March 31, 2021, when the agreement will expire.

Public Safety

- D. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Napa Roots for a maximum of \$50,000 for the term August October 1, 2020 through June 30, 2021, with an automatic renewal provision, to provide defensible space for properties that do not comply with the fire hazard abatement ordinance.
- E. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Forest Technology Systems Ltd (FTS) for a maximum of \$2,495 for the term October 15, 2020 through June 30, 2021 with an automatic renewal provision to provide services to maintain the Remote Access Weather Station (RAWS) deployed on Atlas Peak.
- F. Director of Corrections requests the Board accept and instruct the Clerk of the Board to file the letter of expenditures of the Inmate Welfare Fund for Fiscal Year 2019-2020.

Community Resources & Infrastructure

- G. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign an agreement with A Better Place to Go dba Johnny on the Spot for a maximum amount of \$1,000 for the term November 1, 2020 through June 30, 2021 with an automatic renewal option up to three years to provide portable restrooms and hand washing stations for container recycling events.
- H. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement 130004B with ESA PWA, increasing the maximum compensation by \$384,485 for a new maximum of \$4,652,235 and amending the scope for the purpose of providing additional archeological data recovery and interagency permit coordination for Group D of the Napa River Restoration Oakville to Oak Knoll (OVOK) Project, as well as hydraulic analysis required to submit a Letter of Map Revision (LOMR) application.
- I. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 170216B with Johnson Control Fire Protection, L.P. (formerly Tyco Fire & Security Management, Inc., DBA SimplexGrinnell, L.P.) to:
  - a. Increase compensation for routine fire system inspection and testing by \$9,382 for a new annual maximum of \$47,550 due to adding routine services for the Re-entry Facility and Airport, and;
  - b. Increase compensation for non-routine services, which includes 5-year inspections, maintenance, repair and emergency services, by \$50,000 for a new annual maximum of \$65,000.

- J.** Director of Public Works requests the following:
1. Approval of and authorization for the Chair to sign Amendment No.2 to Agreement No. 200304B with ADKO Engineering increasing maximum compensation by \$30,346 for Mt. Veeder Road Bridge MPM 2.13, RDS 20-26 for a new maximum of \$101,389 for additional construction support and increasing maximum compensation by \$18,000 for Buhman Road Bridge, RDS 20-25 for a new maximum of \$239,483 for Right of Way acquisition services, for a new accumulated total of \$340,872; and
  2. Approval of Budget Transfer No. DPW019 for the following (4/5 vote required):
    - a. Increase appropriations by \$48,347 in the SB-1 Non-Operating Special Revenue Fund (Fund 2440, Sub-Division 1220052) with the use of its available fund balance to be transferred to Programs 20035 and 20037;
    - b. Increase appropriations by \$18,000 in Program 20035 (SB-1-Buhman Road Bridge Project) budget offset by an increase in revenue from the transfer from the SB-1 Non-Operating Special Revenue Fund; and
    - c. Increase appropriations by \$30,347 in Program 20037 (SB-1-Mt. Veeder Road Bridge MPM2.13 Project) budget offset by an increase in revenue from the transfer from the SB-1 Non-Operating Special Revenue Fund.
- K.** Director of Public Works requests approval of the following actions:
1. Approval of and authorization for the Chair to sign Amendment No. 1 to agreement 210082B with Willdan Engineering, increasing maximum compensation to \$24,000, to provide additional traffic engineering services for the preparation of the Highway Safety Improvement Project (HSIP) Cycle 10 grant applications; and
  2. Budget Transfer No. DPW021 for the following (4/5 vote required):
    - a. Increase appropriations by \$2,000 in the SB-1 Non-Operating Special Revenue Fund (Fund 2440, Sub-Division 1220052) to transfer to Program 21023 budget by use of its available fund balance; and
    - b. Increase appropriations by \$2,000 in Program 21023 budget offset by an increase in revenue from the transfer from the SB-1 Non Operating Special Revenue Fund budget.

#### General Admin & Finance

- L.** Auditor-Controller requests the Board to accept and instruct the Clerk of the Board to file the quarterly report of donations received for the quarter ended September 30, 2020, including acceptance of donations totaling \$4,010.47 received by the Auditor-Controller on behalf of the Animal Shelter.
- M.** Auditor-Controller requests acceptance of various donations by individuals or organizations given to Napa County for the response to the 2019 Coronavirus, 2020 Napa Lightning Complex and 2020 Glass Fire.

- N.** County Counsel requests that the Board appoint in lieu of election the qualified candidates to the following special district boards in which the number of candidates did not exceed the number of positions up for election:
1. Appoint to the governing board of the Los Carneros Water District those individuals named in the Certificate of Facts for the terms specified pursuant to California Election Code section 10515;
  2. Appoint to the governing board of the Circle Oaks County Water District those individuals named in the Certificate of Facts for the terms specified pursuant to California Election Code section 10515;
  3. Appoint to the governing board of the Spanish Flat Water District that individual named in the Certificate of Facts for the term specified pursuant to California Election Code section 10515; and
  4. Appoint to the governing board of Napa River Reclamation District those individuals named in the Certificate of Facts for the terms specified pursuant to California Water Code section 50742.
- O.** County Executive Officer/Director of Emergency Services requests approval of and authorization for the Chair to sign an Information Sharing Access Agreement (ISAA) with the Department of Homeland Security/Federal Emergency Management Agency which shall be effective upon signature of both parties and will remain in effect for three years to provide access to data on Napa County disaster assistance applicants.
- P.** County Executive Officer/Director of Emergency Services requests adoption of a resolution to approve the updated Napa County Emergency Operations Plan as the current official emergency operations plan for Napa County.
- Q.** Chief Information Officer requests approval of and authorization for the Chair to sign an agreement with Arctic Wolf Networks, Inc., for a maximum of \$720,971 for the term of November 20, 2020 through November 19, 2023 for a subscription-based service to manage and monitor logs, devices, clouds, network and assets for internal IT teams.
- R.** Chief Information Officer requests approval of an Enterprise Agreement with Microsoft Corporation for a maximum of \$1,834,705 for the term November 1, 2020 through October 31, 2023 for the County to enroll in the Microsoft Enterprise License.
- S.** Director of Housing and Homeless Services requests adoption of a resolution consenting to, adopting, and ratifying the terms and conditions relating to the 2020 Emergency Solutions Grant-COVID 19 Round 2 allocation in an amount not to exceed \$500,000 which provides funding for housing and homeless services programs.

**T.** Director of Human Resources and County Executive Officer (CEO) request adoption of a resolution amending the Table and Index of Classes and the Departmental Allocation List, as follows, effective November 10, 2020, with a net increase of six full-time equivalents, and a slight impact to the County General Fund for the continued response to COVID-19 pandemic:

1. Amend the Table and Index of Classes by adding Assistant Shelter Manager (MC);
2. Amend the Departmental Allocation List for the Housing and Homeless Services Division of the CEO's Office by adding five 1.0 FTE Facility Superintendents (Limited Term)\*; and
3. Amend the Departmental Allocation List for the Central Services Division of the CEO's Office by adding one 1.0 FTE Buyer I/II (Limited Term)\*.

\*All positions limited term through November 9, 2022.

**U.** Director of Human Resources requests the adoption of a resolution correcting Schedule D - Transferred Positions List, tied to Resolution No. 2020-88, where the transfer of a Natural Resources Conservation Manager was incorrectly captured as a Planner II/III in the Fiscal Year 2020/2021 Adopted Budget, effective June 27, 2020, as outlined in Exhibits "A" and "B," with no impact to the County General Fund.

**V.** County Executive Officer requests reappointment of the following incumbents to the Napa County Arts and Culture Advisory Committee with terms to commence immediately and expire September 30, 2023:

<u>Name</u>	<u>Representing</u>
Andrea Marie Saenz Williams	Education of Arts and Culture
David Ruane	Youth Arts

\*Recommended by the Arts and Culture Advisory Committee

**W.** County Executive Officer requests reappointment of the following applicants to serve on the Napa County Assessment Appeals Board with terms to commence immediately and expire September 7, 2023:

<u>Name</u>	<u>Representing</u>
Conrad Hewitt	Certified Public Accountant
Michael Murray	Certified Public Accountant/Public Accountant

- X. County Executive Officer requests the following actions regarding the Napa County Commission on Aging:
1. Appointment of Stanley Jones\* to represent District 5, with the term to commence immediately and expire September 30, 2022:
  2. Reappointment of the following applicants, with terms to commence immediately and expire September 30, 2022:

<u>Name</u>	<u>Representing</u>
Cynthia Kee	District 3
Thomas Kalbrener	Org Concerned w/ Older Adults
Betty Labastida	District 4
Angela Peatman	Org Concerned w/ Older Adults

\*Recommended by the Commission on Aging

## 7. DISCUSSION OF ITEMS PULLED FROM THE CONSENT CALENDAR

## 8. PUBLIC COMMENT

## 9. SET MATTERS OR PUBLIC HEARINGS

### A. 8:00 AM

**CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957)

Title: Director of Health & Human Services

### B. 9:15 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.

### C. 9:15 AM

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

### D. 9:20 AM

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



**E. 1:30 PM PUBLIC HEARING**

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 ("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 is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: (1) 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 (2) 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 AND SEPTEMBER 1, 2020. APPLICANT AND STAFF REQUEST A CONTINUANCE TO JANUARY 26, 2021, AT 1:30 P.M. BOTH APPELLANTS AND COUNTY STAFF ARE AVAILBLE AND SUPPORT THE REUQUEST.)**

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.

**F. 2:00 PM**

Pacific Gas & Electric representatives will provide an update on activities to date in Napa County.

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

- A.** Director of Planning, Building and Environmental Services and County Fire Chief request adoption of a resolution amending the Napa County Road and Street Standards (RSS) to comply with the emergency action by the Board of Forestry and Fire Protection (BOF) taken on July 20, 2020, regarding the applicability of its State Responsibility Area Fire Safe Regulations to the reconstruction or repair of legally constructed homes damaged by wildfire under certain conditions.
- B.** Director of Planning Building and Environmental Services requests approval of an urgency ordinance establishing requirements for the removal of fire debris from private property damaged by the LNU Lightning Complex Fire and the Glass Fire. (4/5 Vote Required)

- C. Director of Public Works requests the following actions regarding the Glass Fire which may be ordered by the County Executive Officer or Director of Public Works:
1. Receive and review report of emergency public work actions in response to the event, accomplished without competitive bidding as authorized by Resolution No. 2015-37; and
  2. Determine that based on the report from Public Works, that the emergency does not permit the delay associated with competitive bidding procedures, and that the emergency actions are necessary to respond to emergency pursuant to Public Contract Code section 22050. (4/5 Vote Required)
- D. Director of Public Works requests adoption of a resolution declaring the following County owned vacant Lake Berryessa Estates parcels as surplus to the County's needs,
1. APN 016-191-004-000 (0.49 Acres);
  2. APN 016-192-004-000 (0.43 acres);
  3. APN 016-201-001-000 (0.36 acres);
  4. APN 016-213-009-000 (0.35 acres); and
  5. APN 016-213-010-000 (0.38 acres).
- E. Director of Planning, Building, and Environmental Services (PBES) requests approval of and authorization for the Chair to sign a joint letter with the Mayor of the City of Napa to the Association of Bay Area Governments (ABAG) regarding the methodology used to calculate the Regional Housing Needs Allocation (RHNA).
- F. Director of Public Works requests approval of a revised, final form easement agreement with private property owners in support of the Napa Valley Vine Trail segments from Calistoga to Yountville.

#### General Admin & Finance

- G. Directors of Public Works and Corrections and the County Executive Officer to provide update on the Replacement Jail Project (Project).
- H. County Executive Officer and Clerk of the Board request direction and acceptance of the 2021 Board of Supervisors meeting calendar.

### **11. LEGISLATIVE ITEMS**

- A. Director of Planning, Building, and Environmental Services requests the following:
1. Adoption of a resolution amending Part I, Section 12B of the County Policy Manual, "Rebuilding After a Disaster" to provide additional regulatory flexibility to accommodate fire recovery, and amending Part I, Section 12C of the County Policy Manual, "Maintain Safe and Healthy Business Operations During the COVID-19 Pandemic" to provide additional flexibility for business owners to accommodate physical distancing;
  2. Adoption of an urgency ordinance amending Chapter 8.80 of the County Code regarding Disaster Recovery, for actions related to the Glass Fire (4/5 Vote Required); and
  3. Discussion and direction on any additional COVID-19 and/or fire recovery relief measures.

**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 REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)**

Property: Napa County Airport, Napa, California (APN 057-050-009)

Agency Negotiator: Minh C. Tran, County Executive Officer

Negotiating Parties: Napa County, Lynx FBO Enterprise, LLC, and firm to be selected through RFP AIRPA001

Under Negotiation:  Price  Terms of Payment

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, NOVEMBER 17, 2020  
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, NOVEMBER 6, 2020 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