



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday November 13, 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****A.** Clerk of the Board requests approval of minutes from the following meetings:

1. Regular Meeting of September 25, 2018 (All Supervisors were present);
2. Special Meeting of October 9, 2018 (All Supervisors were present);
3. Regular Meeting of October 9, 2018 (Supervisor Belia Ramos arrived during Item 15A and Supervisor Diane Dillon was excused*);
4. Special Meeting of October 16, 2018 (All Supervisors were present);
5. Regular Meeting of October 16, 2018 (All Supervisors were present).
6. Regular Meeting of October 23, 2018 (Supervisor Belia Ramos was excused*); and
7. Regular Meeting of October 30, 2018 (All Supervisors were present).

*Excused Supervisors will be recorded as abstained unless Supervisor indicates otherwise.

4. PRESENTATIONS AND COMMENDATIONS**A.** Director of Human Resources to introduce new County employees.**5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS****6. CONSENT ITEMS**Law & Justice

- A.** Director of Child Support Services requests authorization to sign the revised Plan of Cooperation with the California Department of Child Support Services (DCSS), at no cost, extending the term from October 1, 2018 through September 30, 2019.
- B.** District Attorney requests approval of and authorization for the Chair to sign a Certification of Assurance of Compliance document that authorizes the District Attorney to apply for and sign grant subawards with the California Office of Emergency Services for a maximum of \$400,000 for the two (2) year term of January 1, 2019 through December 31, 2020 for the Family Justice Center Program.

Public Safety

- C.** County Fire Chief requests approval of and authorization for the Chair to sign the renewal of Agreement No. 160183B with Mallory Safety & Supply LLC for a maximum of \$30,000 for the term July 1, 2018 through June 30, 2019, with an automatic two year renewal provision to provide self contained breathing apparatus (SCBA) flow testing to County owned equipment.

Human Services

- D.** Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to each of the following agreements with Abode Services, Inc. to remove Exhibit D (HIPAA Business Associate Agreement):
1. Agreement No. 190020B to provide Rapid Re-Housing services under the CalWORKs Housing Support Program for the term July 10, 2018 through June 30, 2022; and
 2. Agreement No. 190021B to provide Housing and Disability Advocacy services under the Housing and Disability Income Advocacy Program for the term July 10, 2018 through June 30, 2020.
- E.** Interim Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with Ever Well Health Systems, LLC for an annual maximum of \$200,000 for the term August 15, 2018 through June 30, 2019 and each automatic renewal thereof with the final renewal period concluding June 30, 2023 to provide adult residential care facilities for Health and Human Services Agency clients who are unable to stay in traditional board and care community placements.

Community Resources & Infrastructure

- F.** Director of Library Services and Community Outreach requests waiver of outstanding balances on library collection accounts established prior to 2014.
- G.** 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.
- H.** Director of Public Works requests the following:
1. Approval of and authorization for the Chair to sign Amendment No. 2 to Purchase And Sales Agreement No. 160123B and other documents with Michael Hegarty required for the extension of the temporary construction easement located on APN: 057-110-023 for the construction of Devlin Road Segment E, RDS 11-06 in Napa County; and
 2. Approval of Budget Transfer No. DPW013 for the following (4/5 vote required):
 - a. Increasing appropriation by \$210,000 in the Traffic Mitigation-Airport Industrial Area Non-Operating Special Revenue Fund Budget (Fund 2440, Sub-Division 1220050) offset by the use of its available fund balance; and
 - b. Increase appropriation by \$210,000 in the Program 10002, Devlin Road Segment E project budget within the Road Capital Improvement Project budget (Fund 2040, Sub-Division 2040500) with offsetting revenues from the Traffic Mitigation-Airport Industrial Area Non-Operating Special Revenue Fund Budget.

- I. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Lease Agreement No. 170064B (formerly Lease Agreement No. 7714) with James B. Duncan and Nancy A. Duncan for space located at 1834 Soscol Avenue, within the City of Napa, increasing the annual rent from \$28,092 to \$33,660 starting February 1, 2019 with annual increases each February 1st thereafter of nine (9) percent the second year and eight (8) percent the third year to better align with current market rents for the term beginning February 1, 2019 through January 31, 2022, to continue to house an Evening Reporting Center for youth.
- J. Director of Public Works requests approval of and authorization for the Chair to sign the following with Vanir Construction Management Inc. regarding the Napa County Re-entry Facility and the Napa County Replacement Jail projects:
1. Amendment No. 2 to Agreement No. 170850B increasing the amount by \$35,141 for a new maximum of \$254,864 for construction management, inspection and associated services for off-site utilities construction; and
 2. Amendment No. 2 to Agreement No. 170851B increasing the amount by \$71,345 for a new maximum of \$777,445 for construction management, inspection and associated services for the Napa County Re-entry Facility.
- K. Director of Public Works requests approval of and authorization for the Chair to sign a reciprocal agreement with the County of Solano from the date of signature through June 30, 2021, or until terminated by either jurisdiction, for the Counties to provide County Surveyor services for each other pursuant to the Government Code pertaining to certification of Recorded Maps and documents.

General Admin & Finance

- L. Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file a report on Community Facilities Districts 2012-1 (MST) and 2013-1 (Devlin Road) in compliance with Section 50075.1 of the California Government Code.
- M. Auditor-Controller requests the Board accept and instruct the Clerk of the Board to file the quarterly report of donations received for the quarter ended September 30, 2018 including acceptance of donations totaling \$2,158.50 received by the Auditor-Controller on behalf of the Animal Shelter.
- N. Director of Human Resources and Interim 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 no net increase in full-time equivalents, and no increase to the County General Fund.

- O.** County Executive Office and Risk/Emergency Services Manager request approval of and authorization for the Chair to sign the following Memoranda of Understanding to provide services during emergencies:
1. Crosswalk Community Church for assistance with Shelter Operations;
 2. Lake Berryessa Senior Center for assistance with Shelter Operations; and
 3. Napa Community Animal Response Team for assistance with large animal rescue.
- P.** County Executive Officer/Director of Emergency Services requests approval of and authorization for the Chair to sign an agreement with Dynamic Planning & Science, for a maximum amount of \$74,585 for the term of October 1, 2018 through September 1, 2019 to update the Napa Operational Area Hazard Mitigation Plan as required by the Disaster Mitigation Act of 2000.
- Q.** County Executive Officer requests approval of Budget Transfer No. CEO004 in the Affordable Housing Fund as follows (4/5 vote required):
1. Increasing appropriations in the Worker Proximity subdivision by \$106,500 to issue new down payment assistance loans using funds paid back and equity earned through the program;
 2. Increasing appropriations in the Affordable Housing Projects subdivision by \$650,000 for the Redwood Grove project using \$352,000 in available fund balance from a project loan repaid from The Reserve at the end of Fiscal Year 2017-2018 and \$298,000 from the Affordable Housing Fund General Fund Balance; and
 3. Adoption of a resolution reserving an additional \$650,000 in Affordable Housing Funds for the Redwood Grove project in Napa and authorizing the Chair to sign all related loan documents with Burbank Housing.
- R.** County Executive Officer requests appointment of the following applicant to the First 5 Napa County Children and Families Commission with the term of office to commence immediately and expire January 1, 2019:

<u>Name</u>	<u>Representing</u>
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Kecia Lind	Category C - Member
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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. 9:15 AM**

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

B. 9:20 AM

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

C. 9:35 AM PUBLIC HEARING

Director of Planning, Building, and Environmental Services requests the adoption of a resolution increasing rates by 10% effective January 1, 2019 for solid waste collection and disposal services in Garbage Zone Two, located generally in the unincorporated area of Lake Berryessa, in conformance with Agreement No. 7996 between the County of Napa and Berryessa Garbage Services, Inc.

D. 9:50 AM PUBLIC HEARING

Interim Director of Health and Human Services requests adoption of a resolution establishing a revised Mental Health Services fee schedule and amend Section III, Part 120.200 of the Napa County Policy Manual, "Fees for Services Provided by County Departments and Agencies."

E. 10:30 AM PUBLIC HEARING

Director of Planning, Building, and Environmental Services recommends adoption of an interim ordinance extending a temporary moratorium on commercial cannabis activities within the unincorporated area of Napa County and declaring the urgency thereof.

F. 1:30 PM

Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) meeting (see NCFCWCD Agenda).

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

- A. Director of Public Works requests discussion and possible approval and authorization for the Chair to sign a Memorandum of Understanding to become members in the North Bay Watershed Association.

General Admin & Finance

- B.** Director of Human Resources requests adoption of a resolution creating a policy in Napa County Policy Manual, Part I: Section 37CC, Veterans Preference Policy, effective November 13, 2018, with no increase to full-time equivalents, and no impact on the County General Fund.
- C.** County Executive Officer and Chief Information Officer request the following actions regarding fiber infrastructure:
1. Receive an update of North Bay/North Coast Broadband Consortium work for the 2017/2018 work-years; and
 2. A waiver of competitive bidding requirements and sole source award of a contract to Magellan Advisors for engineering assessment services, pursuant to Napa County Code Section 2.36.090;
 3. Approval of and authorization for the Chair to sign a Professional Services Agreement with Magellan Advisors for a maximum of \$100,250 for the term October 30, 2018 through June 30, 2020 for engineering assessment.
- D.** County Executive Officer recommends the appointment of a Representative and an Alternate to the Oversight Board of the Area Agency on Aging Serving Napa and Solano (AAA) with the term of office to commence immediately for a four year term with an expiration date of December 31, 2022.

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 - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:
(One case)

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

Name of case: Napa County v. PG&E Corporation et al., Napa County Superior Court Case No. 18CV00238; San Francisco County Superior Court, Judicial Council Coordination Proceeding No. 4955 (California North Bay Fire Cases)

C. 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

D. 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.

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, DECEMBER 4, 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, NOVEMBER 9, 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