



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday November 22, 2016 9:00 A.M.

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Alfredo Pedroza
District 4

Keith Caldwell
District 5

Leanne Link
County Executive Officer

Gladys I. Coil, CCB
Clerk of the Board

Minh Tran
County Counsel

GENERAL INFORMATION

The Board of Supervisors meets each Tuesday 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 regular and special meetings of October 18 and 25, 2016 (all Members were present).

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

- A. Chief Probation Officer requests the following actions:

1. Approval to create a new sub-division to track funds allocated by the State to address the limited-term increase of offenders on Post Release Community Supervision; and
2. Approval of Budget Transfer No. PRO001 increasing appropriations by \$133,250 with offsetting revenue of \$92,250 from the CEO-Local Community Corrections Special Revenue Fund and \$41,000 from the Probation Department's General Fund operating budget. (4/5 vote required)

Public Safety

- B. Director of Corrections requests the following related to the purchase of a chopper pump:

1. Approval of Budget Transfer No. COR001 transferring \$10,421 from Services and Supplies accounts to Equipment account within the Corrections budget unit and establishing a fixed asset in the amount of \$10,421 for a chopper pump (4/5 vote required); and
2. A waiver of competitive bidding requirements and sole source award for the purchase of Flygt Submersible Chopper Pump from Xylem Water Solutions USA, Inc., Fairfield, CA, for a total of \$10,421 pursuant to County Ordinance Code 2.36.090.

- C. Director of Corrections requests approval of Budget Transfer No. COR002 transferring \$57,307 from Services and Supplies accounts to Equipment account within the Corrections budget unit and establishing two fixed assets in the amounts of \$42,240 and \$30,067 for two commercial freezer units (4/5 vote required).

Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 6 to Agreement No. 7774 with The Center for Common Concerns, Inc., to rescind Specific Terms and Conditions 3.4 provision that limits the number of automatic renewals, incorporate Addendum 6 to the Scope of Work (Exhibit A), and incorporate Addendum 6 to the Compensation exhibit (Exhibit B).
- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 170027B-17 with Community Action of Napa Valley, Inc. to incorporate Addendum 1 to the Compensation (Exhibit B) to provide evidence-based smoking cessation services.
- F. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with EMSystems, LLC, for a maximum of \$5,699 for the term July 1, 2016 through June 30, 2017, with a provision for annual renewal, for the use of contractor's web-based healthcare information management solutions software.
- G. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with On The Move, Inc., for an annual maximum of \$285,500 for the term July 1, 2016 through June 30, 2017, with a provision for annual renewal, to provide employment services for eligible youth in Napa County.

Community Resources & Infrastructure

- H. Director of Library Services and Community Outreach requests approval and adoption of the Library's 2017 Holiday Open/Closed Schedule.
- I. Director of Planning, Building and Environmental Services and County Fire Chief request adoption of a resolution approving the Napa County Road and Street Standards that was certified by the California Board of Forestry and Fire Protection on November 2, 2016.
- J. Director of Planning, Building and Environmental Services requests acceptance of a donation in the amount of \$6,750 from Napa River Steelhead Organization to the Napa County Wildlife Conservation Commission.
- K. Director of Planning, Building and Environmental Services and the County Fire Chief request second reading and adoption of an ordinance to adopt the 2016 California Building Standards Code (Title 24, California Code of Regulations) as promulgated and approved by the California Building Standards Commission including the amendment of various chapters of Title 15 of the Napa County Code as provided.

- L.** Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 3 to Agreement No. 140004B-17 with TLCD Architecture Inc. increasing the amount by \$113,363 for a new maximum of \$2,056,023 and amending the scope of work to include additional architectural/engineering and associated services for the South Campus Improvements Project.
- M.** Director of Public Works requests approval of and authorization for the Chairman to sign Amendment No. 1 to Agreement No. 160091B-16 with Bell Products, Inc. increasing the amount by \$50,000 for a new maximum of \$165,000 to cover needed non-routine repairs to HVAC systems throughout County properties.
- N.** Director of Public Works requests approval of and authorization for the Chairman to sign a "Declaration of Covenants and Agreement Regarding Water Service" with the City of Napa for the term November 22, 2016, with no term end date, for water services to the new jail property.
- O.** Director of Public Works requests the following:
1. Approval of the projects proposed from the \$1 million contribution from the General Fund (Excess ERAF) to the Roads Budget (occurred as part of the ending FY 2015-16 budget process); and
 2. Approval of Budget Transfer No. DPW013 for the following (4/5 vote required):
 - a. Increase appropriations by \$1,250,000 in the Roads Operations budget, \$1,000,000 for new projects and \$250,000 for contingencies, offset by the use of Roads Fund fund balance;
 - b. Increase revenue and appropriations by \$200,000 in Roads CIP Program 17011 (Petrified Forest Road Overlay) with offsetting revenue from the Roads Operations budget; and
 - c. Increase revenue and appropriations by \$190,000 in Roads CIP Program 17012 (Guardrail) with offsetting revenue from the Roads Operations budget.
- P.** Director of Public Works requests the Board rescind the action of April 19, 2016, which created a Measure A Lake Berryessa Watershed Improvement Program Grant Advisory Committee.
- Q.** Director of Public Works requests acceptance of a donation in the amount of \$1,000 from Maddie's Fund to the Napa County Animal Shelter and approval for the Chairman to sign a letter of appreciation.

General Admin & Finance

- R.** Director of Human Resources and Director of Health and Human Services request adoption of a resolution amending the Departmental Allocation List for the Operations Division of the Health & Human Services Agency by adding one 1.0 FTE Staff Services Analyst I/II, effective December 3, 2016.

- S.** Director of Human Resources requests adoption of a resolution to implement a salary adjustment for management positions in the Planning, Building and Environmental Services Department resulting from a management compensation study.
- T.** County Executive Officer and Director of Human Resources request adoption of a resolution establishing a \$1,000 Matching Employer Contribution for Management, Confidential and Non-Classified officers and employees who are participants in Napa County's 401(a) Retirement Savings Plan during calendar year 2017.
- U.** County Executive Officer/Purchasing Agent and Fire Chief request the following:
1. Declare certain capital asset fire 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 certain capital asset fire vehicles and equipment at public auction (4/5 vote required).
- V.** County Executive Officer/Purchasing Agent and Purchasing Manager 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).
- W.** County Executive Officer requests adoption of a resolution appointing Allison Haley as District Attorney for a term commencing at 12:01 AM on December 31, 2016 and expiring at noon on January 5, 2019.
- X.** County Executive Officer requests adoption of a resolution approving an Assignment, Assumption and Modification Agreement to assign to the Gasser Foundation a predevelopment loan previously made to Bridge Norcal LLC and Bridge Housing Corporation from the Napa County Affordable Housing Fund for the development of affordable housing units which includes the following terms:
1. Transfers all rights and obligations to the Gasser Foundation related to an existing loan of \$1,317,985;
 2. Transfers the property securing the loan to the Gasser Foundation;
 3. Extends the term of the loan agreement to December 31, 2018; and
 4. Modifies the provisions regarding applications for financing.

- Y. County Executive Officer requests appointment of Stacey Dolan representing Napa Valley Vintners to serve on the Napa Valley Tourism Improvement District Governing Committee with the term of office to commence immediately and expire June 30, 2020.

- Z. County Executive Officer requests authorization for District 2 Supervisor-Elect Ryan Gregory to travel to the California State Association of Counties Annual Meeting and New Supervisor Institute held in Palm Springs from November 28 through December 2, 2016.

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. 8:30 AM

Board of Supervisors (BOS) - Closed Session (see Special 8:30 AM BOS Agenda).

B. 9:00 AM PUBLIC HEARING

Consideration and possible action regarding the following:

1. An appeal filed by Living Rivers Council (Appellant LRC) to a decision made by the Napa County Director of Planning, Building and Environmental Services Department (the PBES Director) on August 1, 2016 to approve the **Walt Ranch Vineyards Agricultural Erosion Control Plan No. P11-00205-ECPA** (the Walt Ranch ECP) filed by Hall Brambletree Associates, LP (the Applicant) and to certify the related Environmental Impact Report (EIR) (State Clearinghouse No. 201202046);
2. An appeal filed by Circle Oaks County Water District and Circle Oaks Homes Association (Appellant Circle Oaks) to a decision made by the PBES Director on August 1, 2016 to approve the Walt Ranch ECP and to certify the related EIR;
3. An appeal filed by Center for Biological Diversity (Appellant CBD) to a decision made by the PBES Director on August 1, 2016 to approve the Walt Ranch ECP and to certify the related EIR; and
4. An appeal filed by Napa Sierra Club (Appellant Sierra Club) to a decision made by the PBES Director on August 1, 2016 to approve the Walt Ranch ECP and to certify the related EIR.

The Walt Ranch Project site is located on the west side of Monticello Road, approximately one mile southwest of its intersection with Highway 128, and approximately one-half mile north of its intersection with Waters Road, approximately 6.25 miles east of the City of Yountville in Napa County located within the Milliken Reservoir Watershed and Capell Creek-Upper Reach Drainage. The

Item No. 9B...Continued

project is in an AW (Agricultural Watershed) zoning district and has an AWOS (Agriculture, Watershed and Open Space) General Plan designation. (Assessor parcel #'s: 032-120-028, 032-480-007, -008, -011, -012, -013, -014, -015, -016, -017, -018, -019, -020, -021, -022, -023, -024, -027, -028, 032-490-004, -005, -006, -008, -009, -010, -011, -012, -013, -014, -015, -016, -017, -018, -019, and -020).

ENVIRONMENTAL DETERMINATION: Consideration and possible recertification of a Final Environmental Impact Report (EIR) certified (State Clearinghouse No. 201202046) on August 1, 2016.

(CONTINUED FROM NOVEMBER 18, 2016)

10. ADMINISTRATIVE ITEMS**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**

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (One case)

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9)
(Request for amicus support)

Name of case: Citizens Against Reservation Shopping, et al., v. Sally Jewell, Secretary of the Interior, et al. (US Supreme Court, Case No. 16-572)

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY, DECEMBER 06, 2016 AT 8:00 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 NOVEMBER 18, 2016 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.

Gladys I. Coil (By e-signature)
GLADYS I. COIL, Clerk of the Board