



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday February 11, 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

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**

Law & Justice

- A. 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 \$212,000 for the term April 1, 2020 through March 31, 2021 for the Child Advocacy Center Program.

Human Services

- B. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 170336B with James Richard Geisler, Ph.D., amending the Scope of Work and Compensation exhibits, increasing the amount by \$11,430 for a new maximum of \$25,120 per fiscal year commencing as of November 1, 2019 to provide conservatorship investigation services to clients of the Mental Health Program.
- C. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170339B (formerly Agreement No. 7075) with Michael Shetka, LCSW, increasing the amount by \$25,000 for a new annual maximum of \$85,000 for the term July 1, 2019 through June 30, 2020 and each automatic renewal thereof to provide mandated conservatorship investigation services to clients of the Mental Health Program.
- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment 1 to Agreement No. 170386B with LexisNexis Risk & Information Analytics Group, Inc. (LexisNexis), increasing the amount by \$2,225 for a new maximum of \$3,000 for the term February 1, 2020 through December 31, 2020, updating the fees to permit access to LexisNexis' Accurint software for use in searches for information regarding conservatees, decedents, communicable disease cases, and vulnerable residents on power-dependent medical equipment who are placed at risk during prolonged power outages.
- E. Director of Health and Human Services requests authorization to provide notice of termination of Napa County Agreement No. 170649B with EMSsystems, LLC, a subsidiary of Juvare Holdings, for the use of contractor's web-based healthcare information management solutions software effective June 30, 2020.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 190276B with Business Health Systems, Inc. increasing the amount by \$7,000 for a new maximum of \$11,800 per fiscal year commencing as of January 1, 2020, extending the term through June 30, 2021, updating the Scope of Work and Compensation exhibits to provide Privacy and Information Security and General Compliance trainings.

- G.** Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 190290B with Aldea, Inc. updating the Contract Administration section to reflect current program contacts for both parties, decreasing the maximum amount by \$207,846 in line with actual utilization, for a new annual maximum of \$565,472, for the term July 1, 2019 through June 30, 2020 and each automatic renewal, and revising the compensation exhibit to increase the rates in line with actual costs qualifying as Drug Medi-Cal Organized Delivery System (DMC-ODS) services for substance use disorder (SUD) treatment.
- H.** Director of Health and Human Services requests approval of and authorization for the Chair to sign an Agreement with Alternatives for Better Living, Inc. for an annual maximum of \$12,000 for the term February 11, 2020 through June 30, 2024 to provide court ordered drug testing of clients referred by Child Welfare Services.
- I.** Director of Health and Human Services requests approval of and authorization for the Chair to sign the Acceptance of a Real-time Allotment Award from the California Department of Public Health Tuberculosis Control Branch for an additional \$4,999 for a new maximum of \$11,431 for the term July 1, 2019 through June 30, 2020 to fund tuberculosis prevention and control activities.
- J.** Director of Health and Human Services requests adoption of a resolution amending the Napa County General Assistance Regulations effective May 1, 2020.

Community Resources & Infrastructure

- K.** Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 8 to Agreement No. 1654 with Skyline Park Citizens' Association, Inc. to extend the term of the concessionaire agreement for a five year period extending through February 19, 2025 to provide for the operation of Skyline Park.
- L.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170661B with McCann, Inc. related to the ongoing operation of the restaurant located at the Napa County Airport and shortening the term by five years, resulting in an expiration date of January 31, 2022.
- M.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 5 to Agreement No. 170851B with Vanir Construction Management increasing maximum compensation by \$50,000 for a new maximum of \$1,023,604 for additional construction management, inspection, and associated services for the Napa County Re-entry Facility Project.
- N.** Director of Public Works requests the following actions related to Agreement No. 190151B with St. Francis Electric:

 - 1. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 190151B, increasing compensation by \$34,900 per fiscal year for a new maximum of \$69,900 per fiscal year, effective February 11, 2020 and amending the scope of work to include specialized streetlight maintenance and repairs in County Service Area No. 3; and
 - 2. Approval of Budget Transfer No. DPW023 increasing appropriations in other professional services by \$30,000 in the County Service Area No. 3 Streets & Roads budget (Fund 2800, Sub-Division 2800005) offset from its available fund balance to supplement existing budget to pay for streetlight maintenance and repair services.
(4/5 vote required).

- O.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 190236B with ADKO Engineering to increase maximum compensation by \$186,650, for a new maximum of \$759,650 for construction support services for the following five road repair projects:
1. \$55,950 for the Berryessa/Knoxville Road-MPM 20.5 to 22 project;
 2. \$30,925 for the Dry Creek Road-MPM 7.75 project;
 3. \$28,925 for the Dry Creek Road-MPM 10.5 project;
 4. \$37,925 for the Mt. Veeder Road-MPM 4.75 project; and
 5. \$32,925 for the Dry Creek Road-MPM 7.51 project.
- P.** Director of Public Works requests approval of plans and specifications for the Brookside Drive Storm Damage Repair Project, RDS 18-09 and 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.
- Q.** Director of Public Works request approval of Budget Transfer No. DPW021 for the following regarding the Napa County Historic Courthouse Earthquake Repair Project (4/5 vote required):
1. Increase appropriation in the Accumulated Capital Outlay (ACO) (Fund 3000, Sub-Division 3000000) Budget by \$60,000 with its available fund balance; and
 2. Increase appropriation in the Capital Improvement Program, Historic Courthouse Repair Project Budget (Fund 3000, Sub-division 3000550, Program Q0630) by \$260,000 with offsetting revenues of \$200,000 from the insurance proceeds and \$60,000 from transfer from the ACO for County staff time costs not eligible for insurance reimbursement.
- R.** Director of Public Works requests adoption of a resolution approving a grant revenue agreement with the California Coastal Conservancy and authorizing the Director of Public Works to sign the agreement for a maximum of \$1,700,000 to reimburse costs incurred to construct restoration sites within Group D of the Napa River Oakville to Oak Knoll Restoration Project and support biological monitoring activities.
- S.** Director of Public Works requests adoption of a resolution accepting a grant of \$740,000 from the Environmental Protection Agency and authorizing the Director of Public Works to sign the revenue agreement and other documents to reimburse costs incurred to construct restoration sites within Group D of the Napa River Oakville to Oak Knoll Restoration Project.
- T.** Director of Public Works requests adoption of a resolution prohibiting commercial vehicles over five (5) tons from using the Pratt Avenue Bridge in order to promote safer traffic conditions.

General Admin & Finance

- U.** Assessor-Recorder-County Clerk requests the following:
1. Adoption of a resolution authorizing a revenue agreement with the California Secretary of State under the Help America Vote Act of 2002 (HAVA) for additional voting equipment and reimbursement of mandatory outreach mailings;
 2. Approval of and authorization for the Chair to sign a revenue agreement with the California Secretary of State for Federal funds in the amount of \$116,335 valid through December 30, 2020 and \$15,000 in state funds valid through June 30, 2020; and
 3. Approval of and authorization for the Chair to sign a contract with Dominion Voting Systems in the amount of \$139,000 for additional voting equipment.

- V.** 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 December 31, 2019, including acceptance of donations totaling \$4,465.66 received by the Auditor-Controller on behalf of the Animal Shelter and Public Health.
- W.** Chief Information Officer requests approval of a Non-Disclosure Agreement (NDA) with Pacific Gas and Electric ("PG&E") for Napa County access to proprietary information designating the boundaries of planned gas transmission and distribution facility projects within the County of Napa.
- X.** Director of Human Resources and District Attorney request adoption of a resolution amending the Departmental Allocation List for the District Attorney's Office by adding one 1.0 FTE Chief Deputy District Attorney, effective February 11, 2020, with a net increase of one full-time equivalent, with an increase to the County General Fund.
- Y.** Director of Human Resources and Public Defender request adoption of a resolution amending the Table and Index of Classes, the Departmental Allocation List for the Public Defender's Office, and appropriate personnel policies as follows, effective February 11, 2020, with no increase to full-time equivalents, with an impact to the County General Fund:
1. Amend the Table and Index of Classes by adding Assistant Public Defender.
 2. Amend the Departmental Allocation List by:
 - a. Deleting one 1.0 FTE Chief Deputy Public Defender; and
 - b. Adding one 1.0 FTE Assistant Public Defender.
 3. Amend appropriate personnel policies as outlined in "Exhibit A" of the resolution.
- Z.** County Executive Officer and Risk and Emergency Services Manager request approval of and authorization for the Chair to sign Agreement No. 190167B-01 with Dynamic Planning & Science extending the term from September 2, 2019 through June 30, 2020 with no other changes to the terms and conditions to complete the update to the Napa County Operational Area Multi Jurisdictional Hazard Mitigation Plan.
- AA.** County Executive Officer requests authorization for the Chair to sign a petition endorsing the Downtown Napa Property Business Improvement District (DNPBA) application to the City of Napa for continuation of the DNPBA for another five years commencing January 1, 2021.
- BB.** County Executive Officer requests reappointment 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, 2024:

<u>Name</u>	<u>Representing</u>
-------------	---------------------

Debbie Peralez	Member
----------------	--------

- CC.** County Executive Officer requests the appointment of Sharon Gmelch to represent as the Second Floating Director on the Board of Directors of the Napa County Flood Control and Water Conservation District in the absence of one or two members of the Board of Supervisors.

- DD.** County Executive Officer requests the appointment of the following applicant to the Napa County Juvenile Justice Coordinating Council with the term of office to commence immediately and expire December 31, 2021:

<u>Name</u>	<u>District</u>	<u>Representing</u>
Kerry Ahearn	1	Community-based Drug & Alcohol Treatment Program

- EE.** County Executive Officer requests reappointment of David Graves to serve as the Public Member representing Napa County on the Napa Sanitation District Board of Directors with the term to commence immediately and expire December 31, 2021.
- FF.** Second reading and adoption of an ordinance to conform County Zoning regulations with State Law as they pertain to Accessory Dwelling Units and Junior Accessory Dwelling Units amending Sections 18.08.332 (Junior Accessory Dwelling Unit), 18.08.550 (Second Unit), 18.08.551 (Second Unit, Interior), 18.104.180 (Junior Accessory Dwelling Unit and Second Unit) and 18.110.030 (Number of Parking Spaces Required); and amending the code to allow Junior Accessory Dwelling Units in the AP Zoning District; amending Section 18.28.030, 18.32.030, and 18.34.030 (Uses Permitted Upon Grant of a Use Permit) relating to Commercial Accessory Dwelling Units; and amending Section 13.15.010 (Minor Improvement) relation to Junior Accessory Dwelling Units.

ENVIRONMENTAL DETERMINATION: Pursuant to Public Resources Code section 21080.17, the adoption of this ordinance implementing Government Code section 65852.2 is exempt from the California Environmental Quality Act. The adoption of the ordinance implementing Government Code Section 65852.22 for junior accessory dwelling units is exempt under CEQA Guidelines Section 15303, conversion of small structures, in that it permits only one junior accessory dwelling unit on any parcel, which must include an existing bedroom within an existing single family home with only minor exterior alterations to allow access and limited utility service.

7. DISCUSSION OF ITEMS PULLED 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. 8:00 AM

Board of Supervisors (BOS) - Closed Session (see Special 8:00 AM BOS Agenda).

B. 9:00 AM

County Executive Officer to present the 2019 Napa County Annual Report.

C. 9:30 AM PUBLIC HEARING

Consideration and possible direction regarding an appeal filed by Martin Checov and Timothy Bause (Appellants) to a decision by the Planning Commission on October 16, 2019, to approve Use Permit No. P16-00333, a Use Permit Exception to the Conservation Regulations (Permit No. P19-00315) and an Exception to the Road and Street Standards regarding the **Hard Six Cellars Winery** (the Project, Hard Six or the Winery) for a new 20,000 gallon per year winery with a cave, six employees, a visitation and marketing plan and related infrastructure improvements on an approximately 53.04-acre parcel located approximately two miles from the intersection of State Route 29 and approximately 0.75 miles south of the City of Calistoga at 1755 South Fork Diamond Mountain Road, Calistoga, California (APN 020-100-014).

ENVIRONMENTAL DETERMINATION:

Consideration and possible adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. According to the proposed Mitigated Negative Declaration, the proposed Project would not have any potentially significant environmental impacts after implementation of mitigation measures on biological resources and transportation. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

D. 1:30 PM

The Board of Supervisors to receive a presentation from Pacific Gas and Electric (PG&E) regarding their upcoming gas pipeline replacement project, which extends from south of the City of Napa to Dunaweal Lane, largely following the route of Highway 29.

E. 2:30 PM

County Executive Officer requests the Board of Supervisors receive an update on discussions with the Bureau of Reclamation regarding concession management at Lake Berryessa.

10. ADMINISTRATIVE ITEMS**General Admin & Finance**

- A. Director of Housing and Homeless Services requests adoption of a resolution reserving \$750,000 for MidPen Housing predevelopment costs related to the first affordable housing project of 85 units at Napa Pipe.

B. County Executive Officer requests approval of the following actions distributing FY 2018-19 year end fund balance of \$3,642,427 as follows:

1. Budget Transfer No. CEO013 appropriating \$3,367,427 as follows:
 - a. \$100,000 in the non-departmental (1000/1050000) budget for climate action planning efforts;
 - b. \$3,267,427 in the non-departmental budget in transfers out, and appropriated as follows:
 1. \$350,000 in Information Technology Services (4200/4200002) for cyber security enhancements;
 2. \$40,000 in Information Technology Services (4200/4200000) for training and services related to web accessibility;
 3. \$40,000 in Risk Management (4500/4500000) for initial implementation of the Americans with Disabilities Act Transition Plan;
 4. \$400,000 in the Affordable Housing Fund (2080/2080020) for the Worker Proximity Housing program; and
 5. \$2,437,427 to Accumulated Capital Outlay (3000/3000000) for future capital projects.
2. Assign \$275,000 to the Assignment for facility improvements-Ag Commissioner from the excess gas tax portion of the available fund balance.
(4/5 vote required)

C. County Executive Officer requests consideration of the following applicants to fill two vacancies due to expiring terms on the Napa County Dangerous Animal Hearing Panel with the terms of office to commence immediately and expire January 31, 2023.

<u>Name</u>	<u>District</u>	<u>Representing</u>	
Laura Dayton	2	Regular Member	Reappointment*
Gene Rose	5	First Alternate	Reappointment*
Cameran Pridmore	4	Regular Member	New Applicant
Shane Stiver	1	First Alternate	New Applicant

11. LEGISLATIVE ITEMS

- A.** County Executive Officer requests discussion and possible action on SB 862 (Dodd) a bill that would clarify that planned deenergization events (PSPS) are included in the Emergency Services Act and requires utility companies to include protocols that deal specifically with Access and Functional Need individuals, as defined.
- B.** County Executive Officer, on behalf of the Legislative Subcommittee, requests approval of and authorization for the Chair to communicate to the State Legislature and other pertinent parties a position of support for SB 866 (Dodd) that authorizes the issuance of up to 10 additional new liquor licenses per year to bona fide public eating places in Napa County that have a capacity for 25 or more diners, as specified (unanimous vote required).

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 LABOR NEGOTIATOR** (Government Code Section 54957.6)

Agency Designated Representatives: Karen Taylor, Director of Human Resources

Employee Organization: SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa)

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 SPECIAL MEETING, TUESDAY, MARCH 10, 2020 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 FRIDAY, FEBRUARY 7, 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