



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday February 27, 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

Karita Whitney  
Deputy Clerk of the Board

Jeffrey Richard  
Acting 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)**

**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 (All supervisors were present):

1. Special meeting of January 16, 2018;
2. Special meeting of January 23, 2018;
3. Regular meeting of January 23, 2018;
4. Special meeting of January 30, 2018; and
5. Regular meeting of January 30, 2018.

**4. PRESENTATIONS AND COMMENDATIONS****5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS****6. CONSENT ITEMS**Public Safety

- A. Director of Corrections requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 180062B with Language Line Services, Inc., increasing the amount by \$4,000 for a new maximum of \$6,000 to provide professional, on-demand phone interpretation services to inmates housed at the Napa County Department of Corrections.
- B. Napa Special Investigations Bureau (NSIB) Governing Board requests approval of a distribution totaling \$141,576 from funds held in the Napa Special Investigations Bureau Asset Forfeiture Trust account to various law enforcement agencies in accordance with the NSIB bylaws for future equipment purchases.

Human Services

- C. Director of Health and Human Services requests that the Board delegate authority to the Director of Health and Human Services to terminate Agreement No. 7480 with U.S. Behavioral Health Plan, California as of February 27, 2018.
- D. Director of Health and Human Services requests approval of and authorization for the Chair to sign the renewal of Agreement No. 170628B with the County of Plumas for a maximum of \$22,384 for the term July 1, 2017 through June 30, 2018 for Local Government Authority (LGA) Host Entity duties for Medi-Cal Administrative Activities and Targeted Case Management programs.

- E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Amendment No. 5 to Revenue Agreement No. 170707B with the California Department of Public Health to amend Exhibit B Budget with no change to the contract maximum for the Public Health Emergency Preparedness (PHEP) Program.
- F. Director of Health and Human Services requests approval of and authorization for the Chair to sign a revenue agreement with the U.S. Department of Housing and Urban Development for a maximum of \$157,363 for the term January 1, 2017 through December 31, 2017 for the Home to Stay program.
- G. Director of Health and Human Services requests approval of and authorization for the Chair to sign an agreement with the California Department of Social Services (CDSS) for the term January 1, 2017 through June 30, 2019 for the purpose of establishing the role and responsibilities of the CDSS Legal Division for administrative action appeals associated with the Resource Family Approval program.
- H. Director of Health and Human Services requests approval of and authorization:
1. For the Chair to sign a Phase II Memorandum of Understanding (MOU) between the Workforce Alliance of the North Bay and the CareerPoint Napa America's Job Center of California Partners, which includes revenue of \$27,325 for the term January 1, 2018 through June 30, 2019 for One-Stop system costs and an agreement for all partners to provide staffing to the One-Stop; and
  2. To delegate authority to the Director of the Health and Human Services Agency, or designee, to approve and authorize any and all amendments and modifications to this MOU in cases where the total infrastructure costs to be shared by co-located partners does not change.

#### Community Resources & Infrastructure

- I. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewal of Agreement No. 180052B (formerly Revenue Agreement No. 7844) with the California Agricultural Commissioners and Sealers Association (CACASA) for a maximum of \$5,028 for the term January 1, 2018 through June 30, 2018 for services related to submitting pesticide use reporting data.
- J. Director of Public Works requests the following actions related to the County unincorporated area share of Measure "A" sales tax revenues:
1. Approval of and authorization for the Chair to sign Amendment No. 27 to Agreement No. 4202 with Napa County Flood Protection and Watershed Improvement Authority, extending the term of the agreement through June 30, 2019, and adding appropriations totaling \$6,016,135 for a new total of \$45,310,635, with the following funding allocations for existing and new approved projects in the County unincorporated area:
    - a. Increase the allocation for the Angwin Water Supply Reliability Project (Program 05002) by \$1,768,820;

**Item 6J...Continued**

- b. Increase the allocation for the Napa River Restoration Project - Oakville Crossroad to Oak Knoll Avenue Reach (Program 07002) by \$2,100,000;
  - c. Increase the allocation for the Milliken Creek Flood Reduction and Fish Passage Project (Program 13045) by \$150,000;
  - d. Increase the allocation for the Lake Berryessa Watershed Improvement Program (Program 11012) by \$1,936,891; and
  - e. Allocate \$60,424 to new Airport Flood Reduction Project (Program 18025)
2. Approval of Budget Transfer No. DPW052 appropriating \$6,016,135 in the Public Works Capital Improvement Program budget each with offsetting revenues from Measure "A" sales tax funds:
    - a. Increase revenue and expenditure by \$1,768,820 in Program 05002;
    - b. Increase revenue and expenditure by \$2,100,000 in Program 07002;
    - c. Increase revenue and expenditure by \$150,000 in Program 13045;
    - d. Increase revenue and expenditure by \$1,936,891 in Program 11012; and
    - e. Increase revenue and expenditure by \$60,424 in Program 18025.

(4/5 vote required)

- K. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 110001B (formerly Agreement No. 7552) with Chaudhary & Associates, Inc. decreasing the amount by \$1,502 for a maximum of \$574,085, amending the scope of work to remove work for preparing revegetation planting and irrigation plans, and adding work to include updating the design to meet new Caltrans Standards for the Devlin Road Extension Segment E Project, RDS 11-06.
- L. Director of Public Works/Aviation requests the following for the Runway18L-36R design work at the Napa County Airport:
  1. Approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No.170402 (otherwise known as Napa County Agreement No. 170402B-17) with Mead & Hunt, Inc. increasing the contract amount by \$47,197 for a new maximum of \$879,237 and amending the scope of work to include the rehabilitation design of Runway 18L-36R; and
  2. Approval of Budget Transfer No. AIR003 for the following (4/5 vote required):
    - a. Increase appropriations by \$47,197, in the Airport Operations budget offset by the use of Airport Operations available fund balance; and
    - b. Increase revenue and appropriations by \$47,197 in the 18L Design Project (Program 18027) offset by the transfer from the Airport Operations budget.
- M. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170577B (formerly Agreement No. 8049) with Colliers Parrish International amending the scope of work to provide specialized marketing services for leasing of Airport property at 1950/2000 Airport Rd. (formerly the IATA Flight Training Facility) and authorizing the engagement a CBRE Broker specializing in Aviation property real estate, and amending the compensation for this specific task resulting in a leasing commission of 5% (Five Percent) of the first ten (10) years of scheduled rents and 2.5% (Two and a Half Percent) of the second ten (10) years.

- N.** Director of Public Works requests approval of and authorization for the Chair to sign a lease agreement with REACH Air Medical Services, LLC to lease space at the Napa County Airport for an annual rental fee of \$96,000 for the term April 1, 2018 through March 31, 2021 with an annual rental rate adjustment of 2.5%.
- O.** Director of Public Works requests approval of and authorization for the Chair to sign a Space License Agreement with Up Valley Family Centers of Napa County for no rental fee for the term February 21, 2018 through June 30, 2018 for use of approximately 350 square feet of office space also known as Suite D at 1705 Washington Street in the City of Calistoga for the purpose of providing emergency assistance relating to the 2017 Napa Fire Complex.
- P.** Director of Public Works requests approval of and authorization for the Chair to sign an indemnification agreement with Tim L. and Mary B. Herman for their property located at 1023 Bell Lane (APN 049-223-003), relieving the County of liability in the event County maintenance activities were to cause damage to their improved driveway at any time in future.
- Q.** Director of Public Works requests the following actions related to the "Napa County Hall of Justice & Annex Final Earthquake Repair Project," PW 15-15C:
1. Award a construction contract for the "Napa County Hall of Justice & Annex Final Earthquake Repair Project," PW 15-15C to Art's Construction Company, Inc. of Fresno, California for their low base bid of \$1,950,000 and authorization for the Chair to sign the construction contract; and
  2. Approval of Budget Transfer No. DPW049 for the following (4/5 vote required):
    - a. Increasing appropriations in the Accumulated Capital Outlay Sub-division by \$236,000 offset by the use of available fund balance;
    - b. Increasing appropriations in the Capital Improvement Program (Q0490) by \$2,716,000 with offsetting revenues from insurance proceeds and the transfer of funds from Accumulated Capital Outlay; and
    - c. Authorize the County Executive Officer to use up to \$50,000 (2.5%) of the Accumulated Capital Outlay funds (outlined in 2b) for potential construction change order costs.
- R.** Director of Public Works requests the following actions related to the transfer of a previously approved Capital Asset and purchase of a new transit shelter for South Campus:
1. Approval to transfer a \$11,970 transit shelter Capital Asset from Capital Improvement Program 11014 (Health & Human Services Agency's Campus Redevelopment Project) budget to Public Works Property Management budget;
  2. A waiver of competitive bidding requirements and sole source award to Tolar Manufacturing Company, Inc. of Corona, CA for the purchase of one transit shelter for South Campus in the amount of \$6,000 pursuant to Napa County Code Section 2.36.090; and
  3. Approval of Budget Transfer No. DPW050 decreasing the Maintenance-Buildings/Improvements account by \$17,970 and increasing the Capital Asset Equipment account by the same amount in the Property Management Division budget and establishing a Capital Asset in the amount of \$17,970 for the transfer of the original \$11,970 Capital Asset and \$6,000 for the purchase of a new transit shelter (4/5 vote required).

- S.** Director of Public Works requests adoption of a resolution establishing a No Parking zone on Partrick Road for the entire length of the approximately 130-foot proposed turnout in front of 1500 Partrick Road.
- T.** Director of Public Works requests adoption of a resolution approving conceptual plans to alter lane geometries and striping at the intersection of Soscol Ferry Road and Devlin Road to improve safety and traffic flow.
- U.** Director of Public Works requests acceptance of donations in the amount of \$1,020 and \$1,441.61 for a total of \$2,461.61 from Pet Food Express to the Napa County Animal Shelter and approval for the Chair to sign a letter of appreciation.

#### General Admin & Finance

- V.** Assessor-Recorder-County Clerk ex-officio Registrar of Voters requests adoption of a resolution:
1. Consolidating the Bay Area Toll Authority (Authority) Regional Measure 3 (RM3) with the statewide primary election to be held on June 5, 2018; and
  2. Directing the Registrar of Voters to conduct the election with reimbursement of incremental costs by the Authority.
- W.** Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the internal audit report for the Napa County - Department of District Attorney - District Attorney Revolving Fund for the three fiscal years ended June 30, 2014 to June 30, 2016.
- X.** Chief Information Officer requests a revision of the Schedule of Approved Capital Assets in the Final Budget for Fiscal Year 2017-2018 in the amount of \$48,000 to purchase two additional public safety radios/repeaters.
- Y.** Director of Human Resources and Director of Planning and Environmental Services (PBES) request adoption of a resolution, as follows, effective February 27, 2018, with no net increase to full-time equivalents:
1. Amend the Table and Index of Classes by:
    - a. Adding Code Compliance Officer I\*;
    - b. Adding Code Compliance Officer II\*;
    - c. Adding Code Compliance Officer III\*.
  2. Amend the Departmental Allocation List for PBES by:
    - a. Deleting one 1.0 FTE Planner III;
    - b. Deleting one 1.0 FTE Building Inspector II; and
    - c. Adding two 1.0 FTE Code Compliance Officer I/II/III\*.

\* Flexibly staffed

- Z.** County Executive Officer requests authorization for out of state travel for Supervisor Alfredo Pedroza to lobby with the Metropolitan Transportation Commission (MTC) and Napa Valley Transportation Authority (NVTa) in support of funding for local and regional transportation programs and projects in Washington, D.C., from March 11, 2018 through March 15, 2018 at no cost to the County.
- AA.** County Executive Officer requests reappointment of the following applicants to serve on the Napa County Library Commission with terms to commence immediately and expire January 31, 2021:

<u>Name</u>	<u>Representing</u>
Halley Lauer	Napa County
Scott Owens	Town of Yountville

- BB.** County Executive Officer requests authorization for out-of-state travel for Supervisor Belia Ramos to attend the National Association of Counties (NACo) Legislative Conference in Washington, DC and meet with federal officials regarding legislative matters related to Napa County from March 2, 2018 to March 8, 2018.

## **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. 9:00 AM**

Recess to the Board of Equalization meeting (see BOE Agenda).

### **B. 9:05 AM PUBLIC HEARING**

First reading and intent to adopt an ordinance adding a new Chapter 2.49 to establish an Assessment Appeals Board.

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**C. 9:30 AM**

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

**D. 9:30 AM PUBLIC HEARING**

Consideration and possible action regarding an appeal filed by Steven Stull to a decision made by the Napa County Planning Commission (Planning Commission) on April 19, 2017 to approve the **Napa Custom Crush LLC / The Caves at Soda Canyon Use Permit Major Modification No. P16-00106** filed by Ryan Waugh.

The Planning Commission's approval of Napa Custom Crush LLC/The Caves at Soda Canyon allows the following: (1) an increase in annual production from 30,000 to 60,000 gallons; (2) construction of an approximately 2,400 square foot cover over an existing outdoor paved area; (3) use of an existing private patio terrace (no construction) for daily tastings, marketing activities, and on-site consumption; (4) removal of internal cave wall to open access from the fourth portal to the patio terrace (wall installed under B15-01427 according to action by the Planning Commission); (5) conversion of approximately 400 square feet of approved cave area to a kitchen (for the storage of refrigerated food and plating of food prepared off site by caterers); (6) a change in the hours of operation for production activities from the existing hours of 8:00 a.m. – 6:00 p.m. to proposed hours of 7:00 a.m. – 6:00 p.m.; (7) on-premises consumption of wine in the tasting room and on the areas in front of portal 2, the patio terrace, and the two outdoor areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; and (8) installation of a wastewater system and discontinued use of hold and haul. The project also includes an exception to the Napa County Road and Street Standards for improvements to the existing road. The project is within the Agriculture, Watershed and Open Space General Plan land use designation and within the Agricultural Watershed zoning district located on a 41.35 acre site approximately 2,200 feet west of Soda Canyon Road; approximately 4.0 miles north of the Silverado Trail/Soda Canyon Road intersection at 2275 Soda Canyon Road, Napa, California, APN 039-640-013.

**ENVIRONMENTAL DETERMINATION:** Consideration and possible adoption of an Addendum to the previously adopted 2006 Subsequent Mitigated Negative Declaration prepared for the Napa Custom Crush/Waugh Winery. Pursuant to CEQA Guidelines Section 15164 an addendum to an adopted mitigated negative declaration may be prepared if only minor technical changes or additions are necessary or if none of the conditions contained in Section 15162 calling for preparation of a subsequent negative declaration have occurred. This project site is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**(CONTINUED FROM AUGUST 1, AUGUST 29, DECEMBER 5, 2017 AND JANUARY 23, 2018)**

**E. 10:00 AM**

Recess to the Napa County Flood Protection and Watershed Improvement Authority (NCFPWIA) special meeting (see NCFPWIA Agenda).



**F. 1:00 PM**

County Counsel and Director of Planning, Building and Environmental Services request the following actions related to (1) the Napa County Watershed and Oak Woodland Protection Initiative of 2018, (2) the Initiative to Disallow the Use of Personal Airports and Helipads, and (3) the Blakeley Construction Initiative:

1. Receive Elections Code Section 9111 reports on each of the above referenced initiatives, and
2. Take one of the following actions on each of the above referenced initiatives:
  - a. Adopt a resolution placing the initiative on the ballot of the June 5, 2018 Primary Election enabling the people of Napa County to approve or reject the initiative, or
  - b. Adopt the initiative without change at the meeting on March 13, 2018.

**10. ADMINISTRATIVE ITEMS**

Community Resources & Infrastructure

- A. Director of Public Works requests discussion and direction regarding possible amendments to the Airport Advisory Commission bylaws.

General Admin & Finance

- B. County Executive Officer requests the following related to the Affordable Housing Fund:
1. Receive a report on Napa Courtyards, a 20-unit apartment complex located in the City of Napa; and
  2. Receive a report on Stoddard West, a 51-unit affordable apartment complex located in the City of Napa and adoption of a resolution finalizing the loan of \$2,000,000 from the Affordable Housing Fund to Burbank Housing for the Stoddard West development.
- C. County Executive Officer requests appointment of one of the following new applicants to the Napa County Arts and Culture Advisory Committee representing the area of Presentation/Performing Arts with the term of office to commence immediately and expire September 30, 2018:

<u>Name</u>	<u>District</u>
James Bailey*	3
E. Beth Nelsen	1
Charlene Steen	4
Evy Warshawski	4

\*Recommended by the Arts and Culture Advisory Committee

**11. LEGISLATIVE ITEMS**

- A. 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 support for SB 830 (Dodd), a bill requiring the State Board of Education to ensure that a model curriculum for media- related literacy education is developed and adopted for social science curricula.
- B. County Executive Officer, on behalf of the Legislative Subcommittee, seeks approval of and authorization for the Chair to communicate to the US Senate and other pertinent parties support for S. 2271 (Jack Reed-D-RI), the Museum and Library Services Act, that seeks to reauthorize the core programs administered by the Institute of Museum and Library Services (IMLS) that includes the Museum Services Act and the Library Services Technology Act (LSTA), which provides more than \$183 million in funding through the Grants to States program.

**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 Government Code Section 54956.9(d)(2): (2 cases)

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8)

Property: Carneros Inn, 4048 Sonoma Highway, Napa, California (APN 047-110-027)

Agency Negotiator: David Morrison, Director of Planning, Building and Environmental Services

Negotiating Parties: Napa County and Carneros Inn LLC

Under Negotiation:  Price  Terms of Payment

**C. PUBLIC EMPLOYEE APPOINTMENT**(Government Code Section 54957)

Titles: 1. Airport Manager

2. County Counsel

**D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957)

Title: Director of Health and Human Services

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, MARCH 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 FEBRUARY 23, 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.

Karita Whitney (By e-signature)  
KARITA WHITNEY, Deputy Clerk of the Board