



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday February 4, 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**
 - A. Director of Human Resources to introduce new County employees.
5. **DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS**
6. **CONSENT ITEMS**

Law & Justice

- A. Chief Probation Officer requests approval of and authorization for the Chair to sign an Agreement with the City of Napa for use of their shooting range at a rate of \$1,000 monthly for the term February 1, 2020 through June 30, 2021 with automatic renewals annually.
- B. Chief Probation Officer requests approval and authorization for the Chair to sign an Agreement with the City of Napa for a maximum of \$260,000 for the term January 24, 2020 through June 30, 2022 to fund the City's Intelligence Analyst to collect and generate statistical and crime trend reports for the City and County partners.

Public Safety

- C. Sheriff requests the following actions regarding the State of California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division grant funding:
 1. Adoption of a Resolution to accept a grant award of \$19,921 for the period of January 1, 2020 through December 31, 2020; and
 2. Appoint the Sheriff as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, and payment requests which may be necessary for completion of the project, subject to approval of County Counsel.

Human Services

- D. Second reading and intention to adopt an ordinance amending the Napa County Code Chapter 5.60 (Permits for Elder and/or Dependent Adult Caregivers) to transfer responsibility for managing the registration and background check process of individual caregivers from the County, except in special circumstances, to the California Department of Social Services (CDSS) via their Home Care Aide Registry.

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.

Community Resources & Infrastructure

- E. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Questa Engineering Corp. for a maximum of \$500,000 for the term of February 4, 2020 through June 30, 2020, with an automatic annual renewal provision not to exceed three (3) additional years, to begin final design, environmental review and permitting for the Bale Slough - Bear Creek Restoration Project.
- F. Director of Public Works requests adoption of a resolution temporarily closing portions of Silverado Trail, Oak Knoll Avenue, Big Ranch Road, and El Centro Avenue from 7:00 A.M. to 1:00 P.M. on Sunday, March 1, 2020 for the 42nd Annual Kaiser Permanente Napa Valley Marathon.
- G. Second reading and adoption of an ordinance of the Napa County Board of Supervisors, State of California, amending Section 18.10.020 of Chapter 18.10 (Zoning Administrator), Sections 18.124.080 and 18.124.130 of Chapter 18.124 (Use Permits), and amending Section 18.126.030 and adding a new Section 18.126.065 to Chapter 18.126 (Administrative Permits) of Title 18 (Zoning) of the Napa County Code regarding issuance of small winery use permits and modifications to winery use permits.

Environmental Determination: Consideration and possible adoption of Categorical Exemptions Class 1, Class 3, Class 4, and the General Rule. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. See Categorical Exemption Class 1 ("Existing Facilities"), which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301; Categorical Exemption Class 3 ("New Construction or Conversion of Small Structures"), which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15303; Categorical Exemption Class 4 ("Minor Alterations to Land"), which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15304; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B; and General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the CEQA 14 CCR 15061(b)(3)]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

- H. Director of Public Works requests authorization for the Chair to sign a Certificate of Acceptance of Avigation and Hazard Easement Deed for Storage Tech LLC, (Assessor's Parcel Number 057-170-018-000).
- I. Director of Planning, Building and Environmental Services requests adoption of a resolution authorizing the submission of an application to the California Department of Resources Recycling and Recovery for a Waste Tire Enforcement Grant in the amount of \$52,722 for the State's Fiscal Year 2019-2020 award cycle, to be received by the County in Fiscal Year 2020-2021 and authorizing the Director of Planning, Building, and Environmental Services to execute the necessary grant documents.
- J. Interim Director of Library Services and Community Outreach requests the following:
 - 1. Acceptance of a \$55,000 donation from the Napa County Library Foundation;
 - 2. Acceptance of a \$2,500 donation from Robert and Ellen Streich Family Endowment for the Adult Literacy Program; and
 - 3. Authorization for the Chair to sign letters of appreciation in acceptance of these donations.

- K. Director of Public Works requests acceptance of a donation in the amount of \$1,550 from Bissell Pet Foundation to the Napa County Animal Shelter and approval for the Chair to sign a letter of appreciation.

General Admin & Finance

- L. Chief Information Officer requests a revision of the Schedule of Approved Capital Assets in the Adjusted Budget for Fiscal Year 2019-2020 with no change to the total appropriation in order to purchase radio and networking equipment.
- M. Director of Housing and Homeless Services requests the following regarding the Homeless Housing, Assistance and Prevention (HHAP) grant program:
1. Authorization for the Director of Housing and Homeless Services to submit a grant application in the amount of \$351,411 on behalf of Napa County for capital improvements to the South Napa Shelter and rental assistance and housing support services to transitional aged youth; and
 2. Authorization for the Director of Housing and Homeless Services to submit a grant application in the amount of \$500,000 on behalf of the Napa City & County Continuum of Care for capital improvements to the South Napa Shelter and rental assistance and housing support for individuals and families experiencing or at-risk of experiencing homelessness; and
 3. Authorization for the Director of Housing and Homeless Services or the County Executive Officer to sign subsequent loan documents and agreements with the State of California and the Continuum of Care regarding these two grant applications.

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. 9:15 AM

Recess to the In-Home Supportive Services (IHSS) Public Authority of Napa County special meeting (see IHSS Agenda).

B. 9:15 AM

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

C. 9:20 AM

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

D. 9:30 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Michael Hackett to a decision by the Napa County Planning Commission on October 16, 2019, approving a request from Bremer Group LLC/Bremer Family Winery for an exception to the Napa County Conservation Regulations (County Code Chapter 18.108), in the form of a Use Permit (P19-00153-UP), in order to maintain in their current configuration the following existing physical site improvements, or portions thereof, that encroach into the minimum required stream setbacks: (1) an approximate 2,200 square foot agricultural storage building and associated water tank, (2) approximate 800 square foot pad and associated walls attached to the winery, (3) an approximate 150 square foot ground floor/story addition and second floor/story deck to the farmhouse/office building, (4) an approximate 100 square foot freestanding restroom, (5) approximately 3,740 square feet of landscaping, (6) approximately 1,210 lineal feet of rock walls, and (7) two pedestrian bridges over a blue-line stream. The project is located on an approximately 47.1-acre holding (assessor's Parcel Nos. 021-400-002 and 021-420-027) at 975 Deer Park Road, St. Helena, California.

ENVIRONMENTAL DETERMINATION: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15302, Class 2 Replacement or Reconstruction; Section 15303 Class 3 New Construction or Conversion of Small Structures; Section 15304, and Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15302, and §15304. This project has also been determined to be exempt pursuant to CCR §15061 in that the recognition, retention, and maintenance of existing site improvements has no possibility of causing a significant effect. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

(APPLICANT AND STAFF REQUEST CONTINUANCE TO MARCH 17, 2020 AT 9:30 AM)

E. 9:35 AM PUBLIC HEARING

First reading and intention to adopt 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.

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 Planning, Building and Environmental Services (PBES) and County Fire Marshal request adoption of a resolution amending the Napa County Road and Street Standards (the Road Standards) to accomplish the following:
 - 1. Address and reflect changes to the California Board of Forestry and Fire Protection's (the Board of Forestry) State Responsibility Area (SRA) Fire Safe Regulations;
 - 2. Provide consistency with Napa County's Small Winery Protection and Use Permit Streamlining Ordinance (the Small Winery and Streamlining Ordinance); and
 - 3. Improve consistency in the application of the Road Standards.

- B. Director of Planning Building and Environmental Services requests adoption of a resolution amending Napa County's Local Procedures for Implementing California Environmental Quality Act ("CEQA"), to bring it into conformance with the Small Winery Protection and Use Permit Streamlining Ordinance.

ENVIRONMENTAL DETERMINATION: Procedures by definition do not change the law, but provide for its implementation. Therefore the proposed action is not a project as defined by Title 14 California Code of Regulations (CCR) Section 15378 (State CEQA Guidelines) and CEQA is not applicable. Also, it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable pursuant to the General Rule contained in the Guidelines for Implementation of the California Environmental Quality Act, Title 14 CCR Section 15061(b)(3).

General Admin & Finance

- C. County Executive Officer requests the following actions regarding the Census 2020 Outreach Efforts:
 - 1. Receive an update on efforts; and
 - 2. Approve receipt of and authorize the County Executive Officer to sign documents accepting an additional \$100,800 of State funding to support Census Outreach activities.

- D. County Executive Officer requests consideration of the following applicants to fill two vacancies due to expiring terms on the Emergency Medical Care Committee (EMCC) with the terms of office to commence immediately and expire January 31, 2023.

<u>Name</u>	<u>District</u>	<u>Representing</u>	
Charles Burton	3	Public Member	Reappointment*
Ricci Hayes	4	Public Member	Reappointment*
John Callanan	4	Public Member	New Applicant

- E. County Executive Officer will provide a report on pending future agenda items and seek direction from the Board for each item.

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): (1 Case)

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS SPECIAL MEETING, TUESDAY, FEBRUARY 11, 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, JANUARY 31, 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