



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday August 27, 2019 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. Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with Idemia Identity & Security USA, LLC for a maximum of \$8,600 for the term August 1, 2019 through June 30, 2020 to provide maintenance and repair services for the LiveScan machine located at Juvenile Hall.
- B. 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, for the term from October 1, 2019 through September 30, 2020.
- C. Director of Child Support Services requests approval of and authorization for the Chair to sign a renewal of the Plan of Cooperation with the Superior Court of California, County of Napa for the term of August 27, 2019 through September 30, 2021, at no cost, to delineate the duties of each entity.

Public Safety

- D. County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Failsafe Testing for a maximum of \$15,000 for the term August 1, 2019 through June 30, 2020, with an automatic renewal provision, to provide annual ladder testing and repair for the Napa County Fire Department.
- E. County Fire Chief requests approval of Budget Transfer No. NCF001 transferring \$10,000 from Special Departmental Expense account to Equipment account within the Fire budget unit and establishment of a fixed asset for the purchase of a commercial refrigerator for the Yountville Fire Station. (4/5 vote required)

Community Resources & Infrastructure

- F.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 160078 with Peterson Power Systems, Inc., increasing the maximum amount by \$50,000 for a new annual maximum of \$125,000 for the term August 27, 2019 through June 30, 2021, amending the scope of work to include regular service of a new generator located in the Re-entry Facility at 2200 Napa-Vallejo Highway, additional emergency and non-routine services, generator parts, and repairs and equipment rentals throughout County-owned and operated facilities.
- G.** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 170894B with Business Aviation (BA) Group, Inc. extending the term through June 30, 2021. The extension is needed to facilitate BA Group's continued assistance with staff for the implementation of a Request for Proposals (RFP) for a potential second Fixed Base Operator (FBO) at the Airport.
- H.** Director of Public Works requests approval of and authorization for the Chair to sign an agreement to accept private utility water and sewer easements granted by the City of Napa in support of the Napa County Jail Replacement and the Re-entry Facility.
- I.** Director of Public Works requests the following:
1. Approval of Budget Transfer No. DPW004 for the following (4/5 vote required):
 - a. Increase appropriations by \$387,725 in the SB1 Special Revenue Fund (Fund 2440, Sub-Division 1220052) with the use of its available fund balance to be transferred to SB1-Stice Subdivision (Zinfandel Subdivision) CIP project budget (Fund 2040, Sub-Division 2040500, Program 19009); and
 - b. Increase appropriations by \$387,725 in Program 19009 budget offset by an increase in revenue from the transfer from the SB1 Special Revenue Fund; and
 2. Award of the "Zinfandel Subdivision Double Chip Seal & Microsurfacing" project, RDS 18-19, contract to Pavement Coatings Co. of Jurupa Valley, California for their low base bid of \$260,500 and authorization for the Chair to sign the construction contract.
- J.** Director of Public Works recommends rejection of the sealed bid that was opened on August 8, 2019 and requests authorization to re-advertise the following projects:
1. Third Ave (LOP 208), PA-09-CA-4193-PW-00155(0), RDS 17-32
 2. Third Ave (LOP 209), PA-09-CA-4193-PW-00155(0), RDS 17-33

- K.** Director of Planning, Building and Environmental Services requests the following:
1. Adoption of Categorical Exemption Class 1; Class 4 ;Class 11; Napa County's Local Procedures for Implementing the CEQA, Appendix B, Class 1, Existing Facilities, Section (1) (a); and the General Rule exemption;
 2. Second reading and adoption of Ordinance No. 1447 approving the Development Agreement between GF Carneros Holdings, LLC, GF Carneros, Inn LLC, GF Carneros Tenant, LLC, Carneros Inn Mutual Water Company and Napa County;
 3. Authorization for the Chair to sign the Development Agreement; and
 4. Approval of Use Permit Major Modification P15-00190-MPOD and the Road and Street Standards Exception subject to the conditions of approval recommended by the Planning Commission.

CEQA Status: Consideration and possible adoption of Categorical Exemptions Class 1, Class 3, Class 4, Class 11, 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 ("CEQA"); [see Categorical Exemption Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of CEQA at 14 CCR §15301; Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of CEQA at 14 CCR §15303; Class 4 ("Minor Alterations to Land") which may be found in the guidelines for the implementation of CEQA at 14 CCR §15304; Class 11 ("Accessory Structures") which may be found in the guidelines for the implementation of CEQA at 14 CCR §15311; see also Napa County's Local Procedures for Implementing the CEQA, Appendix B, Class 1, Existing Facilities, Section (1) (a)]; and the 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 CEQA at 14 CCR §15061(b)(3)]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

General Admin & Finance

- L.** Auditor-Controller requests authorization to process an Assessor Division reduction in assessed value in excess of the \$10,000,000 limit set forth in Resolution No. 2013-137 pursuant to Revenue and Taxation Code Section 4831.5 for APN 800-053-712 in the amount of \$15,988,698 for fixtures and personal property.
- M.** Auditor-Controller requests the Board approve and instruct the Clerk of the Board to file the Internal Audit Plan for Fiscal Year 2019-20 and accept the summary report of internal audit activity for Fiscal Year 2018-19.
- N.** Chief Information Officer requests the following actions:
1. A waiver of competitive bidding requirements and sole source award to Blue Lava, Inc., of Menlo Park, CA, for the purchase of a security assessment platform, pursuant to Napa County Code Section 2.36.090; and
 2. Approval of and authorization for the Chair to sign an agreement with Blue Lava, Inc., for a maximum of \$43,986 for the term of September 1, 2019 through June 30, 2020 for cybersecurity risk assessment services.

- O. Treasurer-Tax Collector requests approval and authorization for the Chair to sign Amendment No.1 to Agreement No. 7522 with Heartland Payment Systems effective on the date signed with automatic one-year renewals, to add credit/debit card services for tax payments as well as reduce the overall merchant rate charged to customers (countywide).
- P. County Executive Officer and Chief Information Officer request the following:
1. Declare certain items of personal property as surplus and no longer required for public use; and
 2. Authorize the Purchasing Agent to dispose of these items of personal property by donating them to Computers for Classrooms.
- Q. County Executive Officer requests approval of and authorization for the Chair to sign an agreement with MGT of America Consulting LLC for a maximum amount of \$33,125 for the term July 1, 2019 through June 30, 2020 for the preparation of SB 90 reimbursement claims and the annual Indirect Cost Plan.
- R. County Executive Officer requests appointment of the following applicant to serve on the Napa County Assessment Appeals Board with the term to commence immediately and expire September 2, 2022:

<u>Name</u>	<u>Representing</u>
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Todd Cooper	Property Appraiser Certified by the State Board of Equalization
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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. 8:00 AM

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

B. 9:10 AM PUBLIC HEARING

Agricultural Commissioner/Sealer of Weights and Measures and Director of Planning, Building and Environmental Services request adoption of an interim ordinance extending a temporary moratorium on commercial and research cultivation of hemp within the unincorporated area of Napa County and declaring the urgency thereof. (4/5 vote required)

ENVIRONMENTAL DETERMINATION: The proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, 14 California Code of Regulations, sections 15060, subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061, subdivision (b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the ordinance is categorically exempt from review under CEQA under the Class 8 Categorical Exemption, 14 C.C.R. Section 15308 (regulatory activity to assure protection of the environment). In addition to the foregoing general exemptions, the ordinance is categorically exempt from review under CEQA under the Class 8 Categorical Exemption, 14 C.C.R. section 15308 (regulatory activity to assure protection of the environment).

C. 9:15 AM

County Executive Officer requests the Board receive an annual report from Visit Napa Valley as required by the Napa Valley Tourism Improvement District.

D. 9:30 AM

Director of Public Works requests discussion and direction on a draft Request for Proposals for a potential second Fixed Based Operator to enter into a long-term lease at the Napa County Airport.

E. 10:00 AM

County Executive Officer requests the following regarding the Jail Replacement Project:

1. Board receive a presentation and project update regarding the Jail replacement facility;
2. Adoption of a resolution authorizing updates to the scope of work and County cash contributions in connection with SB 844 funding; and
3. Adoption of a resolution authorizing updates to the scope of work and County cash contributions in connection with SB 863 funding.

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

- A.** Director of Planning Building and Environmental Services seeks direction from the Board of Supervisors regarding whether to prepare an ordinance to address commercial cannabis.

- B.** County Executive Officer and Director of Public Works request adoption of a resolution taking the following actions:
1. Accepting a bid from Caritas Related, LLC, (Caritas) as the highest responsive bidder as found by the designated Bid Selection Committee, in the amount of \$7.5 million and a commitment to construct a minimum of 25 affordable housing units onsite, for the purchase of 2344 Old Sonoma Road (Property) and authorizing the sale of the Property to Caritas at that price;
 2. Authorizing the Chair of the Board to execute a purchase and sale agreement and grant deed for conveyance of the Property to Caritas on terms and conditions consistent with the Resolution of Intent and at the respective bid/purchase prices accepted above;
 3. Authorizing the Director of Public Works or designee to negotiate and execute any agreements or documents necessary to facilitate the purchaser's research and investigation of the Property during the due diligence period; and
 4. Authorizing the County Executive Officer (CEO) or designee, for a period of 120 calendar days from the date that the Chair of the Board executes the Purchase Agreement with Caritas, to take any other steps and to sign any other documents that are necessary to consummate the sale of the Property to Caritas including without limitation the execution of escrow documents and delivery of the County's grant deed to the purchaser and/or to an escrow holder agreed to by the CEO's office.

General Admin & Finance

- C.** Auditor-Controller requests authorization to prepare the necessary accounting entries to close the financial books for the fiscal year ended June 30, 2019. (4/5 vote required)
- D.** County Executive Officer requests the Board receive reports from:
1. Andrew Brown of Highmark Capital on the 115 Trusts for Pension and OPEB; and
 2. John Bartel regarding OPEB and Pension Unfunded Liability.
- E.** County Executive Officer requests the following action regarding the First 5 Napa County Children and Families Commission:

Appointment of one of the following applicants representing a Category "C" Member, with the term commencing immediately and expiring January 1, 2021:

Name

A. Kay Altizer

Julie McClure

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 LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Designated Representative: Karen Taylor, Human Resources Director

Employee Organization: Deputy Sheriff's Association (DSA Unit and Supervisory Unit of the County of Napa)

16. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, SEPTEMBER 10, 2019 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 AUGUST 23, 2019 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