



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY BOARD OF SUPERVISORS

**Tuesday August 29, 2017 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  
Interim County Executive  
Officer

Gladys I. Coil, CCB  
Clerk of the Board

Jeffrey Richard  
Chief Deputy 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 special and regular meetings:**

1. Regular meeting of July 11, 2017 (All Supervisors were present);
2. Special meeting of July 18, 2017 (Supervisor Brad Wagenknecht arrived during Item 15)\*;
3. Regular meeting of July 18, 2017 (All Supervisors were present); and
4. Regular meeting of August 1, 2017 (All Supervisors were present).

\*Supervisor will be recorded as abstained unless Supervisor indicates otherwise.

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

- A.** Director of Child Support Services requests approval of and authorization for the Chair to sign an agreement with Online Data Exchange, LLC for an annual maximum of \$130 for the term August 22, 2017 through August 21, 2018 and annually thereafter for a maximum of three years to provide online credit reporting access.
- B.** Chief Probation Officer requests approval of and authorization for the Chair to sign an agreement with Star View Behavioral Health, Inc. for the term July 1, 2017 through June 30, 2018 at a rate of \$187.19 per day for Community Treatment Facility (CTF) Supplement and \$353.79 for the Residential Classification Level (RCL) 14 group home rate to provide treatment services for juvenile youth who have had repeated psychiatric hospitalization and placement failures.

Public Safety

- C.** County Fire Chief requests approval of and authorization for the Chair to sign an agreement with Napa Communities Firewise Foundation for a maximum of \$100,000 for the term July 1, 2017 through June 30, 2018 for community outreach and assistance in the creation and continuation of Fire Safe Communities and Councils to mitigate the effects of and to survive wildland fires.
- D.** County Fire Chief requests adoption of a resolution approving amendments to the Napa County Fire Services Advisory Committee and amending bylaws to clarify role of liaison officer and change the number necessary to complete a quorum.

- E. Sheriff requests approval of and authorization for the Chair to sign a new agreement with Redwood Toxicology Laboratory, Inc. for a maximum of \$31,000 for the term August 1, 2017 through June 30, 2018 with an automatic renewal provision to provide postmortem drug screening services and toxicology screening on a case by case basis.

#### Community Resources & Infrastructure

- F. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewals of the following revenue agreements:
1. Agreement No. 170147B (formerly Agreement No. 4760) with the California Department of Food and Agriculture (CDFA) for a maximum of \$829 for the term July 1, 2017 through June 30, 2018 for activities related to the performance of Sudden Oak Death inspections on nursery shipments; and
  2. Agreement No. 8057 with CDFA - Division of Measurement Standards for a maximum of \$720 for the term July 1, 2017 through June 30, 2018 for activities associated with the initial inspection of assigned junk dealer recycle establishments.
- G. Director of Library Services and Community Outreach requests approval of and authorization for the Chair to sign an agreement with the Napa Valley Unified School District (NVUSD) for a maximum of \$2,500 for the term September 1, 2017 through June 30, 2018 to teach English as a Second Language (ESL) classes at the Library.
- H. Director of Library Services and Community Outreach requests approval of and authorization for the Chair to sign an agreement with Tutor.com for a maximum of \$118,275 for the term August 29, 2017 through June 30, 2022 for the Tutor.com Learning Suite, to provide educational and career resources to K-12, College, and Adult students.
- I. Director of Planning, Building and Environmental Services requests the following:
1. Approval of and authorization for the Chair to sign the following grant agreements for the term July 1, 2017 through June 30, 2018 for proposals of \$5,001 or greater for a total of \$42,276:
    - a. \$6,980 with Napa-Solano Audubon to maintain and expand the position of Educational Coordinator to continue their educational program that was funded by WCC the two previous years (2015/2016 and 2016/2017);
    - b. \$10,000 with Friends of the Napa River to support watershed education and environmental sciences for children;
    - c. \$12,720 with Land Trust of Napa County to support removal of invasive exotic plant species throughout the Missimer Snell Valley Preserve; and
    - d. \$6,076 with Napa County Resource Conservation District (RCD) to support a steehead and salmon monitoring program through the use of Passive Integrated Transponders (PIT) tags used to track and identify fish.
  2. Approval of the two following grant proposals totaling \$6,500, not requiring grant agreements:
    - a. \$2,500 with Napa Wildlife Rescue for the purchase of a laptop computer and new banners to enhance the quality and profile of outreach and educational efforts; and

**Item 6I...Continued**

- b. \$4,000 with Napa County Regional Park and Open Space District for the creation of a program called Napa Girls Outdoors to provide guided nature hikes and focus outreach to girls and women of Napa County.
  
- J. Director of Public Works requests approval of and authorization for the Chair to sign an agreement with Ascent Environmental, Inc. for a maximum of \$50,000 for the term August 29, 2017 through June 30, 2018, with automatic renewal provisions for a maximum of two additional years, for environmental monitoring services for the Reentry Facility and off-site Utilities Projects.
  
- K. Director of Public Works requests authorization for the Chair to sign a Certificate of Acceptance of an Avigation and Hazard Easement Deed from Bin to Bottle, LLC (Assessor's Parcel Number 057-152-012).
  
- L. Director of Public Works requests approval of Budget Transfer No. ANI001 increasing appropriations by \$20,000 in the Animal Shelter Capital Improvement Division with an offsetting use of available fund balance established through a deposit of donated funds in Fiscal Year 2016-17 for the purchase of specialized kennel caging. (4/5 vote required)
  
- M. Director of Public Works requests approval of and authorization for the Chair to sign a Certificate of Acceptance for the County to accept the dedication of a strip of land for road purposes (Silverado Trail), over and across portions of the lands of Lee Titus and Sons, Ltd., said right of way offered for dedication to the County by Irrevocable Offer of Dedication recorded May 19, 2015 in Instrument Number 2015-0012595, Napa County Records.

**General Admin & Finance**

- N. Chief Information Officer requests the following actions related to the Records Management digitization project:
  - 1. Approval of Budget Transfer No. ITS002 increasing appropriations in the Records Management subdivision equipment expense account by \$7,650 offset by the commensurate decrease in consulting services within the same budget and establishment of capital asset in the amount of \$7,650 for the purchase of a server. (4/5 vote required)
  - 2. A waiver of competitive bidding requirements and sole source award to NEKO Industries, Inc. of Roseville, CA for the purchase of OnBase Integration for Accela, Records Management Module software and implementation, and a server in the amount of \$69,605 plus applicable taxes, pursuant to County Ordinance Code 2.36.090.
  
- O. County Counsel and County Executive Officer request approval of and authorization for County Counsel to sign consent waiving potential conflicts of interest in connection with Goldfarb & Lipman LLP's (Goldfarb) representation of the County in matters that also involve Napa Valley Community Housing (NVCH).

- P.** County Executive Officer/Purchasing Agent and County Fire Chief request the following:
1. Declare safety equipment, none of which are fixed assets, as surplus and no longer required for public use; and
  2. Request authorization for disposal of surplus property items by donation to fire service programs such as Napa High School, Santa Rosa Junior College and Butte Junior College.
- Q.** County Executive Officer and Risk and Emergency Services Manager request approval of and authorization for the Chair to sign the following amendments extending the term to July 1, 2017 through June 30, 2018 with no other changes to the terms and conditions to provide training and instruction to participants of the Community Emergency Response Team (CERT) services to Napa County:
1. Amendment No. 1 to Agreement No. 170525C-17 with Kenneth Arnold;
  2. Amendment No. 1 to Agreement No. 170552C-17 with Neal O'Haire; and
  3. Amendment No. 1 to an agreement (previously Agreement No. AUD-7035) with Sharron Lea Sunderland.
- R.** County Executive Officer and Risk and Emergency Services Manager request approval of and authorization for the Chair to sign an agreement with Degenkolb Engineers for a maximum of \$63,000, extending the term through June 30, 2018 with no other changes to the terms and conditions to provide structural engineering services related to the Historic Courthouse damaged in the August 24, 2014 earthquake.
- S.** County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170289B-17 (formerly Agreement No. 3915) with California Service Bureau effective July 1, 2017 to provide for collection services on a month to month basis with no other changes to the agreement.

## **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. 9:20 AM PUBLIC HEARING**

Director of Planning, Building and Environmental Services requests adoption of a resolution increasing rates by approximately 2.24% for the residential and commercial operational cost associated with the collection of solid waste, recyclables, green waste and food waste applicable to the Unincorporated Area of Garbage Zone One, effective October 1, 2017.

**B. 9:35 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 sq. ft. 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 sq. ft. 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 8AM – 6PM to proposed hours of 7AM – 6PM; (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, 2017)**

**C. 10:00 AM**

County Executive Officer requests adoption of a resolution designating the County owned property at 2344 Old Sonoma Road as surplus and no longer needed for County use.

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

- A. Director of Planning, Building and Environmental Services requests initiation of a General Plan Amendment for the Capell Valley School commercial project located on the northeast side of Capell Valley Road approximately 3/4 mile northwest of its intersection with Steele Canyon Road at Moskowite Corner, 1191 Capell Valley Road, Napa (Assessor's Parcel Number 032-120-026). **ENVIRONMENTAL DETERMINATION:** This action consists of initiating processing of a general plan amendment, which is not a 'project' as defined by 14 California Code of Regulation 15378 (c) (State CEQA Guidelines), and accordingly, no CEQA review is required at this time. However, the general plan amendment will require environmental review which will commence once processing is initiated.

**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**

Significant exposure to litigation pursuant to Government Code Section 54956.9(e)(1): (4 cases)

**16. ADJOURNMENT**

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, SEPTEMBER 12, 2017 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 25, 2017 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