



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY BOARD OF SUPERVISORS

Tuesday September 1, 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

How to Watch or Listen to the Napa County Board of Supervisors Meetings

IN-PERSON ATTENDEES MUST TO WEAR A FACE MASK COVERING THE NOSE AND MOUTH INSIDE THE BOARD CHAMBERS AT ALL TIMES.

The Napa County Board of Supervisors will continue to meet pursuant to the adopted 2020 calendar available at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/16790/2020-Board-of-Supervisors-Calendar-PDF>

The Board realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Please watch or listen to the Board of Supervisors meeting in one of the following ways:

1. **Watch on your TV** - Napa Valley TV Channel 28 (programming subject to local pre-emption rules and schedules).
2. **Listen on your cell phone via Zoom** at 1-669-900-6833 then enter Meeting ID **842-343-169** once you have joined the meeting.
3. **Watch via the Internet** – view the Live Stream
 - a. via Zoom at the following link: <https://www.zoom.us/join>
then enter Meeting ID **842-343-169**.
 - b. via Granicus by clicking on the following link:
http://napa.granicus.com/ViewPublisher.php?view_id=2
4. You may submit public comment for any item that appears on the agenda, or general public comment for any item or issue that does not appear on the agenda, as follows:

Via email: send your comment to the following email address:

publiccomment@countyofnapa.org. **EMAILS WILL NOT BE READ ALOUD.**

Emails received by 8:00 AM on Tuesdays will be posted online. Emails received during board meetings will be posted *after* the meeting. All emails become part of the permanent record.

Via telephone: please call the [Board of Supervisors Public Comment Line](#) at (707)-299-1776.

Please mute all audio devices and do no use the speakerphone to prevent echoing.

Please provide your name and the agenda item on which you are commenting. Calls will be placed on hold and heard in the order received. Hold time is limited to 20 minutes per caller.

The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order N-29-20 and N-33-20. For more information, please call at (707)-253-4421 or email clerkoftheboard@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. APPROVAL OF MINUTES****4. PRESENTATIONS AND COMMENDATIONS**

- A. Presentation of a proclamation to Sarah O'Malley, Deputy Director/Mental Health Director; Kerry Ahearn, Executive Director of Aldea Children and Family Services; and Denise Bleuel and Jim Warnock, suicide family survivors and members of the Suicide Prevention Council declaring September 2020 "Suicide Prevention Month" in Napa County.

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 Amendment No. 1 to Agreement No. 200157B with the Board of State and Community Corrections to extend the term from September 30, 2020 to September 30, 2021.
- B. Public Defender requests authorization for the Chair to sign an agreement with Polly Webber, Immigration Consultant, for a maximum of \$9,360 per year for the term June 1, 2020, through June 30, 2023.

Public Safety

- C. County Fire Chief requests approval of and authorization for the Chair to sign the following agreements for the term July 1, 2020 through June 30, 2021 with an automatic annual renewal option up to two additional years to provide portable toilet services for the Napa County Fire Department:
1. American Sanitation, Inc. for a maximum amount of \$5,500 per fiscal year.
 2. Johnny on the Spot for a maximum amount of \$10,000 per fiscal year.

Community Resources & Infrastructure**D.** Director of Public Works requests following:

1. Approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 190311B with Napa Valley Transportation Authority (NVTA) to provide funding in the amount of \$21,600 to help pay for completion of the design and engineering documents for the Calistoga segment of the Vine Trail; and
2. Approval of Budget Transfer No. DPW007 for the following (4/5 vote required):
 - a. Increase appropriation by \$21,600 in General Fund Non-Departmental budget (Fund 1000, Sub-Division 1050000) offset by decrease in appropriation in General Fund Appropriations for Contingencies budget (Fund 1000, Sub-Division 1059000); and
 - b. Increase appropriation by \$21,600 in Roads Operations budget (Fund 2040, Sub-Division 2040000) offset by increase in revenue by the same amount from the transfer from General Fund.

E. Director of Public Works requests the following:

1. Approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 200227B with GHD, Inc. to provide Phase III project design and construction services for the Airport Boulevard Project, RDS 20-14 with an increased compensation by \$138,310 for a new maximum of \$326,402; and
2. Approval of Budget Transfer No. DPW005 for the following (4/5 vote required):
 - a. Increase appropriations by \$153,374 in the Measure T Non-Operating Special Revenue Fund (SRF) budget (Fund 2440, Sub-Division 1220053) to transfer to Program 20032 offset by use of its available fund balance; and
 - b. Increase appropriations by \$153,374 in Program 20032 (Airport Blvd Project) budget offset by an increase in revenue from the transfer from the Measure T SRF budget.

F. Director of Public Works requests the following:

1. Award of the contract to the lowest bidder, Pat Nelson Construction Inc. of Petaluma, California for their base bid of \$393,640 and authorize the Chair to sign the construction contract for the SB-1-Mt. Veeder Road Bridge MPM 2.13, RDS 20-26;
2. Approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 200304B with ADKO Engineering increasing maximum compensation by \$26,494 for Mt. Veeder Road Bridge MPM 2.13, RDS 20-26 for a new maximum of \$71,042 for additional design and construction support and increasing maximum compensation by \$9,000 for Buhman Road Bridge, RDS 20-25 for a new maximum of \$221,483 and for a new accumulated total of \$292,525; and
3. Approval of Budget Transfer No. DPW006 for the following (4/5 vote required):
 - a. Increase appropriations by \$563,728 in the SB-1 Non-Operating Special Revenue Fund (Fund 2440, Sub-Division 1220052) with the use of its available fund balance to be transferred to Program 20037; and
 - b. Increase appropriations by \$563,728 in Program 20037 (SB-1-Mt. Veeder Road Bridge MPM 2.13 Project) budget offset by an increase in revenue from the transfer from the SB-1 Non-Operating Special Revenue Fund.

General Admin & Finance

- G.** Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign a license agreement with Tuolumne County to provide offsite storage of Official Records microfilm for the term October 1, 2020 through September 30, 2021 which converts to month-to-month revocable upon 90 days notice by either party.
- H.** Assessor-Recorder-County Clerk requests Board authorization to waive fees for copies of official records; filed maps; assessor maps and assessor building records for the period of August 20, 2020 through June 30, 2021 for owners of properties impacted by the 2020 LNU Fire Complex.
- I.** County Executive Officer/Purchasing Agent and Assessor-Recorder-County Clerk ex officio Registrar of Voters request the following actions:
1. Declare one non-capitalized return ballot envelope manual bin sorting system as surplus and no longer required for public use; and
 2. Authorize the donation of the bin sorting system to Butte County Election Division at no cost to the County.
- J.** Auditor-Controller, Director of Human Resources, and Chief Information Officer request approval of and authorization for the Chair to sign Amendment No.1 to Agreement No. 200281B with Tyler Technologies, revising the payment structure for travel and removing the change management component from the Statement of Work, resulting in a contract reduction of \$15,900.00.
- K.** Auditor-Controller requests the Board to accept and instruct the Clerk of the Board to file the quarterly report of donations received for the quarter ended June 30, 2020, including acceptance of donations totaling \$1,216.60 received by the Auditor-Controller on behalf of the Animal Shelter.
- L.** Auditor-Controller requests adoption of a resolution establishing the tax rates for the Fiscal Year 2020-21 Secured Tax Roll.
- M.** County Executive Officer, Chief Information Officer, and Clerk of the Board request approval of and authorization for the Chair to sign an agreement with Granicus, Inc. for a maximum of \$313,046 for the term of July 1, 2020 through June 30, 2023 to provide equipment, training, setup and configuration for a Boards and Commission's module, new agenda management system, eComment and closed captioning services, as well as provide ongoing system management of the Granicus internet broadcasting of public meetings.

7. DISCUSSION OF ITEMS PULLED FROM THE CONSENT CALENDAR**8. PUBLIC COMMENT****9. SET MATTERS OR PUBLIC HEARINGS****A. 9:15 AM**

Presentation by Dr. Karen Relucio, the County's Public Health Officer and discussion regarding the Coronavirus (COVID-19) situation, for Board direction and possible action.

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. 10:15 AM PUBLIC HEARING

The hearing for this matter was originally scheduled for 9:25 AM but moved to no earlier than 10:15 AM due to other items on the Board's agenda. All parties were notified of the change. The item will be heard at 10:15 AM. Consideration and possible direction regarding appeals filed by Patricia Damery, c/o Kathy Felch (Appellant Damery), and George and Jeff Atlas and Paul Rowe, c/o Kevin Block (Appellant Atlas and Rowe), to a decision by the Planning Commission on February 5, 2020 to approve (5:0- AYES: Gallagher, Whitmer, Hansen, Mazotti, Cottrell) an application submitted by Anthem Winery and Vineyards, c/o Justin H. Arbuckle and Julie A. Arbuckle, Trustees of the Arbuckle Family Trust May 5, 2006 (Applicant) for approval of a Use Permit Major Modification (P14-00320-MOD) for an existing 30,000 gallon winery permit to allow the following: (a) the construction of a new 10,388 sq. ft. winery facility that includes a 1,508 sq. ft. tasting room, a 1,724 sq. ft. office, catering and conference room, and approximately 4,600 sq. ft. of outdoor marketing areas; (b) the development of 29,053 sq. ft. of caves including the on-site placement and storage of spoils; (c) an increase in on-site parking from two spaces to 22 spaces; (d) the development of winery support facilities (water tanks, septic system, and rainwater harvesting and winery process water recycling and reuse systems); (e) an increase in the number of employees from one part-time employee to seven full-time and five part-time employees; (f) a change in the winery's hours of operation from 9:00 AM to 5:00 PM Monday through Sunday to 8:00 AM to 8:00 PM Monday through Sunday (production hours) and 10:00 AM to 6:00 PM Monday through Sunday (visitation hours), and marketing events 11:00 AM to 10:00 PM Monday through Sunday; (g) a marketing plan that includes daily tours and tastings by appointment with a maximum of 170 visitors per week during the Summer/Fall Season (April 1 through November 15) and a maximum of 120 visitors per week during the Winter/Spring Season (November 16 through March 31), and 23 annual marketing events (20 30-person events, two 50-person events, and one 100-person event) resulting in a maximum of 7,623 annual visitors, and on-site consumption of wine produced on-site; and (h) the reconfiguration of an existing access driveway including the construction of a clear span bridge and approximately 650 feet of new driveway to provide adequate access to the winery (hereafter referred to as the Project). The Project also includes an Exception to the Napa County Road and Street Standards (RSS) for reduced commercial driveway widths and for road grades exceeding 18%, a viewshed request and an Agricultural Erosion Control Plan (ECPA) for the installation and maintenance of approximately 1.19 acres of new vineyard. The Project would be completed in three phases: Phase I includes construction of the driveway, parking, septic system, production structures (Fermentation Buildings and Bottling Room), outdoor tasting area, and the cave water storage tanks; Phase II includes construction of the remainder of the caves; and Phase III includes construction of the tasting room and the office/catering/conference room building. The Project is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: i) the "Winery Parcel" (3454 Redwood Road, APN 035-470-046), an approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the "Access Parcel" (3123 Dry Creek Road, APN 035-460-038), an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road (or approximately 0.4 miles north of its intersection with Linda Vista Avenue). Access to the winery is proposed from Dry Creek Road.

(CONTINUED FROM MAY 19, 2020. APPLICANT REQUESTED A CONTINUANCE TO NOVEMBER 10, 2020, AT 1:30 P.M. STAFF AND APPELLANTS SUPPORT THE REQUEST.)

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed Project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area(s) Biological Resources, Geology and Soils, and Noise. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

10. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. County Executive Officer requests authorization for issuance of a Notice of Funding Availability (NOFA) to support local programs during the COVID 19 pandemic; and direction to staff to administer the program in a manner that allows for maximum flexibility for community recovery.

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

16. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, SEPTEMBER 15, 2020
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 FRIDAY, AUGUST 28, 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