



A Tradition of Stewardship
A Commitment to Service

**MINUTES OF THE
NAPA COUNTY – BOARD OF SUPERVISORS MEETING
COUNTY OF NAPA**

September 22, 2020

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

The Board of Supervisors of the County of Napa met in regular session on Tuesday, September 22, 2020 at 9:00 a.m. with the following supervisors present: Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisor Brad Wagenknecht, Supervisor Ryan Gregory, and Supervisor Belia Ramos. The meeting was called to order by Chair Diane Dillon.

2. PLEDGE OF ALLEGIANCE

Co-Chair of the Latinx Heritage Committee Debbie Alter-Starr led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

- A. Presentation of a proclamation to Ricky Hurtado, President of the Napa County Hispanic Network, and Maria Cisneros and Debbie Alter-Starr, Co-Chairs of the Latinx Heritage Committee, proclaiming Latinx Heritage Month in Napa County from September 15 to October 15.**

Chair Diane Dillion presents proclamation.

President of the Napa County Hispanic Network Ricky Hurtado made presentation.

Co-Chair of the Latinx Heritage Committee Debbie Alter-Starr made presentation.

Co-Chair of the Latinx Heritage Committee Maria Cisneros made presentation.

Discussion held.

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

Director of Housing and Homeless Services Molly Rattigan presented a report on additional background information and public concern regarding the County's lease on the St. John's Lutheran School related to COVID-19.

Registrar of Voters John Tuteur presented a report on ballot casting.

6. CONSENT ITEMS

Public Safety

- A. 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 September 1, 2020 through June 30, 2021 with an automatic annual renewal option up to two additional years 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.

A-210112B

Community Resources & Infrastructure

- B. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chair to sign renewals for the following revenue agreements: Agreement No. 170147B with the California Department of Food & Agriculture (CDFA) for a maximum of \$3,964 for the term July 1, 2020 through June 30, 2021 for activities related to the performance of Sudden Oak Death inspections on nursery shipments; and Agreement No. 170909B with CDFA for a maximum of \$500 for the term July 1, 2020 through June 30, 2021 for activities related to the performance of nursery inspections and enforcement work.
- C. Director of Public Works requests approval of the following actions for projects related to the 2020 LNU Lightning Complex Fires: Approval to utilize \$935,000 of unspent (previously approved) General Fund funding for the 2020 Napa Lightning Fires; and Approval of Budget Transfer No. DPW013 for the following (4/5 vote required) : Reclassify \$935,000 from Other Professional Services account to Transfers Out account within General Fund, Sub-Division 1058006 budget (2020 Napa Lightning Fires) with no net increase; Create a new program and increase revenue and appropriations by \$30,000 in the Roads Capital Improvement Project (CIP), Program 21024 (LNU FEMA Signage Replacement Project, RDS 20-37) budget, offset by the transfer from the General Fund; Create a new program and increase

revenue and appropriations by \$30,000 in the Roads Capital Improvement Project (CIP), Program 21025 (LNU FHWA Signage Replacement Project, RDS 20-38) budget, offset by the transfer from the General Fund; Create a new program and increase revenue and appropriations by \$200,000 in the Roads CIP, Program 21026 (LNU Fire Tree Debris Removal Project, RDS 20-36) budget, offset by the transfer from the General Fund; Create a new program and increase revenue and appropriations by \$75,000 in the Roads CIP, Program 21027 (LNU FEMA Guardrail Repair Project, RDS 20-39) budget, offset by the transfer from the General Fund; Create a new program and increase revenue and appropriations by \$150,000 in the Roads CIP, Program 21028 (LNU FHWA Guardrail Repair Project, RDS 20-40) budget, offset by the transfer from the General Fund; Create a new program and increase revenue and appropriations by \$250,000 in the Roads CIP, Program 21029 (LNU Steele Canyon 2.25 Retaining Wall Repair Project, RDS 20-41) budget, offset by the transfer from the General Fund; and Create a new program and increase revenue and appropriations by \$200,000 in the Roads CIP, Program 21030 (LNU Steele Canyon 2.0 Culvert Repair Project, RDS 20-42) budget, offset by the transfer from the General Fund.

- D. Director of Public Works requests the following actions: Declare capital asset patrol vehicle, a 2015 Ford Interceptor (property number 27653, Vin #1FM5K8AT4FGB98603), as surplus and no longer required for use; Authorize the Purchasing agent to donate the 2015 Ford Interceptor to the City of St. Helena; and Authorize the Auditor-Controller to remove this vehicle from the capital asset listing.

General Admin & Finance

- E. Assessor-Recorder-County Clerk requests approval of and authorization for the Chair to sign Amendment No. 15 to Agreement No. 170547B with the California Department of Justice increasing the amount by \$482 for a new maximum of \$25,310 and extending the term through June 30, 2021, for cost-sharing in a statewide Electronic Recording Delivery System (ERDS).
- F. Auditor-Controller requests adoption of a resolution establishing the Fiscal Year 2020-2021 appropriation limit and estimated revenue subject to the limit for the County of Napa as required by Article XIII B of the California Constitution.

R-2020-117

- G. Auditor-Controller requests adoption of a resolution establishing the Fiscal Year 2020-2021 appropriation limit and estimated revenue subject to the limit for the Napa County Community Facilities District 2012-1 for the Milliken-Sarco-Tulocay (MST) Recycled Water Pipeline Project.

R-2020-118

- H. 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 et seq. for APN 820-005-643 in the amount of \$26,668,164 for personal property-aircraft.
- I. Auditor-Controller requests the Board accept, and instruct the Clerk of the Board to file, the internal audit report for County of Napa County-Wide Audit of P-Card Program for the period of April 1, 2019 - March 31, 2020.
- J. County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 200214B with Thomson Reuters to add three additional users, for a new maximum of \$13,730 per fiscal year for the term of October 1, 2020 through July 31, 2021, with two annual renewals and a 2% increase each subsequent year to provide Westlaw legal research software.
- K. County Counsel requests adoption of a resolution approving a new Napa County Assessment Appeal Board Local Rule 17a, establishing a procedure for conducting remote hearings, including notice to hearing participants, submission and distribution of evidence, and waiver of any right to in-person appearances.

R-2020-119

- L. County Executive Officer/Director of Emergency Services requests establishment of capital assets in the total amount of \$75,000 for 3 trailers serving as portable restroom and shower facilities to support shelter operations in response to the COVID-19 emergency.
(4/5 vote required)

- M. County Executive Officer requests the appointment of the following applicant to the Napa County Commission on Aging with the terms to commence immediately and expire September 30, 2022:

Name Representing District Marc Frankenstein*Organization
Concerned w/ Older Adults1

*Recommended by the Commission on Aging

- N. County Executive Officer requests the appointment of the following applicant to the Napa County Child Care and Development Planning Council with the term of office to commence immediately and expire June 30, 2021:

Name Representing Elayna Trucker* At Large

*Recommended by the Child Care and Development Planning Council

- O. County Executive Officer acting as the Director of Emergency Services requests approval of Budget Transfer No. CEO005 appropriating \$7,090,650 million in the Declared Emergency 2020 COVID-19 budget with offsetting revenue from the State's CARES Act allocation for Fiscal Year 2020-21 for the purpose of response and recovery to COVID-19 pandemic.
(4/5 vote required)

Motion by Brad Wagenknecht, Second by Alfredo Pedroza, to approve consent calendar. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

7. DISCUSSION OF ITEMS PULLED FROM THE CONSENT CALENDAR

None.

8. PUBLIC COMMENT

None.

9. SET MATTERS OR PUBLIC HEARINGS

- A. 9:00 AM PUBLIC HEARING Director of Public Works requests adoption of the following items related to the Napa County Airport Terminal Area, which will facilitate orderly and timely redevelopment at the Airport: A resolution adopting a Mitigated Negative Declaration for Terminal Area Redevelopment; and A resolution adopting the Napa County Airport Terminal Area Redevelopment Conceptual Site Plan (Plan).ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts with implementation of mitigation measures. Mitigation measures are proposed for the following areas: air quality, tribal cultural resources. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

R-2020-120

R-2020-121

Napa County Airport Manager Greg Baer made presentation.

Discussion held.

Motion by Ryan Gregory, Second by Belia Ramos, to approve adoption of the Mitigated Negative Declaration and the Conceptual plan. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza,

Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

- B. 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.

Public Health Officer Dr. Karen Relucio made presentation on COVID-19 update.

Discussion held.

Six (6) person spoke during public comment.

- C. 9:15 AM Recess to the Lake Berryessa Resort Improvement District (LBRID) special meeting (see LBRID Agenda).
- D. 9:20 AM Recess to the Napa Berryessa Resort Improvement District (NBRID) special meeting (see NBRID Agenda).
- E. 11:00 AM PUBLIC HEARING Director of Public Works requests adoption of a resolution increasing rates as shown in the resolution, effective October 1, 2020, 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, a service which is provided by Napa County Recycling and Waste Services, LLC.

R-2020-122

Director of Public Works Steve Lederer made presentation.

Motion by Alfredo Pedroza, Second by Brad Wagenknecht, to adopt the resolution. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

- F. 1:30 PM PUBLIC HEARING Consideration and possible action regarding an appeal filed by John Bremer (Applicant/Appellant) on behalf of the Bremer Group LLC., to a decision by the Napa County Planning Commission on July 15, 2019 to deny a request from Bremer Group LLC/Bremer Family Winery for an exception to the Napa County Conservation Regulations in the form of a Use Permit (No. P20-00143-UP) 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; and (2) an approximate 100 square foot freestanding restroom. 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: Consideration and possible adoption of Categorical Exemptions Class 1, 2, 3, and 4. 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 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 CEQA at 14 CCR Sections 15301, 15302, and 15304. This project has also been determined to be exempt pursuant to CCR Section 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/APPELLANT AND STAFF REQUEST A CONTINUANCE TO DECEMBER 8, 2020 AT 1:30 P.M.)

Motion by Ryan Gregory, Second by Brad Wagenknecht, to approve continuance of the item to December 8, 2020 at 1:30pm. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

- G. 1:35 PM Director of Planning, Building and Environmental Services and Local Agency Formation Commission (LAFCO) Executive Director will present information regarding LAFCO's Draft Countywide Water and Wastewater Municipal Service Review (MSR).

Planning, Building & Environmental Services David Morrison made presentation regarding Local Agency Formation Commission update.

Local Agency Formation Commission Executive Officer Brandon Freeman made presentation.

Local Agency Formation Commission Executive Officer Jennifer Stevenson made presentation.

Discussion held.

Four (4) people spoke during public comment.

10. ADMINISTRATIVE ITEMS

General Admin & Finance

- A. Chief Information Officer and Director of Library Services and Community Outreach request the following:

Receive a staff presentation on the Napa County Network Infrastructure Assessment: Opportunity Analysis and Recommendation (Assessment), a report by Magellan Advisors Request authorization to do a Request for Proposal (RFP) to contract with a consultant(s) to develop an action plan based on the Assessment, and apply for/seek grant funding to implement the plan.

Chief Information Officer Jon Gjestvang made presentation.

Senior Consultant for Magellan Advisors Greg Laudeman made presentation.

Director of Library and Community Outreach Anthony Halstead made presentation.

Discussion held.

Motion by Brad Wagenknecht, Second by Belia Ramos, to receive the report and approve authorization for the RFP and grant funding to implement the plan. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

- B. County Executive Officer will provide an update on the impacts on County revenue due to the COVID-19 crisis and request direction from the Board.

Assistant County Executive Officer Mary Booher presented a report regarding updates on the impacts on County revenue due to COVID-19.

Discussion held.

Direction provided to staff to be fiscally conservative.

11. LEGISLATIVE ITEMS

- A. County Executive Officer, on behalf of the Napa County Legislative Subcommittee, requests discussion and possible action on the November 3, 2020 ballot propositions. Per Board of Supervisors (Board) policy, a unanimous vote is required of the Supervisors in attendance.

The Legislative Subcommittee recommends the following:

1. Take a position of SUPPORT on: Proposition 16: Repeals Proposition 209 - Ban on Affirmative Action
2. Take a position of OPPOSE on: Proposition 19: Property Tax Transfers, Exemptions, and Revenue for Wildfire Agencies and Counties

3. Discuss and take a possible position on: Proposition 21: Local Rent Control

4. Take NO POSITION on:

Proposition 14: The California Stem Cell Research, Treatments, and Cures Initiative of 2020

Proposition 15: Schools and Communities First Act

Proposition 17: Voting Rights Restoration for Persons on Parole

Proposition 18: Primary Voting for 17-year-olds turning 18 before the next general election

Proposition 20: Criminal Sentencing, Parole, and DNA Collection

Proposition 22: App-Based Drivers as Contractors and Labor Policies

Proposition 23: Dialysis Clinic Requirements

Proposition 24: Consumer Personal Information Law and Agency

Proposition 25: Replace cash bail with risk assessment

Staff Assistant II Nelson Cortez made presentation on Legislative Subcommittee recommendations.

Discussion held.

No action taken on Proposition 14; Proposition 15; Proposition 17; Proposition 18; Proposition 20; Proposition 22; Proposition 23; Proposition 24; and Proposition 25.

Motion by Brad Wagenknecht, Second by Alfredo Pedroza to support the position in Proposition 16. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

Motion by Brad Wagenknecht, Second by Alfredo Pedroza, to support the position to oppose Proposition 19. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

Motion by Belia Ramos, Second by Brad Wagenknecht, to not take a position on Proposition 21. Motion passed 5 – 0 with Chair Diane Dillon, Vice Chair Alfredo Pedroza, Supervisors Ryan Gregory, Belia Ramos and Brad Wagenknecht voting yes.

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

Chair Diane Dillon reported on attending the Housing Methodology Committee meeting to discuss the regional housing needs allocation.

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

Supervisor Belia Ramos requested the Board discuss a potential two-by-two with the City of American Canyon due to the concerns regarding Zone D of the airport be agendized for discussion at a future meeting.

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

15. CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: Napa County Airport, Napa, California (APN 057-050-009)
Agency Negotiator: Minh C. Tran, County Executive Officer
Negotiating Parties: Napa County, Lynx FBO Enterprise, LLC, and firm to be selected through RFP AIRPA001
Under Negotiation: ☒ Price ☒ Terms of Payment

Closed session held. No reportable action.

16. ADJOURNMENT

Adjourned to the Board of Supervisors regular meeting, Tuesday, October 6, 2020 at 9:00 a.m.

DIANE DILLON, Chair

ATTEST:

NEHA HOSKINS, Clerk of the Board