

Napa County

Board of Supervisors Chambers
1195 Third Street, Third Floor
Napa, CA 94559



Agenda - Final

Tuesday, August 20, 2024

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor**

Board of Supervisors

Joelle Gallagher, District 1

Ryan Gregory, District 2

Anne Cottrell, District 3

Alfredo Pedroza, District 4

Belia Ramos, District 5

** This is a simultaneous meeting of the Board of Supervisors of Napa County, Napa County Public Improvement Corporation, Silverado Community Services District, Monticello Public Cemetery District, In-Home Supportive Services Public Authority of Napa County, Lake Berryessa Resort Improvement District, Napa Berryessa Resort Improvement District, Napa County Housing Authority, and the Napa County Groundwater Sustainability Agency.*

www.countyofnapa.org

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 310, 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.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Levine Act Compliance: Effective January 1, 2023, the Levine Act (Government Code Section 84308) governs contributions in Board of Supervisor proceedings related to licenses, permits, or entitlements, as defined in the Act. Board members are prohibited from accepting contributions exceeding \$250 from parties, their agents, or participants during such proceedings and for 12 months after a final decision. If a Board member received a contribution exceeding \$250 within the past 12 months, disclosure is required on the record, and the member must not use their position to influence decisions. Parties and participants must disclose applicable contributions exceeding \$250 on the record, providing the following: • Name of the party or participant and any other person making the contribution • The name of the recipient • The amount of the contribution; and • The date the contribution was made. This information does not constitute legal advice. Parties and participants are advised to consult their legal counsel for guidance on compliance.

ON A MATTER ON THE AGENDA

Please proceed to the podium when the matter is called 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, but is generally limited to three minutes.

ON A MATTER NOT ON THE AGENDA

Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of Napa County and its related districts and agencies. Public comment is limited to three minutes per speaker, subject to the discretion of the Chair. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. The Board is here to listen to everyone who wishes to address them, but everyone has the responsibility to act in a civil manner. Please remember this meeting is being recorded and broadcast on live television. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Board from taking any action today on matters raised during public comment.

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

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

<https://www.countyofnapa.org/1429/Board-of-Supervisors-Special-Districts-C>

The Board realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Board of Supervisors reserves the right to conduct the meeting without remote access.

Please watch or listen to the Board of Supervisors meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa Suite 305.
2. Watch via YouTube at <https://www.youtube.com/@NapaCounty/streams>.
3. Watch online at <https://napa.legistar.com/Calendar.aspx> (click the “In Progress” link in the “Video” column).
4. Watch on Napa Valley TV Channel 28.
5. Watch on Zoom via www.zoom.us/join (Meeting ID: 842-343-169) or listen on Zoom by calling 1-669-900-6833 (Meeting ID: 842-343-169).
6. To listen or watch in Spanish, please visit <https://www.countyofnapa.org/3723/>

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

1. Call the Board of Supervisors Public Comment Line at 707-299-1776 during the item on which you want to speak. Comments will be limited to three minutes, subject to the discretion of the Chair. If you cannot make the meeting, you may leave a comment by voice mail by calling the Public Comment Line before or after the meeting.
2. Email your comment to publiccomment@countyofnapa.org 24 hours in advance of the meeting to ensure that your comment will be shared with all members of the Board of Supervisors.

For more information, please contact the Clerk of the Board's office at 707-253-4580 or email clerkoftheboard@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PET OF THE WEEK
4. PROCLAMATIONS AND COMMENDATIONS
5. CONSENT CALENDAR - SPECIAL DISTRICTS

Napa County Housing Authority

- A. Acceptance of donation report for quarter ending June 30, 2024. [24-1317](#)
(Fiscal Impact \$7,356 Revenue; Housing Authority Fund; Budgeted; Discretionary)
Attachments: [Donation Report](#)

Lake Berryessa Resort Improvement District

- B. Approve the Plans and Specifications for Phase I of the “LBRID Wastewater Ponds Groundwater Inflow Mitigation Project” and authorize the advertisement for sealed bids, and opening of the bids at a time, date, and location to be published by the District Engineer pursuant to Section 20150.8 of the Public Contract Code. (No Fiscal Impact; Discretionary) [24-1359](#)
- C. Authorize preparation of the necessary accounting entries to close the financial books for the fiscal year ended June 30, 2024. (Fiscal Impact: \$3,554,206 Expense; Lake Berryessa Resort Improvement District Fund; Not budgeted; Discretionary) [24-1410](#)
[4/5 vote required]
Attachments: [Attachment A - Carryforward Schedule](#)

Napa Berryessa Resort Improvement District

- D. Authorize preparation of the necessary accounting entries to close the financial books for the fiscal year ended June 30, 2024. (Fiscal Impact: \$259,930 Expense; Napa Berryessa Resort Improvement District Fund; Not Budgeted; Discretionary) [24-1433](#)
[4/5 vote required]
Attachments: [Attachment A - Carryforward Schedule](#)

6. CONSENT CALENDAR**Auditor-Controller**

- A.** Authorize preparation of the necessary accounting entries to close the financial books for the fiscal year ended June 30, 2024. (Fiscal impact: identified with each requested item in the attached letter; Various Funds; Not budgeted; Discretionary) [24-1274](#)
[4/5 vote required]
Attachments: [Year End Memo](#)
[Year End Memo Attachment A - PO Carryforward](#)
[Year End Memo Attachment B - CIP and Non CIP Carryforward](#)
[Year End Memo Attachment C - PERS Reconciliation](#)
- B.** Deny four (4) State assessed unitary property tax refund claims for return of 2019-20, 2020-21, 2021-22, and 2022-23 taxes paid on Assessor's Parcel No. 799-000-226 in accordance with Revenue and Taxation Code section 100 and Sections 5096 and 5097 (one Railroad company). (Fiscal Impact: \$22,643.68 Revenue; Discretionary) [24-1362](#)
Attachments: [Claim for Refund 19-20](#)
[Claim for Refund 20-21](#)
[Claim for Refund 21-22](#)
[Claim for Refund 22-23](#)
- C.** Adopt a Resolution to authorize the issuance of the fiscal year 2023-24 promissory note for delinquent secured taxes and the continuance of the Teeter Plan for fiscal year 2024-25. (Fiscal Impact: \$1,705,498 Revenue, Various Funds, Budgeted, Mandatory) [24-1400](#)
Attachments: [Resolution](#)
[Teeter Buyout Memo from Auditor-Controller](#)

Child Support Services

- D.** Approve and authorize the Director of Child Support Services to sign the revised Plan of Cooperation Agreement No. 8677 with the California Department of Child Support Services amending language that addresses the role of the program participants and simplifies existing processes for the Child Support Program. (No Fiscal Impact; Mandatory) [24-1416](#)
Attachments: [Agreement](#)

Clerk of the Board

- E.** Approval of minutes from the August 6, 2024 regular meeting. (No Fiscal Impact) [24-930](#)
Attachments: [August 6, 2024](#)

- F. Reappoint Miguel Garcia, Mathias Kondolf, Albert Filipelli, Julie Chambon, and Monica Cooper to the Napa County Technical Advisory Group with terms of office to commence immediately and expire on June 30, 2026. (No Fiscal Impact) [24-1309](#)
- Attachments:** [Garcia Request](#)
[Kondolf Request](#)
[Filipelli Request](#)
[Chambon Request](#)
[Cooper Request](#)
- G. Appointment of Jimmy T. Kontras to represent Regular Member on the Napa County Dangerous Animal Hearing Panel with term of office to commence immediately and expire on January 31, 2027. (No Fiscal Impact) [24-1366](#)
- Attachments:** [Kontras Application](#)
- H. Reappointments of Fren Yaffa, Neil Watter, and Susan Ensey as Napa County representatives, and Fran Rosenberg as Napa County Alternate 1 to the Napa/Solano Agency on Aging Advisory Council. The terms of office are to commence immediately and expire on June 30, 2026. (No Fiscal Impact) [24-1367](#)
- Attachments:** [Yaffa Application](#)
[Watter Application](#)
[Ensey Application](#)
[Rosenberg Application](#)
- I. Reappoint Stacey D. Capitani representing Napa Valley Vintners/Top 5 Revenue on the Unincorporated Napa Valley Tourism Improvement District Governing Committee with term of office to commence immediately and expire on June 30, 2028. (No Fiscal Impact) [24-1386](#)
- Attachments:** [Capitani Application](#)

County Counsel

- J. Approve and authorize Amendment No. 1 to Agreement No. 230248B with Thomson Reuters for Westlaw legal research software adding two additional user licenses for a new maximum compensation of \$17,451, expiring on January 31, 2026. (Fiscal Impact: \$1,939 Expense; General Fund; Budgeted; Discretionary) [24-1313](#)
- Attachments:** [Agreement](#)

- K.** Approve and authorize the Informed Consent Letter with Liebert Cassidy Whitmore to allow the law firm to represent the Community College District in negotiations between the County and the College District for law enforcement services. (No fiscal Impact; Discretionary) [24-1347](#)

Attachments: [Informed Consent Letter](#)

County Executive Office

- L.** Approve and authorize Agreement No. 250100B with Willdan Financial Services to conduct a nexus study for Affordable Housing, Traffic, Utility Connections, and Small Woodland Conversion mitigation projects. (Fiscal Impact: \$68,460 Expense; General Fund; Budgeted; Discretionary) [24-1252](#)

Attachments: [Agreement Letter](#)

- M.** Accept and file the Annual Report of fees waived by various County departments during FY 2023-24. (Fiscal Impact: \$52,027 net expense; Various Funds; Budgeted; Discretionary) [24-1307](#)

Attachments: [Fees](#)

- N.** Approve transmittal of the proposed responses to the 2023-24 Grand Jury Final Reports to the Presiding Judge as prescribed by Section 933 of the Penal Code. (No Fiscal Impact; Mandatory) [24-1365](#)

Attachments: [Report - Hitting the Reset Button](#)
[Report - Communications](#)
[Report - Elder Abuse](#)
[Report - Skyline Academy](#)
[Response - Hitting the Reset Button](#)
[Response - Communications](#)
[Response - Elder Abuse](#)
[Response - Skyline Academy](#)

County Fire Department

- O.** Approve a Budget Amendment to increase the appropriations by \$70,000 in Fire Operations to purchase a 2023 Ford Expedition and 6 Motorola Dual Band Radios, waive competitive bidding requirements, and provide a sole source award to Cordelia Fire District for the vehicle. (Fiscal Impact: \$70,000 Expense; Fire Fund, Not Budgeted; Discretionary) [24-1397](#)
[4/5 vote required]

Health and Human Services Agency

- P.** Approve and authorize Agreement No. 250159B with Mentis, Inc., for \$1,520,000 for Fiscal Year 2024-2025, and each subsequent annual renewal, for the provision of Early and Periodic Screening, Diagnostic and Treatment program services. (Fiscal Impact: \$1,520,000 Expense; Health and Human Services Agency Fund; Budgeted; Mandatory) [24-1300](#)
- Attachments:** [Agreement](#)
- Q.** Approve and authorize Agreement No. 250090B with Ole Health dba CommuniCare OLE, for a maximum of \$452,738 for the term of July 1, 2024 through June 30, 2027, for the provision of the Dental Access Program. (Fiscal Impact: \$452,738 Expense; Health and Human Services Agency Fund and General Fund; Budgeted; Discretionary) [24-1392](#)
- Attachments:** [Agreement](#)

Human Resources – Division of CEO’s Office

- R.** Approve and authorize Agreement No. 240398B with ExamWorks for the term of January 1, 2024, through June 30, 2024, to provide advisory medical record review, independent medical examinations, and/or reports, and pay for previous work regarding an independent medical examination. (Fiscal Impact: \$80,000 annual expense; Fund dependent upon Department usage; Budgeted; Discretionary) [24-969](#)
- Attachments:** [Agreement](#)
- S.** Adopt a Resolution to amend Napa County Policy Manual Part I to add Section 37DD - Lactation Accommodation Policy. (No Fiscal Impact) [24-1306](#)
- Attachments:** [Resolution](#)
[Exhibit A](#)

Information Technology Services – Division of CEO’s Office

- T.** Approve and authorize Agreement No. 250075B with AMS.NET, for a maximum of \$29,800 through June 30, 2025 for professional services required for network configuration at the Napa County Replacement Detention Facility; and a waiver of competitive bidding requirement and sole source award (pursuant to Napa County Code Section 2.36.090). (Fiscal Impact: \$29,800 Expense; Capital Projects Fund; Budgeted; Discretionary) [24-1015](#)
- Attachments:** [Agreement](#)

- U. Approve and authorize Agreement No. 250096B with Pictometry International Corporation for a maximum of \$252,180 to provide aerial photography services through August 31, 2027 (Fiscal Impact: \$252,180 Expense; Information Technology Services Fund; Budgeted; Discretionary). [24-1336](#)
- Attachments:** [Agreement](#)
- V. Adopt a Resolution approving revisions to the Clerk of the Board and Public Works retention schedules in Section 40 of the County Policy Manual effective August 20, 2024. [24-1352](#)
- [4/5 vote required]
- Attachments:** [Resolution](#)
[Exhibit "A" - Public Works Retention Worksheet \(Clean\)](#)
[Exhibit "B" - Clerk of the Board Retention Worksheet \(Clean\)](#)
[Public Works - Retention Worksheet \(Redlined\)](#)
[Clerk of the Board - Retention Worksheet \(Redlined\)](#)

Planning, Building and Environmental Services (PBES)

- W. Approve a Budget Amendment to increase appropriations in Community Grants with use of fund balance to allow the Wildlife Conservation Commission to fund additional annual grant applications. (Fiscal Impact: \$10,000 Expense; Not Budgeted; Discretionary) [24-1374](#)
- [4/5 vote required]
- X. Adopt and approve a temporary office closure on Thursday, September 19, 2024, from 11:00 a.m. to 2:00 p.m. for a department-wide team building, professional development luncheon. (No Fiscal Impact; Discretionary) [24-1394](#)

Probation

- Y. Approve and authorize Agreement No. 250149B with Jan C. Bouch, for the term August 1, 2024 through June 30, 2025 to provide executive coaching and mentoring of Probation Supervisors and Managers. (Fiscal Impact: \$58,000 Expense; General Fund; Budgeted; Discretionary) [24-1413](#)
- Attachments:** [Agreement](#)

Public Works

- Z. Approve and authorize the disposal of one surplus piece of equipment by way of trade-in. (Fiscal Impact: \$28,000 Revenue; Fleet; Not Budgeted; Discretionary) [24-1192](#)

- AA.** Adopt a Resolution authorizing the filing of an application, acceptance of allocation of funds, and execution of a grant agreement by the Director of Public Works with the California Department of Transportation Aeronautics Division in support of the Airport Improvement Program for a State Matching Grant for the Taxiway K and 19R Runup Apron Rehabilitation Project. (Fiscal Impact: \$219,629 Revenue; Airport CIP Fund; Budgeted; Discretionary) [24-1299](#)
- Attachments:** [Resolution](#)
- AB.** Approve and authorize Agreement No. 250070B with St. Francis Electric for a maximum of \$150,000 per fiscal year, for the term of July 1, 2024 through June 30, 2027 with an automatic one-year renewal option for up to two additional years to provide Electrical Maintenance and On-Call Services for Napa County. (Fiscal Impact: \$150,000 Expense; Roads and County Service Area No. 3 Funds; Budgeted; Discretionary) [24-1308](#)
- Attachments:** [Agreement](#)
- AC.** Authorize the purchase of a capital asset for a Motorola Two-Way All-Band radio, sole source award to Motorola Solutions, and approve a Budget Amendment. (Fiscal Impact: \$7,400 Expense; Roads Fund; Not Budgeted; Discretionary) [24-1341](#)
[4/5 vote required]
- AD.** Award a Construction Contract to “E.E. Gilbert Construction, Inc.” for the “Redwood Road 5.76 Slide Repair Project”; and approve a Budget Amendment. (Fiscal Impact: \$166,377 Expense; Measure T Non-Operating Special Revenue Fund; Not Budgeted; Discretionary) [24-1348](#)
[4/5 vote required]
- Attachments:** [Budget Summary](#)

Sheriff

- AE.** Approve and authorize revenue Agreement No. 170821B with Napa County Office of Education to provide a School Resource Officer at Juvenile Court and Camille Creek Community School. (Fiscal Impact: \$201,938 Revenue; General Fund; Budgeted; Discretionary) [24-1305](#)
- Attachments:** [Agreement](#)
- AF.** Approve and authorize Agreement No. 250148B with Axon Enterprise, Inc. for body worn cameras, conducted energy devices, and fleet video systems and approval of a waiver for competitive bidding and sole source award. (Fiscal Impact: \$3,042,638 Expense; General Fund; Budgeted; Discretionary) [24-1375](#)
- Attachments:** [Agreement](#)

- AG.** Adopt a Resolution; and approve and authorize grant agreement [24-1385](#)
250162B and related Budget Amendment to participate in the Urban Area Security Initiative (UASI) administered by Bay Area UASI FY22 grant funding for the performance period of July 1, 2024, to December 31, 2024 to enhance regional preparedness. (Fiscal Impact: \$7,872 Revenue; General Fund; Not Budgeted; Discretionary)
[4/5 vote required]

Attachments: [Resolution Agreement](#)

- 7. PUBLIC COMMENT**
For all matters not listed on the agenda but within the jurisdiction of the Board of Supervisors and Special Districts. (see page 1)
- 8. BOARD OF SUPERVISORS REPORTS AND ANNOUNCEMENTS**
- 9. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS**
- 10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS**
- 11. ADMINISTRATIVE ITEMS**

County Executive Office

- A.** Adopt a Resolution authorizing the execution of a Termination Agreement and related documents; and provide payment to defease the County's portion of the State lease for the Re-Entry Facility. (Fiscal Impact: \$16 million; Capital Improvement Projects Fund; Budgeted; Discretionary) [24-1292](#)

Attachments: [Resolution Termination Agreement State Approval](#)

Housing & Homeless Services – Division of CEO's Office

- B.** Receive a presentation regarding the "Napa Valley Housing Needs Assessment". (No fiscal impact) [24-1199](#)

Attachments: [Report PowerPoint \(added after meeting\)](#)

- 12. PUBLIC HEARING - SPECIAL DISTRICTS**

13. PUBLIC HEARINGS**Public Works**

- A. PUBLIC HEARING - Zone One Rates** [24-1325](#)

Adopt a Resolution adjusting rates effective October 1, 2024, 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. (Fiscal Impact: \$16,200 net revenue; Zone One; Budgeted; Discretionary)

Attachments: [Resolution](#)
[Zone 1 Map](#)

Planning, Building and Environmental Services (PBES)

- B. PUBLIC HEARING 9:00 AM- Sentinel LLC/Inglenook Residence Appeal** [24-1186](#)

Move to continue the public hearing for an appeal filed by Water Audit California (Appellant) to the Napa County Planning Commission's decision on November 15, 2023, to approve a Use Permit Exception to the Conservation Regulations (No. P22-00404-UP) filed by Adobe Associates, Inc. on behalf of Niebaum-Coppola Estate Winery LP (Applicant) to allow a private access road to encroach into the creek setback in order to serve existing agricultural structures and a potential future residence. (No Fiscal Impact)

(CONTINUED FROM JUNE 11, 2024. APPELLANT, APPLICANT, AND STAFF REQUEST A CONTINUANCE TO NOVEMBER 12, 2024, AT 9:00 AM.)

Planning, Building and Environmental Services (PBES)

- C. PUBLIC HEARING 2:00 PM - Duckhorn Vineyards Winery Appeal [24-642](#)
(Use Permit Major Modification No. P19-00097-MOD)

Conduct a public hearing to consider the appeals filed by Appellant John Murphy on behalf of Preserve Lodi Lane and Appellant Water Audit California concerning Napa County Planning Commission's decision on May 3, 2023, to approve the Duckhorn Vineyards Winery Use Permit Major Modification Application No. P19-00097 and adopt the Revised Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. (No Fiscal Impact)
(CONTINUED FROM NOVEMBER 7, 2023)

Attachments: [A - Preserve Lodi Lane's Appeal Packet](#)
[B - Water Audit California's Appeal Packet](#)
[C - Appellant PLL Witness List](#)
[D - Appellant WAC Witness List](#)
[E - Applicants Witness List](#)
[F - Planning Commission Adopted Conditions of Approval](#)
[G - Revised Mitigated Negative Declaration](#)
[H - PLL's response to revised MND](#)
[I - WAC's response to revised MND](#)
[J - PLL's Good Cause Request to Augment the Record](#)
[K - WAC's Good Cause Request to Augment the Record](#)
[L - Applicant's Objections to Good Cause Requests](#)
[M - Chair's Good Cause Determination](#)
[N - PLL's Supplemental Argument](#)
[O - WAC's Supplemental Argument](#)
[P - Applicant's Supplemental Argument](#)
[Q - Correspondence through August 8, 2024](#)
[R - Staff Responses to PLL's Appeal](#)
[S - Staff Responses to WAC's Appeal](#)
[PowerPoint_Staff \(added after meeting\)](#)
[PowerPoint_Appellant Murphy \(added after meeting\)](#)

14. CLOSED SESSION

15. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY,
SEPTEMBER 10, 2024 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 16, 2024 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.

Neha Hoskins (By e-signature)

NEHA HOSKINS, Clerk of the Board