



Meeting Minutes - Draft

Napa County Board of Supervisors

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
Jeffrey M. Brax, County Counsel
Neha Hoskins, Clerk of the Board

Tuesday, May 4, 2021

9:00 AM

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

Published draft minutes

1. CALL TO ORDER; ROLL CALL

Present: Chair Alfredo Pedroza, Supervisors Brad Wagenknecht, Diane Dillon, Ryan Gregory, and Vice Chair Belia Ramos. The meeting was called to order by Chair Alfredo Pedroza.

2. PLEDGE OF ALLEGIANCE

Sheriff John Robertson led the assembly in the pledge of allegiance.

3. APPROVAL OF MINUTES

None.

4. PRESENTATIONS AND COMMENDATIONS

A. Presentation of a proclamation to Anne Sutkowi-Hemstreet, Director of Rainbow Action Network, condemning racism, discrimination, xenophobia and hateful acts of violence in Napa County.

[21-220](#)

Presented proclamation.

B. Presentation of a proclamation to Napa County Fire Chief Geoff Belyea declaring Wildfire Prevention Week.

[21-236](#)

Presented proclamation.

5. DEPARTMENT HEAD REPORTS AND ANNOUNCEMENTS

Clerk of the Board Jose Luis Valdez presented report.

5. DEPARTMENT HEAD REPORTS AND ANNOUNCEMENTS

6. CONSENT ITEMS - SPECIAL DISTRICTS

A. District Engineer requests the following actions regarding a loan renewal for \$625,000 from Napa County: [21-161](#)

1. Adoption of a resolution to validate the loan renewal request and approve the issuance of a promissory note;
2. Authorization for the Chair and Clerk of the Governing Board to sign a promissory note for \$625,000 payable to the Napa County General Fund by June 30, 2024; and
3. Authorization for the Chair to sign a letter requesting the loan renewal from the Napa County Board of Supervisors.

Motion Text: Approve consent items.

Voting Yes: Pedroza, Ramos, Dillon, Gregory, and Wagenknecht

Corrections/Recusals: None.

Result: Passed

Enactment No: R-2021-01 (NBRID)

7. CONSENT ITEMS

Agricultural Commissioner

A. Agricultural Commissioner/Sealer of Weights and Measures requests adoption of a resolution providing for the following: [21-114](#)

1. Accept the Engineer's Report for the Napa County Winegrape Pest and Disease Control District for FY2021-2022 and the proposed levy of assessment for the district;
2. Set a Public Hearing for May 18, 2021 at 9:00 A.M. to hear protests to the establishment of the proposed assessment;
3. Direct the Clerk of the Board to comply with the requirements of Article XIII D of the California Constitution with respect to notice requirements for the proposed assessment; and
4. Designate County Counsel to answer questions regarding the assessments and protest proceedings.

Enactment No: R-2021-38

County Executive Office

B. County Executive Officer requests adoption of a resolution, pursuant to Section 9314 of the Public Resources Code, to reappoint Ashley Anderson Bennett, Rainer Hoenicke, Jon Kanagy, and Thomas "Bill" Pramuk the Napa County Resource Conservation District (RCD) Board of Directors in lieu of holding an election, with the terms of office to commence on November 27, 2020, and expire at noon on November 29, 2024 (Resolution attached) [21-107](#)

Enactment No: **R-2021-39**

C. County Executive Officer requests adoption of a resolution authorizing the Napa Valley Unified School District to borrow funds for Fiscal Year 2021-2022 and for the issuance and sale of 2021-2022 Tax and Revenue Anticipation Notes (TRANS) in a principal amount not to exceed \$35,000,000. [21-211](#)

Enactment No: **R-2021-37**

Health and Human Services Agency

D. Director of Health and Human Services requests approval of and authorization for the Chair to sign Revenue Agreement No. 210309B with the Department of Health Care Services (DHCS) for a maximum of \$51,144 for the term July 1, 2021 through June 30, 2022 for the Projects for Assistance in Transition From Homelessness ("PATH") Funding Allocation. [21-014](#)

Enactment No: **A-210309B**

E. Director of Health and Human Services requests approval of and authorization for the Chair to sign Agreement No. 210083B Acceptance of a Real-time Allotment Award from the California Department of Public Health Tuberculosis Control Branch for an additional \$8,276 for a new maximum of \$16,513 for the term July 1, 2020 through June 30, 2021 to fund tuberculosis prevention and control activities. [21-018](#)

Enactment No: **A-210083B**

Housing and Homeless Services – Division of CEO’s Office

F. County Executive Officer requests rescinding and replacing the following resolutions to name County Executive Officer, Assistant County Executive Officer or Deputy County Executive Officer as each authorized to execute the associated Standard Agreements and any subsequent amendments or modifications thereto, as well as any other documents which are related to the grants awarded to Napa County, as deemed appropriate for the following:

1. 2018 ESG Grant Resolution No. 2020-82;
2. 2019 ESG Grant Resolution No. 2019-97;
3. 2020 ESG Grant Resolution No. 2020-53;
4. 2020 ESG-COVID 2 Resolution No. 2020-147; and
5. Authorize and direct the application for and receipt of an additional ESG-CV Round 2 grant, in an amount not to exceed \$500,000, in accordance with applicable laws.

Enactment No: **R-2021-40; R-2021-41; R-2021-42; R-2021-43**

Human Resources – Division of CEO’s Office

G. Director of Human Resources and Sheriff request the adoption of a resolution amending the Departmental Allocation List for the Sheriff’s Office, as follows, effective May 15, 2021, with no net increase in full-time equivalents, and a slight increase to the General Fund:

1. Delete one 1.0 FTE Evidence Technician.
2. Add one 1.0 FTE Evidence Specialist.

Enactment No: **R-2021-44**

H. Director of Human Resources requests adoption of a resolution amending Napa County Policy Manual Part I: Section 37C-3, Management Compensation Plan - Management Non-Classified (Other), effective May 4, 2021 to include administrative edits to formatting and provide clarifications regarding effective dates for management classifications eligible to receive Certified Public Accountant (CPA) Premium Pay.

Enactment No: **R-2021-45**

[21-217](#)

[21-135](#)

[21-191](#)

Information Technology Services – Division of CEO's Office

I. Chief Information Officer and Director of Library Services and Community Outreach request the following actions related to the implementation of broadband solutions: [21-154](#)

1. Approval of and authorization for the Chair to sign a Professional Services Agreement with CBG Communications, Inc. for a maximum of \$98,150 for the term May 4, 2021 through June 30, 2022 to produce a road map, action plan, and seek to secure grant funding sources to use in the implementation broadband solutions; and
2. Approval of Budget Transfer No. CEO023 increasing appropriations in the Central Services subdivision consulting services expense account by \$98,150 offset by use of appropriation for contingency.
(4/5 vote required)

Enactment No: **A- 210353B**

Planning, Building and Environmental Services (PBES)

J. Director of Planning, Building and Environmental Services requests adoption of a resolution authorizing the submission of an application to the California Department of Resources Recycling and Recovery for a Waste Tire Amnesty Grant in the amount of \$90,000 for the State's Fiscal Year 2021-2022 award cycle, to be received by the County in Fiscal Year 2021-22 and 2022-23 and authorizing the Director of Planning, Building, and Environmental Services to execute the necessary grant documents. [21-230](#)

Enactment No: **R-2021-51**

Probation

K. Chief Probation Officer requests approval of the following: [21-106](#)

1. Establish a fixed asset for the purchase of a key management and control system for the Juvenile Hall in the amount of \$10,400.
2. Approval of Budget Adjustment No. PRO XXX to move \$10,400 from the Client Meals Expenses appropriation (Fund 1000, subdivision 14210-00, Account 53505) to the Equipment appropriations (Fund 1000, Subdivision 14210-00, Account 55400) within the Juvenile Hall Budget.
(4/5 vote required)
3. A waiver of competitive bidding requirements and sole source award of the purchase of a 64-key slot management and control system pursuant to County Ordinance Code 2.36.090.

Public Works

L. Director of Public Works requests adoption of and authorization for the Chair to sign two resolutions:

1. Certifying to the State Department of Transportation, the total mileage of Napa County maintained roads as of May 2021 in accordance with the provisions of Section 2121 of the California Streets and Highways Code; and,
2. Request that Caltrans change the functional classification of Devlin Road from a Local road to a Minor Arterial road.

[21-100](#)

Enactment No: [**R-2021-46; R-2021-47**](#)

M. Director of Public Works requests approval of Budget Transfer Nos. DPW056 A, B & C for the following projects (4/5 Vote Required):

1. Increase appropriation by \$142,040 in the Measure A-Unincorporated Special Revenue Fund (Fund 2440, Sub-Division 1220060) with the use of its available fund balance to correct the carryover budget amount from the last Fiscal Year to balance the transfer out and transfer in accounts;
2. Increase appropriation by \$2,044 in Public Works Projects Milliken Creek Flood Damage Repair Project (Fund 1000, Sub-Division 1220500, Program 13045) with use of its available fund balance to close out the project;
3. Increase appropriations by \$745,578 in Measure A-Unincorporated Special Revenue Fund to transfer to Public Works Projects with the use of its available fund balance;
4. Increase appropriation by \$346,827 in Public Works Projects Oakville-Knoll Sediment Plan Project (Fund 1000, Sub-Division 1220500, Program 07002) with offsetting increase to revenue from Measure A-Unincorporated Special Revenue Fund; and
5. Increase appropriation by \$408,768 in Public Works Projects Measure A-Lake Berryessa Project (Fund 1000, Sub-Division 1220500, Program 11012) with offsetting increase to revenue from Measure A-Unincorporated Special Revenue Fund.

[21-103](#)

Enactment No: [**Budget Transfer - DPW056 A, B, & C**](#)

N. Director of Public Works requests the following: [21-104](#)

1. Approval of and authorization for the Chair to sign Amendment No.3 to Agreement No. 200304B with ADKO Engineering increasing maximum compensation by \$24,483 for Buhman Road Bridge, RDS 20-25 for a new maximum of \$263,966 for additional design, survey, and environmental services, for a new accumulated total of \$365,355; and
2. Approval of Budget Transfer No. DPW053 for the following (4/5 vote required):
 - a. Increase appropriations by \$24,483 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 20035;
 - b. Increase appropriations by \$24,483 in Program 20035 (SB-1 -Buhman Road Bridge Project) budget offset by an increase in revenue from the transfer from the SB-1 Non-Operating Special Revenue Fund.

Enactment No: [**A-200304B Amend. 3**](#)

O. Director of Public Works requests approval of and authorization for the Chair to sign a Federal Apportionment Exchange Program and State Match Program Agreement with the State of California Department of Transportation for the term July 1, 2020, through June 30, 2021, providing revenue in the amount of \$337,648 to the County Roads Fund for general transportation purposes. [21-110](#)

Enactment No: [**A-210336B**](#)

P. Director of Public Works requests: [21-118](#)

1. Creation of a new Capital Improvement Project (CIP) within the Public Works Capital Improvement Program budget (Fund 2040, Sub-Division 2040500) for East Central Paving Project, RDS21-25 (Program 21067); and
2. Approval of Budget Transfer No. DPW054 for the following (4/5 vote required):
 - a. Increase appropriation by \$5,250,000 in the Accumulated Capital Outlay Fund (Fund 3000, Sub-Division 300000) offset by the revenue from the General Fund Non-Departmental budget to fund the preliminary evaluation, design and engineering, and construction of the project; and
 - b. Increase appropriations by \$5,250,000 in East Central Paving Project (Fund 2040, Sub-Division 2040500, program 21067) budget with offsetting revenue from the transfer from the Accumulated Capital Outlay Fund.

Q. Director of Public Works requests approval of and authorization for the Chair to:

1. Sign a joint Right of Entry Agreement with the State of California, acting by and through its Director of the Department of General Services (DGS), with the approval of the California Department of Forestry and Fire Protection (CAL FIRE) and Napa Valley Transportation Authority (NVT), in order to facilitate construction of the Vine Trail segment from Calistoga to St. Helena; and,
2. Authorize the Chair to execute this agreement and the subsequent easement agreement and related documents on behalf of Napa County; and,
3. That the Board approve, and authorize the Chair to execute the permanent Public Trail Easement with the State of California (attached as Exhibit C to the Right of Entry Agreement), after the State's approval of the legal descriptions and maps of the easement across the State's parcels; and,
4. Find that the Board has met its obligation as a Responsible Agency under CEQA by considering the Initial Study and Mitigated Negative Declaration prepared by the NVT for the Vine Trail section between Calistoga and St. Helena, reaching its own conclusions on whether and how to approve the project, and finding that none of the triggers for subsequent or supplemental CEQA review have occurred since NVT's approval of the project and CEQA documents on August 19, 2020.

Enactment No: **A-8623**

R. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 160078B with Peterson Power Systems, Inc., extending the term through June 30, 2023, increasing maximum annual compensation by \$3,265 for a new annual maximum of \$128,265, and increasing the scope of work to include regular service of two new towable generators located in the Corporate Yard at 7292 Silverado Trail and Roads Department at 4300 Spanish Flat Loop Road.

Enactment No: **A-160078B Amend. 2**

21-131

21-152

S. Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 170216B with Johnson Control Fire Protection, L.P. to:

[21-158](#)

1. Extend the term for an additional two years through June 30, 2023;
2. Increase compensation for routine fire system inspection and testing by \$10,443 for a new annual maximum of \$57,993, updating the scope of work to include additional routine services at Hall of Justice; and
3. Increase compensation for non-routine services by \$25,000 (for a new annual maximum of \$90,000) to include repairs at the Hall of Justice and 2000 Airport Road (former JAL Building), 5-year inspections and associated repairs, maintenance, repairs, and emergency services.

Enactment No: [**A-170216B Amend. 2**](#)

T. Director of Public Works requests the adoption of resolution accepting \$800,000 from the State Water Resources Control Board and authorizing the Director of Public Works to sign the grant agreement and execute any subsequent amendments pursuant to implementation of the Napa River Oakville to Oak Knoll (OVOK) Restoration Project Group D.

[21-177](#)

Enactment No: [**R-2021-48**](#)

U. Director of Public Works requests the following actions:

1. Award of the contract for the Napa River Oakville Crossroad to Oak Knoll Avenue Restoration Project Site 9 Grading and Group D Revegetation, PW 21-15 to Siteworks Construction Inc. of Lafayette, California, for their low total bid without Option Item 1 for a total contract price of \$3,158,710;
2. Authorization for the Chair to sign the construction contract; and
3. Rescind and replace previously approved Resolution 2020-61, accepting \$800,000 from the State Water Resources Control Board and authorizing the Director of Public Works to sign the grant agreement and execute any subsequent amendments pursuant to implementation of the Napa River Oakville to Oak Knoll (OVOK) Restoration Project Group D.

[21-179](#)

V. Director of Public Works requests authorization for the Airport Manager to submit an application and execute a Federal Aviation Administration (FAA) Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) grant agreement in the amount of \$57,000 to be used to support ongoing operations and maintenance.

[21-212](#)

Risk and Emergency Services (OES) – Division of CEO's Office

W. County Executive Officer and Risk and Emergency Services Manager requests approval of Budget Transfer No. CEO022 increasing appropriations in the amount of \$256,733 from fund balance for resolution of claims payment requirements resulting from adverse court judgment. (4/5 vote required) [21-130](#)

Enactment No: **Budget Adjustment - CEO022**

Sheriff

X. Sheriff requests a revision of the Schedule of Approved Capital Assets in the Final Budget for Fiscal Year 2020-2021 in the amount of \$8,366 with no change to total appropriations to purchase a Dual Sport Motorcycle for the Off-Highway Enforcement Team. [21-105](#)

Motion Text: Approve consent items.

Voting Yes: **Pedroza, Ramos, Dillon, Gregory, and Wagenknecht**

Corrections/Recusals: **None.**

Result: **Passed**

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

None.

9. PUBLIC COMMENT

Four (4) people spoke during public comment.

10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS**Napa County Groundwater Sustainability Agency**

A. Director of Planning, Building and Environmental Services requests the following: 21-280

1. Accept the Napa County Groundwater Sustainability Annual Report - Water Year 2020; and
2. Authorize submittal of the report to the State Department of Water Resources (DWR)

Planning, Building and Environmental Services Principal Planner Jeff Sharp made presentation.

Also available via videoconference were Reid Bryson and Vicki Kreitsinger-Grabert of Luhdorff & Scalmanini Consulting Engineers.

No testimony presented.

Discussion held.

Motion Text: Approve requested actions.

Voting Yes: Pedroza, Ramos, Dillon, Gregory, and Wagenknecht

Corrections/Recusals: None.

Result: Passed

11. ADMINISTRATIVE ITEMS**Public Works**

A. Director of Public Works will report on Left Turn Lanes (LTL) that have been required by previous Board or Planning Commission actions but have not yet been installed. 21-109

B. County Executive Officer and Director of Public Works request adoption of a resolution taking the following actions related to sale of County Surplus Property located at 2344 Old Sonoma Road (Property): [21-115](#)

1. Waiving any irregularities in the bid received by SN Management Corp. and finding the sole bid responsive;
2. Accepting the bid from SN Management Corp. in the amount of \$7.5 million and with a commitment to construct at least 15% of the total residential units for sale at affordable cost or for rent at affordable rent for low income households, for the purchase of Property and authorizing the sale of Property to SN Management Corp. at that price;
3. Authorizing the Chair of the Board to execute a purchase and sale agreement and grant deed for conveyance of the Property to SN Management Corp. on terms and conditions consistent with the Resolution of Intent and at the respective bid/purchase prices accepted above;
4. 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
5. 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 SN Management Corp., to take any other steps and to sign any other documents that are necessary to consummate the sale of the Property to SN Management Corp., 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.

Deputy Director of Public Works Leigh Sharp made presentation.

Motion Text: Approve requested actions.

Voting Yes: Pedroza, Ramos, Dillon, Gregory, and Wagenknecht

Corrections/Recusals: None.

Result: Passed

Enactment No: Resolution No. 2021-36

12. SET TIME MATTERS OR PUBLIC HEARING - SPECIAL DISTRICTS

None.

13. SET MATTERS OR PUBLIC HEARINGS

County Executive Office

A. SET MATTER 9:00 AM - 1 Hour

[21-258](#)

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.

Dr. Karen Relucio made presentation.

One (1) person spoke during public comment.

County Fire Department

B. SET MATTER 10:00 AM - 10 Minutes

[21-116](#)

County Fire Chief requests the first reading and intention to adopt an ordinance amending County Code Chapter 8.36 to improve the clarity of the rules and regulations governing the abatement of combustible vegetation and other fire hazards, and improve safety of the public and first responders. The title of the ordinance is as follows: An Ordinance of the Napa County Board of Supervisors, State of California, Amending Sections 8.36.030, 8.36.070, and 8.36.080 of Napa County Code Chapter 8.36 (Fire Protection - Fire Hazard Abatement). County Fire Chief also requests the adoption of a resolution to amend the Defensible Space Guidelines to provide additional direction for property owners to create defensible space around structures.

Assistant Fire Chief Jason Martin made presentation.

No testimony presented.

Held discussion.

Motion Text: Intent to adopt the ordinance.

Voting Yes: Pedroza, Ramos, Dillon, Gregory, and Wagenknecht

Corrections/Recusals: None.

Result: Passed

Enactment No: R-2021-49

Motion Text: Adopt resolution.

Voting Yes: Pedroza, Ramos, Dillon, Gregory, and Wagenknecht

Corrections/Recusals: None.

Result: Passed

Enactment No: **R-2021-49**

Planning, Building and Environmental Services (PBES)

C. SET MATTER 10:05 AM - 10 Minutes

21-266

Director of Planning, Building and Environmental Services (PBES) requests the following:

1. First reading of an ordinance amending various sections of Title 15, Buildings and Construction, of the Napa County Code to provide additional protection for new and rebuilt structures from wildfires; and
2. Adoption of a resolution finding that the local amendments are necessary because of local climatic, geological or topographical conditions within Napa County.

Director of Planning, Building and Environmental Services Chief Building Official Michael Zimmer made presentation.

No testimony presented.

Held discussion.

Motion Text: Intent to adopt the ordinance.

Voting Yes: **Pedroza, Ramos, Dillon, Gregory, and Wagenknecht**

Corrections/Recusals: **None.**

Result: **Passed**

Enactment No: **R-2021-50**

Motion Text: Adopt resolution.

Voting Yes: **Pedroza, Ramos, Dillon, Gregory, and Wagenknecht**

Corrections/Recusals: **None.**

Result: **Passed**

Enactment No: **R-2021-50**

14. LEGISLATIVE ITEMS**15. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS**

Chair Alfredo Pedroza reported on attending the meetings of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

Supervisor Diane Dillon reported on attending the California State Associations of Counties (CSAC) virtual conference.

Supervisor Brad Wagenknecht reported on attending meeting of the Bay Area Air Quality Management District (BAAQMD).

Supervisor Ryan Gregory reported on attending the meeting of the Napa Sanitation District.

Supervisor Belia Ramos reported on attending the meetings of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

16. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

None.

17. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

None.

18. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)	<u>21-262</u>
Agency Designated Representatives:	
Christine Briceno, Director of Human Resources	
Employee Organization:	
SEIU Local 1021 - NAPE (Public Services Employee Unit and Supervisory Unit of the County of Napa)	
Closed Session held. No reportable action.	
B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)	<u>21-285</u>
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: [X] Price [X] Terms of Payment	
Closed Session held. No reportable action.	

19. ADJOURNMENT

**ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING,
TUESDAY, MAY 18, 2021 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, APRIL 28, 2021 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