

Napa County

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



Agenda - Final

Tuesday, November 12, 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. APPROVAL OF PROCLAMATIONS AND COMMENDATIONS
5. CONSENT CALENDAR - SPECIAL DISTRICTS

Napa County Housing Authority

- A. Approve and authorize removing depreciated, obsolete, and unusable capital asset from the Housing Authority's inventory. (No Fiscal Impact) [24-1830](#)

Attachments: [Capital Asset Removal List](#)

Lake Berryessa Resort Improvement District

- B. Award a Construction Contract to Benchmark Civil Construction of Napa, CA for Phase I of the Lake Berryessa Resort Improvement District Wastewater Ponds Groundwater Inflow Mitigation Project, LB 18-01; and approve Amendment No. 2 to Agreement No. 240306B with GHD, Inc. adding construction administration and inspection services for the project. (Fiscal Impact: \$550,499 Expense; Lake Berryessa Resort Improvement District Fund; Budgeted; Discretionary) [24-1800](#)

Attachments: [Agreement](#)
[Bid Results](#)
[Project Budget](#)

6. CONSENT CALENDAR

Clerk of the Board

- A. Approval of minutes from the November 5, 2024 regular meeting. (No Fiscal Impact) [24-936](#)

Attachments: [November 5, 2024](#)

- B. Appoint Thomas Kalbrener to serve on the Napa County Commission on Aging as a Commissioner Emeritus for an indefinite term. (No Fiscal Impact) [24-1906](#)

Attachments: [Letter of Recommendation](#)

- C. Reappoint Teresa Foss for a fifth term, representing County-At-Large with the term of office to commence immediately and expire September 30, 2025; and reappoint James Bailey, for a fourth term, representing Presentation/Performing Arts; and Jeffrey L. Prather, for a second term, representing County-At-Large with the terms of office to commence immediately and expire September 30, 2027 on the Napa County Arts and Culture Advisory Committee. (No Fiscal Impact) [24-1907](#)
- Attachments:** [Foss Application](#)
[Bailey Application](#)
[Prather Application](#)

County Counsel

- D. Adopt a Resolution approving a scheduled partial loan forgiveness for the relocation incentive loan provided to the County Executive Officer, as set forth in the employment agreement, modifying terms of a prior resolution concerning interest accrual, and extending the term from 30 to 90 days for loan repayment in the event of early separation from employment. (Fiscal Impact: \$15,000 Expense; General Fund; Budgeted; Mandatory) [24-1337](#)
- Attachments:** [Resolution](#)
[Resolution 2023-97](#)
- E. Approve and authorize Agreement No. 250239B with Liebert Cassidy Whitmore to provide specialized legal advice and representation to Napa County regarding labor and employment matters, with a term from October 1, 2024 to June 30, 2029, and an annual maximum compensation amount of \$75,000 per fiscal year. (Fiscal impact: \$75,000 Expense; General Fund; Budgeted; Discretionary). [4/5 Vote Required] [24-1855](#)
- Attachments:** [Agreement](#)
- F. Appointment of qualified candidates to those special district boards in the County where the number of candidates does not exceed the number of offices to be filled in lieu of conducting elections (No Fiscal Impact) [24-1916](#)
- Attachments:** [Certificate of Facts](#)
[NRRD Certificate of Facts](#)
[COCWD Appointment Request](#)
[LCWD Appointment Request](#)
[CVWD Appointment Request](#)

County Executive Office

- G.** Accept the Williams Monitoring Report provided by the Napa County Superintendent of Schools. (No Fiscal Impact) [24-1831](#)

Attachments: [Report](#)

County Fire Department

- H.** Approve a Capital Asset purchase and Budget Amendment to increase Fire Operations appropriation for signage at the Napa County Fire Department building at 951 California Boulevard. (Fiscal Impact: \$12,000 Expense; Fire Fund; Not Budgeted; Discretionary) [4/5 vote required] [24-1853](#)

Human Resources – Division of CEO’s Office

- I.** Adopt a Resolution to amend the Departmental Allocation List for the Probation Department with net decrease to full-time equivalents, effective November 12, 2024. (Fiscal Impact: \$61,500 Reduced Expense; General Fund; Budgeted; Discretionary) [24-1842](#)

Attachments: [Resolution](#)

- J.** Adopt a Resolution to amend Napa County Policy Manual Part I, Section 37BB - Hiring and Promotional Incentive Pilot Program Policy, effective November 12, 2024. (Fiscal Impact: \$200,000 Expense; Fund dependent upon Department usage; Budgeted; Discretionary) [24-1857](#)

Attachments: [Resolution](#)

[Exhibit A - Section 37BB \(tracked changes\)](#)

[Exhibit B - Section 37BB \(final version\)](#)

Information Technology Services – Division of CEO’s Office

- K.** Declare certain items of capital asset property as surplus and no longer required for public use; authorize removal of the capital assets from the Information Technology Services’ capital asset inventory; and authorize e-waste disposal (No Fiscal Impact). [24-1419](#)

Attachments: [Capital Asset Items-Removal](#)

Public Works

- L.** Approve and authorize Agreement No. 250223B with Bureau Veritas for a contract maximum of \$42,183 for constructability review services to support the construction of the Dry Creek Road Bridge and approve a Budget Amendment for design, engineering and construction management. (Fiscal Impact: \$287,264; Capital Improvement Projects Fund; Not Budgeted; Discretionary) [24-1778](#)
[4/5 vote required]
Attachments: [Agreement](#)
[Budget Summary](#)
- M.** Approve and authorize creation of Roads Capital Improvement Project 25014 for the “2025 Annual County Bridge Repairs,” RDS 25-05 and approve a Budget Amendment in the amount of \$300,000 for design. (Fiscal Impact: \$300,000 Expense; SB1 Non-Operating Special Revenue Fund; Not Budgeted; Discretionary) [24-1807](#)
[4/5 vote required]
Attachments: [Budget](#)
- N.** Approve and authorize Agreement No. 250232B with Brightly Software, Inc. with a term ending June 30, 2025 and maximum compensation of \$49,000 to perform various facility condition assessments to inform the County’s infrastructure operations and maintenance and capital asset forecasting and approve an associated budget amendment to upgrade our property management software. (Fiscal Impact: \$138,220 Expense; Property Management Division; Not Budgeted; Discretionary) [24-1836](#)
[4/5 vote required]
Attachments: [Agreement](#)
- O.** Approve and authorize Agreement No. 250241B with Monarch Justice Center for use of space located at 5 Financial Plaza, for the term September 1, 2024 through September 30, 2029, to house The Courage Center, which is staffed and administered by the Napa County District Attorney’s Office. (Fiscal Impact: \$95,090 Expense; General Fund; Budgeted; Discretionary) [24-1846](#)
Attachments: [Agreement](#)

- P. Approve and authorize Amendment No. 7 to Lease Agreement No. 170064B with James B. Duncan and Nancy A. Duncan to extend the lease term by 2 years and to increase the monthly rent 3% annually for County's use of space located at 1834 Soscol Avenue, Suite A as the Napa County Probation Department's Evening Reporting Center for youth. (Fiscal Impact: \$19,450 Expense; General Fund; Budgeted; Discretionary) [24-1852](#)

Attachments: [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

Human Resources – Division of CEO's Office

- A. Receive a presentation regarding Napa County's participation in the U.S. Army Partnership for Your Success (PaYS) Program. (No Fiscal Impact) [24-1883](#)

County Counsel

- B. Consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal regarding an appeal filed by Appellant John Murphy on behalf of Preserve Lodi Lane concerning the Napa County Planning Commission's decision on May 3, 2023, to approve the Duckhorn Vineyards Winery Use Permit Major Modification Application No. P19-00097-MOD and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. (No fiscal impact.) [24-1368](#)

Attachments: [Resolution](#)
[Exhibit "A" – Revised COA](#)

County Executive Office

- C. Receive presentation from Napa Sanitation District regarding the recent Napa Purified Water Feasibility Study and other District project updates. [24-1639](#)

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

- D. Adopt a Resolution of Intent to purchase approximately 874 acres of land commonly known as the Skyline Wilderness Park property from the State of California. (Fiscal Impact: \$7.2 million; Capital Improvement Fund; Budgeted; Discretionary) [24-1840](#)

Attachments: [Resolution Agreement](#)

12. PUBLIC HEARING - SPECIAL DISTRICTS

13. PUBLIC HEARINGS

Planning, Building and Environmental Services (PBES)

- A. PUBLIC HEARING - Introduction of Ordinance [24-1294](#)

Introduction and intention to adopt an Ordinance adopting modifications to the Napa County Code Chapter 5.70 and the addition of Chapter 5.80 to reduce the waste and pollution caused by single-use plastic bags and eliminating the use of single-use plastic food ware in the County. (No Fiscal Impact)

Attachments: [Attachment A. Foodware Ordinance - Redline](#)
[Attachment B. Foodware Ordinance - Clean](#)
[Attachment C. FAQs Updated 10.9.24](#)
[Attachment D. Ordinance Educational Toolkit](#)
[Attachment E. Ordinance Written Notice](#)
[Attachment F. Correspondences](#)

- B. PUBLIC HEARING - Hess-Collection-Laird General Plan Amendment (P21-00055) and Rezone (P24-0221) [24-1819](#)

Conduct a public hearing to consider the project, adopt an addendum to the 2008 General Plan Environmental Impact Report (EIR); adopt the proposed Resolution; and adopt the proposed Ordinance. (No Fiscal Impact)

Attachments: [Planning Commission Resolution](#)
[Addendum to the 2008 General Plan EIR](#)
[Ordinance](#)
[Resolution](#)
[Correction Memorandum \(added after meeting\)](#)
[PowerPoint Presentation \(added after meeting\)](#)

C. PUBLIC HEARING - Sentinel LLC/Inglenook Residence Appeal [24-1837](#)

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 AUGUST 20, 2024. APPELLANT, APPLICANT, AND STAFF REQUEST A CONTINUANCE TO DECEMBER 3, 2024, AT 9:00 AM.)

14. CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) [24-1946](#)
Title: Chief Probation Officer

15. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, DECEMBER 3, 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, NOVEMBER 8, 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